



HEPBURN SHIRE COUNCIL  
ORDINARY MEETING OF COUNCIL  
PUBLIC MINUTES

**TUESDAY 20 AUGUST 2019**

SENIOR CITIZENS CENTRE

76 VINCENT STREET

DAYLESFORD

**6:00PM**

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# MINUTES

TUESDAY 20 AUGUST 2019

Senior Citizens Centre

76 Vincent Street, Daylesford

**Commencing 6:00PM**

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**EVAN KING**  
CHIEF EXECUTIVE OFFICER  
20 AUGUST 2019

## 1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

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

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## 2. SAFETY ORIENTATION

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

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## 3. OPENING OF MEETING

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

**IN ATTENDANCE:** Mr Evan King Chief Executive Officer, Mr Bradley Thomas Director Community and Corporate Services, Mr Bruce Lucas Director Infrastructure and Development Services, Ms Alison Blacket Manager Development and Community Safety, Ms Katherine Toom Coordinator Governance and Information

### STATEMENT OF COMMITMENT

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

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#### 4. APOLOGIES

Nil

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#### 5. DECLARATIONS OF CONFLICTS OF INTEREST

Nil

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#### 6. CONFIRMATION OF MINUTES

##### RECOMMENDATION

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

##### MOTION

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

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Licia Kokocinski

**Carried**

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#### 7. NOTICES OF MOTION

Nil

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#### 8. ITEMS OF URGENT BUSINESS

Nil

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#### 9. PRESENTATION OF COUNCILLOR REPORTS

##### MAYOR'S REPORT

**Councillor Don Henderson, Creswick Ward**

Most important things first. This month has seen attention having to be paid to dog attacks.

First in Clunes where a lady was bitten whilst exercising. Our staff were quickly on the scene and the dog removed whilst the owner was made to construct a secure yard for the dog. The strongest action allowed by the Domestic Animals Act was taken in this case. It serves as a warning to all pet owners that swift and stern action will be taken to protect the public.

On Saturday two Jack Russell terriers were mauled to death in their own yard that had a very high metal fence. Creswick police accompanied our Community safety team to a property where they seized a dog allegedly involved in the attack. There is an ongoing investigation into this very distressing incident. Creswick residents were rightly concerned for the safety of their pets and the general community. This attack took place near a kindergarten and school which is of real concern. It was the most vicious attack imaginable. My heart goes out to the family of the Jack Russell's. concerned

Last Sunday I caught up with our friends from the Daylesford RSL who were remembering the service of Vietnam Veterans. There I met Dean Mighell who runs Path of the Horse in Trentham which is a retreat for returned service people and their families suffering from the terrible effects of that conflict in Vietnam and others since. I have known Dean for decades and he continues his work of caring for people in our Shire after serving the Trade Union Movement as secretary of the Electrical Trades Union.

A celebration was held recently in the Bullarto Hall to honour Marlene and Len Orr who have been involved in the running of the hall for over 100 years between them. A great effort. I was joined by Cr Cottrell at the event.

Along with Council Staff and Councillors we launched our Active Women and Girls Strategy in Trentham. We were joined by many residents and a young Creswick Cyclist Xanthia Chatham who is the face of the strategy. Xanthia is one of the top young women in Australia in Cyclocross events. A great achievement for a sixteen year old.

Cr Cottrell and I joined the local Landcare group for some planting along the newly constructed creek walk in Glenlyon. This was National Tree Day so was all the more important when these small trees will be enjoyed by generations of people.

CEO Evan King and myself attended the Loddon Campaspe group of Councils meeting at Castlemaine. I must report that this is a very friendly and cohesive group whose agenda is cooperation and collaboration and it is great to be part of such a positive group.

Clunes put on a great show at the fabulous Town Hall. The dinner was to celebrate those who had put their best efforts into the community over the past year. Many volunteers from many groups too numerous to mention were there. On the night Clunes Citizens of the year were announced and these



were Young Citizen Lachie Wrigley, Female Citizen Linda Newitt and Male Citizen Steven Hunter.

Along with Crs Redwood, Robson and Cottrell we had some fun at Words in Winter in Daylesford Words are really such fun to me and I enjoyed being part of the launch with a snippet of my favourite poetry by great Australian poets and some wise words from other famous people. A great event and one that is held across the Shire.

I also attended a very positive breakfast meeting with Councils involved in the World heritage listing of our goldfields. Our shire holds some of the most valued areas in the world and it is important to preserve these important places.

Lastly, I must applaud our staff who were involved in the removal of domestic geese from Lake Daylesford. It was not their decision to do this but a Council decision. Whilst I can understand the anger and hurt of some sections of our community regarding this matter I cannot understand or condone the disgraceful verbal and physical abuse of our staff and condemn those few people involved. Workers have a right to be protected in their workplace from bullying and personal abuse. To those who objected and expressed their views respectfully on the matter are not included in this condemnation.

On a different note Mr King and I attended the opening of the new supermarket in Creswick. The owners have gone to great lengths to put large images of our historic town on the windows instead of the usual daily specials and have gone to another level with CO2 refrigeration and trolleys made from recycled plastics. A reduction of 47% in greenhouse emissions Even the heat from the refrigeration is captured and used to heat the premises.

A recent meeting with the Dja Dja Wurrung was very constructive and discussions were held regarding what a treaty could mean.

## **COUNCILLOR REPORTS**

### **Councillor Greg May, Creswick Ward**

I was fortunate enough to escape the winter here for a short time recently on an overseas trip so my apologies if some things in my report seem a little out of date. In mid-June I attended the AGM of the Kingston Agricultural Society at the Kingston Showgrounds. The committee is fortunate to have some new younger members who have brought a new enthusiasm to the organisation.

Their annual agricultural show was a two day event last year and they are undertaking facility improvements at the venue in Kingston with some help from the Hepburn Shire Council and the Creswick Community Bank. Many people in the shire will be unaware of the wonderful old grandstand which sits next to the oval at the Kingston Showgrounds. The structure once stood at the Smeaton showgrounds but was moved to Kingston many years ago. As

wonderful as the grandstand is, it is a constant concern to the committee how it can be maintained.

Also in June I attended the quarterly Municipal Emergency Management Planning committee meeting. People from CFA, SES, Red Cross, Victoria Police, VicRoads, Parks Victoria, Water Authorities etc meet regularly to discuss and provide input to a variety of Hepburn Shire Emergency Management Plans as well as discuss other emergency related issues. The shire's Heat Plan and Traffic Management Plan are just two which have been developed or revamped recently.

Just yesterday I attended a meeting of the Shire's White Ribbon Committee.

This year a new initiative was introduced which made some funding available to local sporting clubs to organise a White Ribbon event to help get the message out about domestic violence. Both the Daylesford and Newlyn Football Netball Clubs have conducted successful nights where representatives from Women's Health Grampians spoke to players and supporters about their firsthand and quite confronting experiences of domestic violence. Domestic or Family violence comes in many forms and it seems we hear about an incident in the media every day. Perhaps we hear of it so often that we simply dismiss it and perhaps some don't care because it hasn't been them or their family involved. On average one woman a week is murdered by her current or former partner, one in four women have experienced emotional abuse by a current or former partner since the age of 15, one in five women have experienced sexual violence since the age of 15. Annually in Victoria the police deal with 90,000 family violence offences and their Family Violence Unit which has been set up to carry out this job has 480 members. Unfortunately, Hepburn Shire is no different statistically to these figures. Perhaps it's easy to dismiss statistics as just statistics but every one of those 90,000 family violence offences is someone's mother or someone's sister or someone's daughter.

Why all the detail you might ask? Partly it's because I believe it's an issue which simply needs more attention in communities and partly it's because I don't think we have enough people in our communities who care enough about the problem or are passionate enough to help deal with it. I see people in our community who are passionate about all sorts of issues and perhaps some of that passion could be directed towards this very important community problem. Opportunities exist to join our White Ribbon committee or to become a White Ribbon Ambassador.

### **Councillor Fiona Robson, Birch Ward**

There were some fabulous community events this month and I was pleased to be able to attend a few. The 'Pasta for Poverty' lunch was a great collaboration between Rotary, 5000 Club and U3A. I very much appreciate

when people and organisations work together. Raising funds for people requiring extra assistance and having fun at the same time is a great contribution to the world.

'Christmas in July' hosted by Hepburn Regional Community Cheer was another great example of this. It was heartening to witness the generosity of many businesses and individuals. The funds raised will go towards assisting approximately 600 people with vouchers, gifts and lunch at Christmas time.

'Words in Winter' again provided a wonderful celebration of words, stories, books and more. It was great to see locals, young and more mature, sharing their talents as well as offerings of accomplished authors from afar.

Huge congratulations and thanks to all the volunteers that make these events happen. It is the dedication and commitment of people in our community that make Hepburn Shire such a great place to be.

I appreciate the opportunity I was given to participate in this year's councillor development conference organised by MAV (Municipal Association of Victoria). I was able to speak with councillors across the state and share challenges, opportunities and priorities. I gained an enhanced appreciation of our council and the way we work together with respect. We have different views and perspectives and I believe we are able to share our opinions freely and constructively. The positive working relationship with our CEO and his team is a benefit that many councils are yet to achieve. I acknowledge our council for the commitment we have working well together for the benefit of our community.

There was a lot of useful information and workshops. One that is topical was the session about recycling. The way we manage waste and resources has been challenging for a long time. Thanks to the commitment of Council officers, all our shire's recyclables have continued to be recycled, and not going to landfill. There is still significant potential for improvement, particularly reducing contamination. It was helpful to hear from academics, other councils, and to hear about approaches and opportunities that may be of value in Hepburn Shire. I have passed the information from this session to our CEO to share with his team.

I recognise that our Council's decision to re-home the domestic water birds at Lake Daylesford was not supported by everyone and there were people that were upset by the decision and frustrated by the process. I thank the people who contacted for being respectful and putting their views clearly. I particularly appreciate the time and consideration that was put into providing constructive feedback in a positive manner. Unfortunately, not everyone was provided the same respect. My thanks to all the Council officers involved in carrying out this controversial Council decision, many dealing with abusive conversations and messages. This behaviour is not ok and I know that we, as a community, can do better.

### **Councillor John Cottrell, Holcombe Ward**

No written report provided.

### **Councillor Neil Newitt, Cameron Ward**

I'll highlight two events in this month's report.

The annual Clunes community dinner was held this month, and I agreed to stand in for the absent president of the CTDA on the night.

The night celebrates volunteers and the community and reflects on the activities of the past year.

Reflecting on the past year a couple of events stood out as prime examples of how the town's volunteers and groups such as the CTDA work together.

The CTDA volunteers rose to the challenge of the events of March this year where we saw the destruction to significant part of our historic streetscape and the impact that had on the immediate and surrounding businesses and shop owners.

The CTDA quickly responded to the real sense of loss and harm being experienced across in the community by organising what was then dubbed the 'fun raiser' – the wonderful Picnic on Fraser – where there was no agenda except to bring people together to celebrate what makes us strong.

In June, when it became apparent that the continuing direct dire impact on the newsagency had reached a tipping point, the CTDA again quickly gathered the troops to hold a fund raiser to help the Drewers keep their doors open.

And again, while the CTDA was the catalyst in this instance, it is just one example of number of community groups that work together for a shared cause to achieve the very best for Clunes and its people.

In December, the Clunes Ag Society spearhead a drive to support Tony Hill – better known to most simply as Bushy – who was in the final stages of an aggressive bout with Motor Neurone Disease.

Between the two events (Bushys Cutout and the Newsagency fundraiser), the Clunes community raised more than \$150,000 in less than a year to support those in need.

The night also recognised Male, Female and Young Person of the Year and I congratulate those who received recognition of their service to the community on the night.

This month, I also attended the Clunes Museum AGM and assisted with the election of office bearers.

It is rewarding to hear the enthusiasm of this group, their plans for the coming year around exhibitions but note that there are still issues around IT within The Warehouse (where the museum is located). These issues, primarily

phone and IT have been a problem for a number of years. I note their Licence is up for renewal this year, and I hope these outstanding issues can be resolved as soon as possible.

### **Councillor Kate Redwood AM, Birch Ward**

My Council work over the last month has included the following formal representation:

- 23/7/19      The Pasta and Poverty lunch organised jointly by Daylesford Rotary and the Daylesford 5000 Club as a fundraiser for Rotary projects held at Vic Park. Crs Robson and Kokocinski also attended
- 24/7/19      A second meeting of the group considering the illegal dumping of unsaleable goods at op shops, which reported on the site visit to the Community op shop in Mink St Daylesford.
- The public meeting to consider the future of the Swiss Italian Festa at Bellinzona
- The Christmas Cheer fundraising dinner held at the Farmers Arms Daylesford also attended by Cr Robson
- 25/7/19      Daylesford Agricultural Show AGM to preside over appointment of the new committee
- 1/8/19      Launch of the Council's Active Women and Girls Program at Trentham, also attended by Cr Henderson and Cr Kokocinski
- 4/8/19      Birch Ward meetings
- At Daylesford Sunday market in the morning with Cr Robson
- At Yandoit Hall in the afternoon with Cr Robson and Cr Cottrell
- 6/8/19      Homelessness Meeting
- 10/8/19      Past Players match at Vic Park
- Daylesford Debutantes' Ball organised by Jayne Santurini
- The Mayor, and Mrs Henderson, and Catherine King and Mary Anne Thomas presided.
- I was the MC.
- 12/8/19      IWD advisory committee meeting. All proceeding well with plans for next year's event in Clunes
- Meeting of Friends of Ajax Road. This is a monthly meeting and as time goes by and the woes of the State recycling situation grow, the meeting becomes more collaborative

- 13/8/19 Strategic Briefing Day with a range of significant issues brought before Council for exploration, as well as the annual performance appraisal for our CEO
- 16/8/19 Farewell morning tea for Steve Millard, also attended by Cr Henderson and Cr Cottrell
- The first night of Words in Winter
- 18/8/19 The launch of the refurbished Palliative Care Room
- 19/8/19 Hepburn White Ribbon Committee meeting chaired by Cr May

As Council would be aware, from time to time I organise a public meeting to address issues that are brought to me by numbers of residents. In past years there have been meetings on homelessness which resulted in the campaign for the rights of long-term residents to remain in the caravan park, and with an ongoing group still looking to provide affordable housing options. Two meetings on recycling resulted in the Repair Cafe being set up. Now there is to be a meeting to address the question: Does Daylesford need a Community Newspaper? This is to be held on Thursday 29 August at 7:00 pm in the Paddock Room of Daylesford Neighbourhood Centre. All welcome. I would point out that all the major towns in Hepburn Shire have a community newsletter/newspaper except Daylesford.

### **Councillor Licia Kokocinski, Coliban Ward**

#### *Lyonville Avenue of Honour*

I would like to pay tribute to the dozens of volunteers and supports led by Dr John Crock for the creation of an Avenue of Honour in Lyonville which occurred on a brilliantly sunny Saturday 17 August. The Avenue of Honour has been many years in the planning and had strong support not just from Council, but also from the National and Victorian RSL leadership. I would also like to thank Council for the provision of road signage and traffic control and to VicRoads. To the residents Lyonville, you should be proud of the Avenue and what as a community you have achieved. The trees will not just be a beautiful sight but will be a fitting commemoration to the fallen soldiers who originally came from Lyonville, and who made the supreme sacrifice in times of war.

#### *Trentham Community Hub*

The Project Plan for the Trentham Community Hub has been drafted along with the Terms of Reference and Expression of Interest form for the Project Advisory Group. Of course this will be subject to further discussions with my other Councillors colleagues, with recommendation to adopt these important documents at the September Council meeting. I am pleased to announce that following this meeting, Expressions of Interest for the Project Advisory Group will be called for publicly, and appointments made at its meeting in November. The issue of the name (whether to call it a Centre or Hub) needs to be



discussed with my Councillor Colleagues because the Council resolution of August 2018 specifies this facility as a Hub.

Council is working towards a public Request for Tender for the design contract to be advertised in December 2019 with the awarding of the Tender schedule to occur at the February 2020 Council Meeting.

#### *Trentham Integrated Childcare Project*

As I reported back to residents earlier, the current design requires some modifications. A meeting with the architect is scheduled in the week commencing 19 August 2019 to discuss these changes and including a Disability Advisory Committee member with a design background.

A Request for Tender for the construction phase is being developed and planned for release in September this year with the successful tender awarded at a Council meeting in November 2019.

#### *Trentham Recreation Reserve Master Plan*

Up to date (19 August) Council officers and I are awaiting feedback from the Committee of Management. I will be writing to this Committee seeking their urgent advice. Council is proceeding with a design brief for the football pavilion. Two substantial financial funding submissions have been developed and submitted to state government departments to fund the redevelopment of two recreation reserves in other parts of the Shire, yet we are still talking about this one. I think the message should go out that with the economy grinding to very slow crawl, and consequently the state government facing revenue declines, that obtaining grants may present greater challenges.

#### *Councillor Development Weekend, 27 & 28 July 2019*

I was pleased to be able to attend this event in Ballarat and I thank Council for the opportunity of attending. The takeout message, for me at least, was that small regional councils are facing a challenging future. Those metropolitan councils who are cashed up because of developer contributions are in a good position (for the time being at least because these contributions are once-off), but smaller rural councils may face difficulties in the future because of declining grants and declining incomes in real terms, coupled with the increased demands for services and the cost of replacing ageing infrastructure and equipment.

## **RECOMMENDATION**

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

## MOTION

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

**Moved:** Cr Fiona Robson

**Seconded:** Cr Neil Newitt

**Carried**

## 10. PUBLIC PARTICIPATION TIME

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

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

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

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

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

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

## BEHAVIOUR AT COUNCIL MEETINGS

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

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

Respectful behaviour includes:

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



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

Inappropriate behaviour includes:

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

## **MOTION**

*10.1.1. That Public Participation time be extended by 15 minutes.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr Kate Redwood AM

**Carried**

## **10.2. PETITION**

One petition has been received in accordance with Local Law 1.

## **10.3. PETITION – TO RECEIVE A FORMAL APOLOGY FROM COUNCIL IN RELATION TO THE DECISION TO RE-HOME THE DAYLESFORD GEESE**

The petition contains approximately 375 signatures, of which approximately 35% provided an address located in the Hepburn Shire.

The petition states:

*“The petitioners whose names, addresses and signatures appear hereunder, petition the Hepburn Shire Council as follows: to formally apologise for the following issues raised in their process of re-homing of the Lake Daylesford geese – an acknowledged icon of local tourism for decades and much cherished by the majority of the local community.*

*This petition condemns Council for acting with no consideration for ratepayer and stakeholder consultation, no due process and total denial of opportunity for conversation around possible alternative solutions. The pushing through of this decision by stealth and the unseemly and cruel haste in the removal of the geese against an overwhelming tide of concern, demonstrates blatant disrespect for the community in which we live and considerable disregard for associated risk to tourism and the economic health of this area.*

*We ask that HSC offer a public apology and be prepared, as is its role, to engage fully and transparently with the community in matters demonstrated as being as being critical to stakeholders.”*

## **OFFICER'S RECOMMENDATION**

That Council:

10.2.1. Receives and tables the Petition

10.2.2. Refers the petition to the Director Infrastructure and Development Services to arrange the preparation of a report for the September 2019 Ordinary Meeting of Council

10.2.3. Advised the head petitioner of the above process

## **MOTION**

*That Council:*

*10.3.1. Receives and tables the Petition*

*10.3.2. Refers the petition to the Director Infrastructure and Development Services to arrange the preparation of a report for the September 2019 Ordinary Meeting of Council*

*10.3.3. Advised the head petitioner of the above process*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Fiona Robson

**Carried**

## **10.4. QUESTIONS**

The Chair will read out responses to questions taken on notice from the last ordinary meeting, and then hear and respond to new questions received in accordance with Local Law 1.

### **Question 1 – Ms Christine Molloy**

As a result of the petition submitted to seal White Hills Rd & Gardiner St Creswick and the result of road counters indicating average daily traffic of 228 vehicles, the Council passed a motion to have a \$5,000 Safety Audit conducted. Can you please advise in detail what that Safety Audit revealed?

### **Answer 1 – Mayor Don Henderson**

The third party, independent Road Safety Audit was conducted on the 25 June 2019.

The report findings identify and categorise hazards based on risk. The risk rating used in the report were: intolerable, high, medium and low. The greatest

identified risks are categorized as 'medium' and relates to the intersection of White Hills Road and Gardiner Street, namely, delineating intersection priority.

Although sealing of White Hills Road, Gardiner Street and the intersection do form part of the recommendations, they are lower ranked risks.

A copy of the Road Safety Audit can be made available to the head petitioner.

Officers will now consider a response to the report recommendations for future prioritisation and budget consideration.

### **Question 2 – Ms Christine Molloy**

Does this Safety Audit report bring residents any closer to having White Hills Rd and Gardiner St sealed and what are the next steps to doing so?

### **Answer 2 – Mayor Don Henderson**

There is no budget allocation to undertake these works in the current 2019/20 program.

Council will continue to consider these improvement works as part of developing future works programs and annual budgets based on economical or safety grounds and service needs.

Residents of White Hills Road and Gardiner Street do have the option of participating in a Special Charge Scheme to contribute to the capital cost of sealing the road.

### **Question 3 – Ms Christine Lewis**

The Lake and its geese are frequently used iconic images of Daylesford. There are hundreds of such images on the internet. The geese have been part of the local story for visitors to this region for decades. The visitor economy directly and indirectly supports the employment of hundreds of people here and has been a major contributor to the economic development and prosperity of this area for many years - to the tune of millions of dollars.

My question is: "Why did the Council not deem it necessary to consult with major local stakeholders, local businesses involved with the local visitor economy or even with the local Regional Tourism Board, when first considering possibility of removal?"

### **Answer 3 – Mayor Don Henderson**

Council did inform key stakeholders of the item in the upcoming meeting and the Council report was made available to the public on the Thursday before the meeting. The timing of the rehoming also aimed to avoid the commencement of the breeding season.

While recognising the value some attribute to the geese, Council believes many other amenity and environmental values at Lake Daylesford and the region contribute to its attraction for visitors. We have easy access to some of Victoria's best regional and national parks and spa facilities of a national scale. Council would like to acknowledge the many residents who work in tourism and the businesses who provide vital tourism services in our Shire. Council believes the success of our tourism industry is a combination of efforts from many committed people over a long period, and as such is not determined by 29 domestic animals on Lake Daylesford.

Dumping of Domestic waterfowl in the wild is an offence under the Prevention of Cruelty to Animals Act. Retention of the dumped domestic waterfowl, or their descendants, could not continue to be ignored, and certainly not celebrated as a tourist attraction, where it may encourage others to dump unwanted waterfowl.

Although some have been unhappy with our decision to rehome the geese, Council has also received strong support from residents and visitors alike who appreciate our decision. As Council, we remain committed to representing our communities and making the best decisions for the Shire over the long term.

#### **Question 4 – Ms Gael Shannon**

Given recent expression of concern about water quality in Lake Daylesford by Council Officers and Councillors, may I present a scenario of further concern.

In the summer I swim every day in the northern part of the lake. This summer that spot by the jetty became very popular with locals and visitors picnicking, paddling and occasionally one would swim. I was concerned to observe that many people waded out into the water to around waist height, obviously to have a pee.

My request is that Council consider placing a composting loo at that end of the lake.

#### **Answer 4 – Mayor Don Henderson**

There are currently two public toilet facilities within the Lake Daylesford reserve and one of these is located at the southern end of the lake adjacent to the swimming area.

At this stage, council does not believe a third toilet facility is warranted however will continue to review the needs for community facilities across the Shire as part of the strategic planning and asset renewal programs.

#### **Question 5 – Ms Gael Shannon**

Lake Daylesford (according to the many consultants appointed by the Shire over the years) has never been considered to be an important wetland. A

man-made lake created in 1926 to serve as a tourist attraction, it also drowned the Chinese market gardens and remnants of mining activity which often included deposits of cyanide and arsenic.

In the 1990s Tim Allen and Rex Hunt, the sponsors of my mid-winter Family Fishing Day, offered to improve the aquatic environment of the lake so that fish thrived and grew larger. A great deal more work would have to be done to create the shallow 'grassland' environment swans might inhabit and breed on. The steep underwater topography is not like Swan Bay, Tower Hill or any other shallow lakes west of Melbourne that are swan habitat.

Lake Daylesford has proven a perfect environment for ducks and geese, and they inhabited probably no more than 5% of the lake area. They were breeding and their flock size was increasing through breeding rather than 'dumping' as suggested.

If there was a concern over their increasing numbers why did Council not consider simply reducing their numbers, leaving some as an attraction for visitors and the community to enjoy?

**Answer 5 – Mayor Don Henderson**

While reducing numbers of domestic waterfowl would temporarily reduce environmental impacts, the animal welfare concerns would remain and send a message that Council is willing to condone and even take responsibility for dumped domestic animals in the wild, which we would regard as contrary to the intent of the Prevention of Cruelty to Animals Act 1986.

**Question 6 – Mr Richard Perry**

Is Council prepared to take on the treatment suggested by the Goat Hand Co Op as part of the mix to reduce the fuel load in Spring Creek Gully?

**Answer 6 – Mayor Don Henderson**

Council has been undertaking a spray minimisation pilot project and the final report is being prepared for council consideration at the September Council meeting.

The use of goats in this program were trailed and are a likely option for Council consideration with future weed management programs.

Councillors are scheduled to hear an address later in tonight's agenda regarding the Goat Hand Co Op.

Council will no doubt consider this in developing future budgets and weed management and fire fuel reduction programs.

**Question 7 – Ms Deborah Clarke**

In the few days following the Council Meeting, the Council would have become aware of the enormous rising tide of opposition to its decision to

remove the geese. While continued efforts were being made by members of the community to negotiate at least a temporary stay, the CEO was instructed to proceed as quickly as possible with the removal of the geese. Out of sheer respect for the massive community concern, why did Council not fulfil its responsibility to consult and find solutions to perceived issues and delay the removal of the geese until further discussion might occur?

**Answer 7 – Mayor Don Henderson**

Council fulfilled its responsibility to rehome the geese with regard to legislative obligations relating to the Prevention of Cruelty to Animals Act 1986. Consultation occurred through the development of the Biodiversity Strategy and timing was scheduled to reduce impacts on the birds ahead of the breeding season.

**Question 8 – Ms Deborah Clarke**

The Council report referred to “many community complaints” about the geese but gave no details. It is likely that some of the complaints concerned the geese appearing aggressive. In my experience, geese like all other creatures will act to protect their young when they perceive them under threat e.g. humans throwing stones at them, trying to hit them with sticks (which I have witnessed). The Council used this normal protective response as a reason to remove them. Is the Council now going to demonstrate consistency and embark on a program of removal of other creatures which can appear unfriendly towards humans at certain times of the year e.g. magpies which swoop to protect their young?

**Answer 8 – Mayor Don Henderson**

Council is consistent with our approach to areas of our jurisdiction (Local Government), including the removal of geese from Lake Daylesford. Council is not able to act on matters under State Government jurisdiction including the management of issues arising from magpies and other native animals.

**Question 9 – Ms Louise Mclachlan**

The Council report referred to the “longer term expected algal blooms”. This refers to something that hasn’t yet occurred. Where is the science to back this and what testing and modelling did the Council carry out in relation to this assertion?

**Answer 9 – Mayor Don Henderson**

Algal blooms are natural events that can be exacerbated by concentrated nutrients entering a closed water system, including those from domestic animals such as geese. Council is committed to maintaining and improving water quality in Lake Daylesford wherever possible. Removal of domestic

waterfowl from Lake Daylesford will help improve water quality and reduce the likelihood and impact of future algal blooms.

**Question 10 – Ms Louise Mclachlan**

What did the results show about the percentage of algal blooms which could be directly attributable to the geese?

**Answer 10 – Mayor Don Henderson**

The quality of water in Lake Daylesford is determined by a number of factors, including the intense use by domestic animals such as geese. Investment in analysis to confirm the exact contribution of domestic waterfowl to the water quality of Lake Daylesford has not been considered reasonable or practicable for this issue.

**Question 11 – Ms Amelia Church**

On page 8 of the Biodiversity Strategy, under the heading, ‘Why is Biodiversity Important?’, two reasons for its importance are listed as:

- *landscape character that fosters a sense of connection to local landscape and ‘sense of place’ and*
- *the aesthetics of landscapes that underpin economic activity such as tourism and recreation.*

Do these statements include the preservation of deciduous non-native trees on roadsides and Council reserves?

**Answer 11 – Mayor Don Henderson**

No, as identified in the Executive Summary, the focus of the Biodiversity Strategy is the native flora and fauna of the Hepburn Shire. Deciduous trees are considered within Council’s other landscape management processes.

**Question 12 – Ms Amelia Church**

Is the biodiversity of our autumn colours, a hallmark of this area, in danger of eradication under this Strategy?

**Answer 12 – Mayor Don Henderson**

No, the majority of deciduous tree species in gardens and roadsides are protected and valued for their contribution to the Shire’s landscapes. Council has a responsibility to control a small subset of weedy deciduous trees under the Conservation and Land Protection (CaLP) act.



**Question 13 – Ms Michele Green**

The online petition gathered over 6,000 signatures and comments. Why did the council not consider this petition and hold of the rather hasty removal of our geese. Many of those who signed this petition were mainly from the local community but also from people who have visited Daylesford and viewed the geese as a positive and integral part of the Lake and the Daylesford experience.

**Answer 13 – Mayor Don Henderson**

Council was made aware of the online petition however it didn't comply with Council's Local Law No.1 - Meeting Procedures 2014 which governs the process of receiving petitions for formal consideration at an Ordinary Meeting of Council.

**Question 14 – Ms Michele Green**

What research did the Council carry out to identify the likely negative perceptions of visitors to the removal of the geese and the corresponding damage to the tourism economy, which is such a significant driver of economic activity in Daylesford?

**Answer 14 – Mayor Don Henderson**

This question has been responded to in question 3. The strength of our visitor economy is far broader than the 29 geese rehomed.

**Clarification was sought on Answer 14 – Ms Michelle Green**

Can the public be given access to the research or modelling data referred to?

**Clarification Answer 14 Mayor Don Henderson**

This question was taken on notice.

**Question 15 – Ms Misty Lea**

If it's geese that are/were the cause of there being no permanent swans on Lake Daylesford - why are there no swans on Lake Jubilee, or Pikes Creek Res where there are no geese?

**Answer 15 – Mayor Don Henderson**

Black Swan pairs do not permanently occupy waterbodies and their movement and seasonal occupation of waterbodies will be affected by a range of environmental factors.



### **Question 16 – Ms Diana Le Long**

The geese at the Lake were a combination of the following breeds: Chinese, Australian settler (Pilgrim), Pomeranian, Roman (of which there were two), and Emden. The Rare Breeds Trust of Australia lists the Toulouse, Chinese, Sebastopol and Australian settler (Pilgrim) as endangered. They list the Pomeranian, Roman, African and Emden as critical. The numbers of these rare breeds depend on commercial farming to retain their numbers of which there is no or low viability. The only other manner in which these rare breeds are maintained from extinction is through their value as ornamental birds usually in semi-urbanised areas in cohabitation with other mixed species waterfowl and through a small number of bird enthusiasts.

All pest animals are listed under the Department of Agriculture Victoria, it is the same list which Parks Victoria use as a reference when identifying pest animals and plants. There are quite a few pests, foxes and feral cats the most prevalent, however, the only species of goose listed under the pest species is the Canada goose which did not exist in the Lake Daylesford flock.

My question is: Why does/did the Council persist in referring to the geese as pests or feral animals and what was the Council's knowledge of the value of these birds rare status among the Rare Breeds Association of Australia at the time of making the decision to remove the geese?

### **Answer 16 – Mayor Don Henderson**

The issues created by the dumping and breeding of domestic geese on Lake Daylesford have understandably led to the occasional use of the word 'pest animal' in communications. These issues are not mitigated by the rarity of the geese breeds.

### **Question 17 – Ms Diana Le Long**

The Daylesford flock was healthy, breeding and thriving. Possible thinning of the flock might have been considered plus appropriate general all - bird signage around the lake about feeding birds and using caution during breeding season. Appropriate signage on the road into Daylesford and a decrease in speed limit – examples of which can be seen in many communities could have been adopted.

If the Council is prepared to reinstate 50% of the flock or even just the elderly birds that are past reproduction age and have known no other home beyond Lake Daylesford, I am prepared to commit to raising the funds to pay for transportation costs, management to prevent population spikes, new signage and welfare incidentals, including veterinary care that may arise. Will the Council agree to this or enter into negotiations?

### **Answer 17 – Mayor Don Henderson**

The Council is not prepared to reinstate domestic geese on the Lake, this would constitute an offence under the Prevention of Cruelty to Animals Act 1986.

### **Question 18 – Ms Dianne Sharpe**

The Council Report dated 16 July 2019 stated: “there will be disappointment and opposition” to the removal of the geese. If Council already understood that the decision would be of considerable concern, why did Council deem it necessary to choose a solution that is so divisive, lacking in community consultation and offering supposition rather than science to back their actions, and with no potential to explore other options with stakeholders?

### **Answer 18 – Mayor Don Henderson**

This question has been answered in response to Question 7.

### **Question 19 – Ms Dianne Sharpe**

By removing the geese in the manner that they did, with much subterfuge and with no opportunity for community input or consultation, does the Council recognise the damaging impact of its actions on the most vulnerable people in our community and the importance the geese played in their lives?

### **Answer 19 – Mayor Don Henderson**

The Council’s decision to act is consistent with its obligations under the Prevention of Cruelty to Animal Act 1986.

### **Question 20 – Ms Gina Lyons**

Section 65 of the Local Government Act requires Councillors to:

- represent the local community in decision making,
- consider the diverse interests and needs of the local community,
- observe principles of good governance and act with integrity, and
- facilitate effective communication between the Council and the community.

Can the Council please explain how its conduct in the matter of the geese met these requirements?

### **Answer 20 – Mayor Don Henderson**

Section 65 of the Local Government Act 1989 also states that the role of a Councillors is to provide civic leadership in relation to the exercise of the various functions and responsibilities of the Council under this Act and other Acts.

Dumping of Domestic waterfowl in the wild is an offence under the Prevention of Cruelty to Animals Act 1986. Retention of the dumped domestic waterfowl, or their descendants could not continue to be ignored, or could encourage others to dump unwanted waterfowl.

**Question 21 – Ms Gina Lyons**

The removal of the geese was justified under the Biodiversity Strategy. The Strategy does not specify the removal of the geese. The Strategy refers to “Reduce pest fauna activity of certain pest animal species in key management areas - including sensitive biodiversity areas,’ however, the Rare Breeds Trust of Australia does not include the breeds of geese at the Daylesford Lake as pest species, nor do any government lists.

Will the Council commit to publishing the initiatives proposed under the Biodiversity Strategy and to engaging with the community through a proper process of consultation on these projects?

**Answer 21 – Mayor Don Henderson**

Council will engage on initiatives to deliver the Biodiversity Strategy on a case by case basis, recognising that some issues are determined solely by legislation and provide no opportunities for consultation.

**Question 22 – Ms Susanne Devine and Ms Claire Levine**

As one of only 2 food & beverage businesses on Lake Daylesford why was there no consultation as to whether we had witnessed or had reported to us any complaints of aggressive behaviour of the geese towards visitors or asked about the value that the geese brought to the lake as a major tourist attraction before this decision was made to remove much of the fun and life from Lake Daylesford?

**Answer 22 – Mayor Don Henderson**

This question has been answered in response to Question 3. The strength of our visitor economy is far broader than the 29 geese rehomed.

**Question 23 – Ms Anne-Marie Banting**

Will the Council commit to accepting e-petitions in line with Federal and State Government?

**Answer 23 – Mayor Don Henderson**

Council's Local Law No.1 - Meeting Procedures 2014 does not provide for the submission of e-petitions and there are no plans at present for Council to vary or conduct a review of this Local Law.

(The Local Law ceases to operate on the tenth anniversary of the day on which it commenced operation [28 November 2014], unless revoked earlier).

**Question 24 – Ms Mary Sleeman**

The Council seemed hellbent on removing the geese. Why did not it explore option such as thinning the flock and erecting information signs around the lake to educate people about the geese and their protective behaviour at certain times of the year before proceeding with the drastic and clearly community concerning step of removal of the flock?

**Answer 24 – Mayor Don Henderson**

This question has been answered in response to Question 5.

**Question 25 – Ms Mary Sleeman**

Council's Biodiversity Strategy is consistently referred to as the main reason for the decision to remove Lake Daylesford's geese.

Perhaps that's because "biodiversity" makes it sound like there was some sound science behind the decision rather than just some griping about "bird attacks" and goose droppings. In fact, Daylesford Lake is unsurprisingly, not very high on the DELWP Biodiversity sensitivity scale.

The main threatening species listed are red foxes and domestic cats that are allowed to roam. Geese are not listed at all.

My question is: Will the Council then please explain the basis for its decision and the unseemly haste to enforce it in the face of the enormous outcry both from local residents and visitors to Daylesford and for whom the Daylesford flock was a much cherished.

**Answer 25 – Mayor Don Henderson**

This question has been answered in response to Question 7.

**Question 26 – Ms Clare Sleeman**

In the 2019 Customer Satisfaction Survey, Hepburn Shire scored 51 for 'Community consultation and engagement' - barely a pass. The previous 7 years also had poor results - 50, 47, 49, 43, 50, 52, 46.

Why does the Council persist in acting in ways which do not result in significant improvement in its performance for what is a key requirement of a local Council under the Local Government Act?

**Answer 26 – Mayor Don Henderson**

Council has and will continue to improve its community consultation and engagement. Various engagement activities are undertaken by Council

including, but not limited to ward meetings, listening posts, project updates, community newsletters, Council Meetings, the Shire News, improvements to Councils website, and significantly increasing the use of social media, especially Facebook.

**Question 27 – Ms Clare Sleeman**

In the 2019 Customer Satisfaction Survey, Hepburn scored 52 for 'Decisions made in the interest of the community' - barely a pass. The previous 5 years also had poor results - 49, 45, 48, 43, 49.

Why does the Council persist in acting in ways which do not result in significant improvements in its performance for what is a key requirement of a local Council under the Local Government Act?

**Answer 27 – Mayor Don Henderson**

Council has and will continue to make decisions it believes are in the best interest of the community. Often decisions are required to be undertaken by Council need to be in accordance with relevant State or Commonwealth legislation.

**Question 28 – Ms Dallas Kinnear**

Is the Lake House patio or any other structure built over their boundary on Lakefront land?

**Answer 28 – Mayor Don Henderson**

Council is currently investigating the concerns raised by members of the community and Councillors will be briefed on the findings when all details are known.

I note that the Director Infrastructure and Development Services has provided a commitment to you to walk over the site with you and provide a copy of the site survey after Councillors have been briefed on the details.

**Question 29 – Ms Dallas Kinnear**

If the Lake House has been talking with Council about leasing any extra Lake front land, will Council, to protect the public interest, refuse their request and require them to immediately remove any structures built over their boundary line and ensure that Lake House – not rate payers – pays for this second survey necessitated by the removal of the VCAT ordered bollards marking the boundary line some 20 years ago.

**Answer 29 – Mayor Don Henderson**

Council is investigating this matter and the concerns raised by the community and no determinations have been reached.

Council has funded some survey works in order to expedite a resolution and response to the community.

#### **10.5. REQUESTS TO ADDRESS COUNCIL**

Members of our community who have submitted a request in accordance with Local Law 1 will be heard.

Dr Patrick Jones addressed Council regarding bushfire mitigation at Spring Creek Gully.

## 11. STATUTORY PLANNING REPORTS

### 11.1. PLANNING APPLICATION 2222 FOR THE CONSTRUCTION OF TWO DWELLINGS AT 2A RUTHVEN STREET DAYLESFORD DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

*In providing this advice to Council as Senior Planner, I Anita Smith have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this report is for Council to determine the application for the construction of two dwellings at 2A Ruthven Street, Daylesford. The report is being presented to Council as five or more objections have been received to the application.

#### **BACKGROUND**

##### *Site and Surrounds*

The site is a 1120 square metre parcel of land on Ruthven Street that is described as follows:

- Located approximately 70 metres west of Vincent Street.
- The site has a frontage to Lake Daylesford Reserve to the south-west.
- The site has a significant slope of approximately 10 metres falling from the eastern (side) boundary towards the western (side) boundary.
- The site is currently vacant and contains one tree along the north-west boundary of the site.
- The title is burdened by a three-metre wide easement in favour of Central Highlands Water that extends through the western corner of the property.

Ruthven Street has few properties facing the street with only three residential properties on the south side of Ruthven Street. The property opposite the site is occupied by Daylesford Primary School and the land to the west forming an entrance to Lake Daylesford Reserve.

##### *Proposal*

The application proposes the construction of two double storey dwellings on the site.

Dwelling 1 is described as follows:

- Designed with two 'wings' with the dwelling stepping down the site taking advantage of the contours of the site.
- Located to the front (Ruthven Street) half of the site.
- Accommodates living rooms at ground level and four bedrooms at first floor (street level) and 81 square metres of secluded private open space.

- Two on-site car spaces in the form of a double carport accessed from a common property driveway located on the subject site that extends along the eastern boundary.

Dwelling 2 (referred to as ‘the guest house’) is described as follows:

- Located towards the rear (south) portion of the of the site
- Will accommodate living rooms at ground level, two bedrooms at first floor (street level) and includes 58 square metres of secluded private open space
- Two on-site car spaces in the form of a double carport accessed from the proposed common property driveway.

Whilst the setbacks vary throughout the site due to the irregular shape of the allotment, the development proposes the following minimum setbacks from the boundaries of the site:

- 10.25 metre front setback
- 4.244 metre side setback from the eastern boundary;
- 1.582 metre rear setback from the southern boundary; and
- 1.013 metre side setback from the western boundary.

The dwelling is proposed to be elevated on stumps across most of the site and have a maximum height of 9.899 metres. The dwelling is proposed to be clad in natural stone render, vertical grey timber cladding and black perforated metal screens

## ISSUE/DISCUSSION

### *Relevant Planning Provisions*

Zoning:	General Residential Zone Schedule 1 (GRZ1)
Overlays:	Design and Development Overlay Schedule 4 (DDO4) Environmental Significance Overlay Schedules 1 (ESO1) Environmental Significance Overlay Schedules 2 (ESO2) Neighbourhood Character Overlay Schedule 1 (NCO1) Heritage Overlay (HO376)
Particular Provisions	Clause 55 - Two or more dwellings on a lot Clause 52.06 - Car Parking
Relevant Provisions of the PPF	Clause 13.03-1S Floodplain management Clause 13.04-2S Erosion and landslip Clause 14.02-1S Catchment planning and management Clause 14.02-2S Water quality Clause 15.01-01S Urban design Clause 15.01-2S Building design Clause 15.01-5S Neighbourhood character Clause 15.01-6S Design for rural areas



	Clause 15.02-1S Energy and resource efficiency Clause 15.03-1S Heritage conservation Clause 15.03-2S Aboriginal cultural heritage Clause 16.01-01S Integrated housing Clause 16.01-05S Rural residential development Clause 16.01-2S Location of residential development Clause 16.01-4S Housing affordability Clause 21.2 Key Influences Clause 21.03 Vision and Strategic Framework Clause 21.04 Objectives - Strategies - Implementation Clause 21.05 Settlement and Housing Clause 21.09 Environment and Heritage Clause 22.01 Catchment and Land Protection Clause 22.02 Mineral Springs Protection Clause 22.08 Daylesford Neighbourhood Character	
Under what clause(s) is a permit required?	Clause 32.08-6 – General Residential Zone Schedule 1	Construction and extension of two or more dwellings on a lot
	Clause 42.01-2 Design and Development Overlay, Schedule 4	Buildings and works
	Clause 42.01-2 Environmental Significance Overlay, Schedule 1 and 2	Buildings and works
	Clause 43.05-2 Neighbourhood Character Overlay, Schedule 1	Buildings and works
	Clause 43.01-1 Heritage Overlay	Buildings and works
Objections?	Five (5)	

### *Zoning and response to policy direction*

The site is zoned General Residential where residential development is expected and encouraged, subject to providing an appropriate response to the existing and preferred character of the area and compliance with Clause 55 (ResCode) of the Hepburn Planning Scheme (Scheme). The site is connected to all relevant services and is surrounded by other residential development.

Albeit contemporary in appearance, the proposed dwellings provide an appropriate built form outcome that is expected within the precinct of the neighbourhood character overlay that the site is located within. The proposed dwellings are supported by the relevant policies in relation to the location and form of residential development.

## Heritage Implications

The site is affected by Heritage Overlay HO376 known as “House, Ruthven Street, Daylesford”. The Heritage Overlay affecting the site relates to the existing single fronted double hip roofed sandstone villa located at 2 Ruthven Street that is located on a separate title to the east of the site. A future Planning Scheme Amendment to correct this anomaly would be required to correct the mapping associated with this Heritage Overlay.

It is considered that the proposal will not detrimentally impact on the heritage significance of the existing dwelling at 2 Ruthven Street as:

- The existing heritage listed dwelling is setback approximately 43 metres from Ruthven Street.
- The ground floor of the heritage place is approximately 7 metres higher than the subject site due to the slope of the land.
- The heritage dwelling will remain a feature of the street and surrounding landscape.
- No concern has been identified by Council’s Heritage Advisor in relation to the dwelling at 2 Ruthven Street.

General comments were provided by Council’s Heritage Advisor regarding the impact of the development on Daylesford Lake and the surrounding environs. Concern was identified regarding the height and the visual impact of the development exacerbated by the choice of construction materials.

It is asserted that a sense of lightness is created through limiting the width of the separate sections of the dwellings and providing opportunities for future planting of vegetation to flow around and through each building. This will reduce the visibility of the development from the parkland surrounding Lake Daylesford.

Recommendations in relation to the colour and material of the roof and walls were made to address the concern relating to the visual impact of the development in the landscape. It was also recommended that a detailed amended landscape plan incorporating more substantial vegetation be requested as a condition of permit.

### *Design and built form.*

Policy direction in relation to design and built form are provided through the design and Development Overlay and (DDO4) and Neighbourhood Character Overlay (NCO) which provide the following objectives and decision guidelines:

Design objectives of DDO4:

- *To preserve and enhance the significant visual qualities of Lake Daylesford and its environs.*
- *To maintain and enhance the character and amenity of residential areas in Daylesford that are within a Daylesford Neighbourhood Character Precinct.*

- *To retain and protect the existing vegetation that is characteristic of the locality, and to encourage new vegetation that is consistent with this character.*
- *To prevent development that intrudes on the sight lines, or is inconsistent with the open natural form of the site.*

The purpose and decision guidelines of the NCO:

- *To maintain and strengthen the vegetation dominated landscape and the relationship to the vegetation qualities of the lake environs.*
- *To minimise site disturbance and impact of the building on the landscape.*
- *To maintain the rhythm of dwelling spacing.*
- *To ensure that adequate space is available on private land for the retention and planting of vegetation.*
- *To ensure that new buildings and extensions do not dominate the landscape and wider lakeside setting.*
- *To use materials and finishes that reflect the traditional Daylesford Township materials and lakeside setting.*
- *To maintain the openness of the streetscape.*

The site forms part of a recent subdivision. The site has been cleared of all vegetation except one tree located on the western boundary of the site which is proposed to be retained. The site has a significant slope of approximately 10 meters. The location and slope of the site mean that any development on the site, be it single or double storey, is likely to be visible from the adjoining reserve

The development proposes a common driveway extending along the eastern boundary of the site. The dwellings are accessed at ground level from the driveway and present a double storey form to the west facing Lake Daylesford Reserve. Double storey development is characteristic of the neighbourhood and in this instance, is justified given the significant slope of the site. The dwellings are contemporary in appearance, however the concrete finish complemented by the vertical natural timber cladding is sympathetic with existing development within proximity of the surrounds.

The development minimizes site disturbance, steps down the site, provides a roof pitch and form that compliments surrounding development and provides separation between the dwellings to maintain the openness of development, reduce dominance and accommodate the provision of planting to compliment the landscape character of the surrounds.

#### *Adherence to ResCode – Clause 55*

The development complies with all the objectives and all but two of the standards of Clause 55 of the Hepburn Planning Scheme. A copy of this assessment is included as an attachment to this report. The following provides a discussion in relation to the variations sought.

### *Site coverage*

The Neighbourhood Character Overlay suggests that the site area covered by buildings should not exceed 40 per cent. The development proposes a building site coverage of 44 per cent.

A variation to this requirement is acceptable. The building site coverage is exceeded by 4 per cent which equates to 44.8 square metres which is minor.

The elevated semi permeable decking (balconies) make up 140 square metres of the total building site coverage. A reduction in the size of the decking would achieve compliance with the required site coverage, however the variation is supported due to the significant slope of the site rendering it difficult to provide meaningful secluded private open space for the residents of the dwellings.

The decking provides passive surveillance over the adjoining parkland and also helps to break up the built form of the dwellings. The remaining permeable site coverage is set aside for meaningful landscaping which is encouraged. It is therefore considered that the site coverage is consistent with the objective of Clause 55.03-3 (Site coverage objective).

### *Side and rear setbacks;*

The application proposes variations to the required side setbacks specified at Standard B17 of Clause 55 (ResCode) of the Scheme. Specifically, the roofed balconies encroach into the required setbacks (in part) from the north-west boundary by up to 1.926 metres. The variation to the standard is acceptable in this instance taking into consideration the constraints of the site including the irregular shape and significant slope of the allotment.

The shape of allotment results in the setbacks from the north-west boundary ranging from 1.013 metres to as large as 12.963 metres. In addition, the variation is sought along the boundary adjacent to the reserve, therefore the setbacks being stepped and adjacent to the reserve are considered to respond appropriately to the desired "open" neighbourhood character.

Lastly, the variations located adjacent to the adjoining Council reserve will not negatively impact on the amenity of habitable room windows and secluded private open space of existing dwellings. The variation is therefore considered to be consistent with the objective of Clause 55.04-1 (Side and rear setbacks) which is to ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

### *Environmental Impact*

The dwelling has been designed to follow the contours of the land in order to minimise the impact on soil disturbance and the impact on waterway health.

The application has been referred to Goulburn Murray Water (GMW) who did not raise any concerns and provided their conditional consent to the application.

There is not considered to be any impact as a consequence of the development that cannot be controlled through the building process.

### **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 is subject to appeal rights and may incur costs at VCAT if appealed.

### **RISK IMPLICATIONS**

Nil

### **ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS**

Nil

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The application has been advertised by sending notification of the proposal to adjoining and adjacent owners and occupiers and a notice on the land. As a result, five objections have been received. The issues raised in the objections are addressed individually as follows.

#### *Response to objections*

#### *Neighbourhood Character*

Concern was raised in relation to the contemporary appearance of the buildings. The contemporary architectural expression of the dwellings responds appropriately to the adjoining neighbourhood character through the provision of:

- Low site coverage and provision for landscaping that reflects the landscape character of the surrounds;
- An acceptable interface to the adjoining public realm through the provision of balconies;
- The profile and pitch of the hipped roof forms; and
- The use of materials referencing traditional housing stock and similar contemporary developments within proximity of Lake Daylesford including rendered materials found on adjoining properties and the use of natural timber that compliments the weatherboard appearance of many dwellings within the surrounds.

### *Bulk, overdevelopment and density*

It is recognised that bulk and excessive height may have an adverse effect on aspect and amenity.

The bulk of the dwellings is appropriately tempered through its articulation, setbacks separation between buildings and site coverage. The design response is suitable in an eclectic streetscape of single and double storey building form, many of which are not dissimilar to the proposed built form. The sloping contours of the land have resulted in many dwellings presenting an elevated two storey form when viewed from Lake Daylesford.

It is understood that that the dwellings will be visible from the property to the south known as 2B Ruthven Street, however any development on the currently vacant site is likely to be highly visible from the property to the south which is slightly lower than the subject site but also occupied by a two-storey dwelling. It is noted that the setbacks of the development from the southern boundary are compliant with the siting requirements of Clause 55 (ResCode).

Non-compliance with the Planning Scheme including the following provisions of Clause 55 (ResCode)

- Street setback

In accordance with Standard B6 at Clause 55.03-1 (Street setback objective), the development is required to be setback 9 metres. Whilst it is difficult to determine the front boundary due to the irregular shape of the allotment, the development provides a 12.671 metre setback which is considered to be adequate and consistent with the existing and preferred character noting that the front setbacks of the two properties fronting Ruthven Street are 5 and 5.4 metres ensuring these dwellings will remain significantly more visually dominant in the streetscape in comparison to the proposal.

- Street integration

The development is consistent with Standard B5 at Clause 55.02-5 (Integration with the street objective). Noting that dwelling 1 is appropriately oriented to face the street including a deck and visible entry porch. No high fencing is proposed, and it is noted that the development will not be visually dominant in the street given the slope of the land and the elevation of the footpath and road above the site.

- Building height

Standard B7 at Clause 55.03-2 (Building height objective) of the Scheme identifies that the building height must be consistent with the height specified in the zoning of the land. In this instance, the General Residential Zone allows a maximum building height of 12 metres and 3 storeys. The development will not exceed 10 metres at any point with is compliant with the requirements.



- Site coverage

As detailed in the “issue/discussion” section above, the development proposes a minor variation (4%) to the required building site coverage.

The variation as proposed is justified and is consistent with the objective of Clause 55.03-3 (Site coverage objective) which is *to ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.*

- Drainage and stormwater management

The development includes Water Sensitive Urban Design (WSUD) techniques including a rainwater tanks, infiltration sand strips and buffer strips to treat all the on-site stormwater runoff before it is discharged into the adjoining waterways which is encouraged. The stormwater will be required to be connected to a Council designated stormwater point of discharge. The application has been referred to Council’s Development Advisor who has required that specific drainage conditions be included on any planning permit that is issued. Lastly, the application was referred to the relevant water authorities who raised no concerns and deem the development appropriate subject to conditions.

- Side and rear setbacks

As detailed in the “issue/discussion” section above, the development proposes a minor variation to the side setbacks specified at Standard B17 of Clause 55 (ResCode) of the Scheme in relation to the north-west boundary of the site. The remaining setbacks, including the setbacks adjacent to existing residential properties are compliant.

The variation to the standard is acceptable and consistent with the objective of Clause 55.04-1 (Side and rear setbacks) which is *to ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.*

- Car parking and accessways too many manoeuvres.

The on-site car parking provisions are dictated by Clause 52.06 (Car Parking) of the Hepburn Planning Scheme.

The development is compliant with the requirements of the clause in relation to the grade of the accessway, dimensions of car ports, the number of on-site car spaces, width of accessways and vehicle manoeuvrability.

Concern was identified in relation to the need for vehicles to exit the site in one manoeuvre. There is no requirement for the vehicles to be able to exit the site in one vehicle movement in private residential developments. There is a requirement for commercial car parks which is not applicable to this application.

- Possibility of converting Dwelling 1 into two dwellings (totalling 3 on site) without planning approval.

A planning permit would be required to undertake any works (including internal works) to convert one of the dwellings into two dwellings.

Amenity impacts from the possibility of operating an accommodation (such as a bed and breakfast).

No planning permit is required to operate a bed and breakfast associated with an existing dwelling. This requirement applies to the surrounding properties also located within the General Residential Zone.

- Accommodation such as bed and breakfast are a valued part of Daylesford and the Hepburn Shire. It is considered that should a component of the dwelling be offered as an as-of-right bed and breakfast, the sites proximity to the town and Lake Daylesford is appropriate.

It is noted that a planning permit would be required to undertake works and operate a self-contained accommodation from the site.

- Negative impact on Lake Daylesford environs and adjoining walking path / Negative impact on Tourism values of Lake Daylesford, Hepburn Spa Reserve Jubilee lake botanical gardens;

The development proposes the construction of buildings on a vacant allotment located within a residential zoning. Any development of this site will be highly visible from the adjoining parkland due to the contours of the allotment similar to the adjoining dwelling at 2B Ruthven Street. It is noted however that the Lake Daylesford walking path is located a minimum 27 metres from the subject site and is separated from the site in part by existing vegetation. It is considered that the design response including provision for landscaping adjoining the park will ensure that the development will not have a detrimental impact on the Lake or its environs.

- Impact on views

Whilst the Hepburn Planning Scheme does not provide specific guidance in relation to the right to protect views from adjoining properties, the location and design of the development is not likely to unreasonably reduce the views to Lake Daylesford from any adjoining residential properties.

## **CONCLUSION**

The application proposes the construction of two dwellings on a parcel of land that has been zoned to provide for the use of the land for residential purposes. The dwellings have been designed to complement the existing and preferred character of the area. Based on the above the development is considered acceptable and warrants Councils support.



## OFFICER'S RECOMMENDATION

11.1.1. That Council having caused notice of the planning application 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 Notice of Decision to Grant a Planning Permit PA 2183 for the construction of two double storey dwellings in respect of the land known as 2A Ruthven Street, Daylesford, subject to the following conditions:

### Amended Plans Required (Condition 1)

- 1) Before the development starts, 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 will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans but further modified to show:
  - a) The roof colour and material of the proposed dwellings amended to a traditional grey corrugated metal profile or similar to the satisfaction of the responsible authority.
  - b) Six cubic metres of externally accessible storage provided for each dwelling in accordance with Standard B30 at Clause 55.05-6 (Storage objective) of the Hepburn Planning Scheme.
  - c) A landscape plan in accordance with Condition 3 of this permit.
  - d) The location of electricity meter box integrated into the development and, not in a standalone location in the front setback, unless otherwise agreed to in writing by the Responsible Authority.
  - e) Gas and water meters shown on all relevant plans. Where meters would be visible from the public realm, they must not be in a stacked or placed vertically, and must be screened from viewing either landscaping or fixed

screening, unless otherwise agreed to in writing by the Responsible Authority

Layout not altered

- 2) The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Landscaping and tree protection

- 3) Before development starts, a detailed amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions and three copies must be provided. The landscape plan must show:
  - a) the locations of all landscaping works to be provided on the land
  - b) the locations of the tree to be retained or removed from the land (including details of species and size);
  - c) the provision of substantial landscaping including canopy trees along the interface of Lake Daylesford reserve to contribute the landscape character of the lake and its environs.
  - d) a detailed schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant
  - e) details of the proposed surface finishes of pathways and driveways
  - f) details of the irrigation system to be used on land following completion of the landscaping works
  - g) the water sensitive urban design (WSUD) initiatives contained within the submitted STORM report.
- 4) Before the dwelling is occupied, all landscaping works as shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority. When the landscaping works have been completed, written confirmation must be provided to the satisfaction of the Responsible

Authority that landscaping of the land has been undertaken in accordance with the endorsed landscaping plans.

- 5) All landscaping works as shown on the endorsed plans must be maintained, including that any dead, diseased or damaged plants are to be replaced, to the satisfaction of the Responsible Authority
- 6) Before the works starts, tree protection fence(s) must be erected around the trees nominated for retention on the endorsed plans to define a Tree Protection Zone. The Tree Protection Zone should be erected at a radius of 12 times the diameter at breast height (DBH) to a maximum of 15 metres but no less than 2 metres from the base of the trunk to the satisfaction of the responsible authority. The fence must be constructed of to the satisfaction of the Responsible Authority. The tree protection fence(s) must remain in place until the completion of the development unless otherwise agreed in writing by the Responsible Authority.

No access in tree protection zones

- 7) No vehicular or pedestrian access, trenching, storage of materials or equipment or soil excavation is to occur within the Tree Protection Zone unless otherwise agreed in writing by the Responsible Authority.

No storage within Council Reserve

- 8) There must be no permanent storage of materials and vehicles within the Council reserve along

Construction amenity

- 9) All areas of disturbed ground must be stabilised and revegetated at the completion of the development to the satisfaction of the Responsible Authority

Stormwater Drainage

- 10) All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No

concentrated stormwater shall drain or discharge from the land to adjoining properties.

#### Access

- 11) Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.
- 12) Prior to the occupation the following will be constructed for approval.
  - a) Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 255 or to approval of responsible authority.
  - b) Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.
  - c) Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.
  - d) Any proposed vehicular crossing shall have satisfactory clearance to any side- entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.
  - e) The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.
- 13) All works must construct and complete prior to commencement of use.
- 14) All costs incurred in complying with the above conditions shall be borne by the permit holder.

#### Central Highlands Water

- 15) Reticulated sewerage facilities must be provided to each dwelling 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.

- 16) A reticulated water supply must be provided to each dwelling 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.

#### Goulburn Murray Water Corporation

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

#### Permit Expiry

- 18) This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
  - b) The development is not completed within four years of the date of this permit.

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

Note: Further Council approval through a Local Laws permit will be required for any construction that requires access through Council Land.

Applicant Ms Judith Jajee addressed Council in support of the application.

Ms Mary-Faeth Chenery addressed Council in objection to the application.

Mr Andrew Clarke, representative for Mr Shane Gardiner addressed Council in objection to the application.

Ms Julien McDonald addressed Council in objection to the application.

Mr David Martinelli addressed Council in objection to the application.

## **MOTION**

*11.1.2. That Council, having caused notice of the planning application under Section 52 of the Planning and Environment Act 1987 and having considered all matters required under Section 60 of the Planning and Environment Act 1987, resolves to issue a Refusal to Grant a Permit in respect of the land known and described as 2A Ruthven Street Daylesford*

**Moved:** Cr Kate Redwood

**Seconded:** Cr Fiona Robson

**Carried**

## ATTACHMENT 1 - CLAUSE 55 (RESCODE) ASSESSMENT

### Two or More Dwellings on a Lot and Residential Buildings (Clause 55)

Refer to Clause 55 of the Planning Scheme for decision guidelines.

The following table provides a reference for the proposal's compliance/non-compliance with the Objectives and Standards of Clause 55. Refer to the main body of the report for a detailed assessment against of the key elements of Clause 55 as they relate to the proposal.

#### Neighbourhood Character Clause 55.02

Clause & Objective	Standard Met	Objectives Met
Clause 55.02-1 - Neighbourhood character objectives - Standard B1	Yes	Yes
Clause 55.02-2 - Residential policy objectives - Standard B2	Yes	Yes
Clause 55.02-3 - Dwelling diversity objective - Standard B3	N/A	N/A
Clause 55.02-4 - Infrastructure objectives - Standard B4	Yes	Yes
Clause 55.02-5 - Integration with the street objective Standard B5	Yes	Yes

#### Site Layout and Building Massing Clause 55.03

Clause & Objective	Standard Met	Objectives Met
Clause 55.03-1 - Street setback objective - Standard B6	Yes	Yes
Clause 55.03-2 - Building height Objective - Standard B7	GRZ - 11m (3 storeys) 10m - Complies	Yes
Clause 55.03-3 - Site coverage objective - Standard B8	<b>Variation - 40% building site coverage required under the Neighbourhood Character Overlay. 44% building site coverage proposed.</b>	Yes
Clause 55.03-4 - Permeability and stormwater management objectives - Standard B9	20% permeability required - 35% garden area provided - Complies	Yes
Clause 55.03-5 - Energy efficiency objectives - Standard B10	Yes	Yes
Clause 55.03-6 - Open space objective - Standard B11	N/A	N/A
Clause 55.03-7 - Safety objective - Standard B12	Yes	Yes
Clause 55.03-8 - Landscaping objectives - Standard B13	Yes	Yes
Clause 55.03-9 - Access objectives - Standard B14	Yes	Yes
Clause 55.03-10 - Parking location objectives - Standard B15	Yes	Yes



#### Amenity Impacts Clause 55.04

Clause & Objective	Standard Met	Objectives Met
Clause 55.04-1 - Side and rear setbacks objective - Standard B17	<b>Variation</b>	Yes
Clause 55.04-2 - Walls on boundaries Objective - Standard B18	N/A - None	Yes
Clause 55.04-3 - Daylight to existing windows objective - Standard B19	Yes	Yes
Clause 55.04-4 - North facing windows objective - Standard B20	Yes	Yes
Clause 55.04-5 - Overshadowing open space objective - Standard B21	Yes	Yes
Clause 55.04-6 - Overlooking objective - Standard B22	Yes	Yes
Clause 55.04-7 - Internal views objective - Standard B23	Yes	Yes
Clause 55.04-8 - Noise impacts objectives - Standard B24	Yes	Yes

#### On-Site Amenity and Facilities Clause 55.05

Clause & Objective	Standard Met	Objectives Met
Clause 55.05-1 - Accessibility objective - Standard B25	Yes	Yes
Clause 55.05-2 - Dwelling entry objective - Standard B26	Yes	Yes
Clause 55.05-3 - Daylight to new windows objective - Standard B27	Yes	Yes
Clause 55.05-4 - Private open space objective - Standard B28	Yes	Yes
Clause 55.05-5 - Solar access to open space objective – Standard B29	Yes	Yes
Clause 55.05-6 - Storage objective - Standard B30	Yes - Subject to condition	Yes

#### Detailed Design Clause 55.06

Clause & Objective	Standard Met	Objectives Met
Clause 55.06-1 - Design detail objective - Standard B31	Yes	Yes
Clause 55.06-2 - Front fences objective - Standard B32	Yes	Yes
Clause 55.06-3 - Common property objectives - Standard B33	Yes	Yes
Clause 55.06-4 - Site services objectives - Standard B34	Yes – Subject to condition	Yes

**ATTACHMENT 2 - DEVELOPMENT PLANS – 2A RUTHVEN STREET  
DAYLESFORD (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 3 - CONFIDENTIAL – OBJECTIONS (ISSUED TO  
COUNCILLORS UNDER SEPARATE COVER)**

## 11.2. PLANNING APPLICATION 2357 FOR THE USE AND DEVELOPMENT OF A DWELLING AT 321 CHANTERS LANE FERN HILL DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

*In providing this advice to Council as a Senior Planner, I Anita Smith have no interests to disclose in this report.*

### PURPOSE

The purpose of this report is for Council to determine Planning Application PA 2357 for the use and development of a dwelling 321 Chanters Lane, Fernhill.

The application is being brought to Council as the application has received 7 objections and is also being recommended for refusal.

### BACKGROUND

#### *Site and Surrounds*

The site is a 4046 square metre parcel of land located on the east side of Chanters Lane opposite the intersection of McGiffords Road in Fern Hill. The site is currently vacant of buildings and is vegetated by a mature pine plantation and a few native trees.

It is understood that the land was previously donated to allow the construction of the Fern Hill Primary School which was closed in 1953. Upon closure of the school, the site was planted with pine trees as a fund-raising exercise for the Tylden Primary School.

The land opposite (to the east) of the site is zoned Rural Conservation and is occupied by a mixture of cleared agricultural properties and lifestyle properties located on forested allotments. The land on the west side of Chanters Lane is Zoned Farming and is characterised by large established agricultural properties.

The site and the surrounding land are identified as being of very high agricultural land quality. (Agricultural Land in the Hepburn Shire, Enplan Strategic Assessment, 2007).

#### *Proposal*

It is proposed to build a dwelling on the site. The dwelling will include four-bedrooms, be clad in weatherboard and include a hipped colorbond roof.

### ISSUE/DISCUSSION

Zoning:	Farming Zone
Overlays:	Environmental Significance Overlay Schedule 1 Bushfire Management Overlay
Particular Provisions:	Clause 52.06 – Car Parking

Relevant Provisions of the PPF:	<ul style="list-style-type: none"> <li>• Clause 11.01-1R - Settlement - Central Highlands</li> <li>• Clause 12.01-1S - Protection of biodiversity</li> <li>• Clause 12.01-2S - Native vegetation management</li> <li>• Clause 12.05-2R - Landscapes - Central Highlands</li> <li>• Clause 13.02-1S - Bushfire planning</li> <li>• Clause 13.07-1S - Land use compatibility</li> <li>• Clause 14.01-1S - Protection of agricultural land</li> <li>• Clause 14.02-1S - Catchment planning and management</li> <li>• Clause 14.02-2S - Water quality</li> <li>• Clause 15.01-6S - Design for rural areas</li> <li>• Clause 15.02 - Sustainable Development</li> <li>• Clause 16.01-5S - Rural residential development</li> <li>• Clause 18.02-4S - Car parking</li> <li>• Clause 21.03 - Vision and Strategic Framework</li> <li>• Clause 21.03 - Vision and Strategic Framework</li> <li>• Clause 21.08 - Rural Land Use &amp; Agriculture</li> <li>• Clause 21.09 - Environment &amp; Heritage</li> <li>• Clause 22.01 - Catchment and Land Protection</li> <li>• Clause 22.04 - Rural Land</li> </ul>	
Under what clause(s) is a permit required?	Clause 35.07-1, Farming Zone	Use of the land for a dwelling
	Clause 35.07-4, Farming Zone	Buildings and works
	Clause 42.01-2 Environmental Significance Overlay, Schedule 1	Buildings and works
Objections?	Seven	

The primary consideration of this application relates to the appropriateness of the use and development of the land for a dwelling on a small allotment within the Farming Zone where it is policy to provide for the use of land for agriculture and ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture throughout the Municipality.

#### *Farming Zone and agricultural issues*

Historic subdivision has resulted in varied lot sizes throughout the municipality and many agricultural properties are made up of a number of lots. The relevant planning policy seeks to protect these agricultural properties.

Relevant policy within the Hepburn Planning Scheme allows for the building of dwellings on rural lots where:

- They are associated with and are required to support a productive agricultural enterprise.

- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses and encourages consolidation of existing isolated small lots in rural zones.

It is not considered that the application for a dwelling on the site responds appropriately to relevant state and local policy including the purpose and decision guidelines of the Farming Zone for the following reasons:

- The lot has an area well below the 20-hectare minimum size for which a dwelling can be established “as of right” within the Farming Zone.
- The site is not located within proximity to existing settlements such as Tylden or Trentham.
- Similar small allotments or dispersed dwellings within proximity of the site are rare.
- The surrounding land is largely used for grazing, cropping or the growing of vegetables.
- The establishment of a dwelling on the subject site will negatively impact on the agricultural viability of adjoining land.
- The approval of the dwelling will contribute to setting an inappropriate precedent for the establishment of dwellings on surrounding land parcels which may be under the required 20-hectare minimum.
- Inadequate justification has been provided in relation to the impact of the proposed dwelling on adjoining farmland.
- Minimal setbacks (as small as 12.5 metres) from adjoining properties will adversely limit production and the ability of the farms to expand their holdings.

It is policy to only consider the development of small allotments within the Farming Zone where significant public benefit is demonstrated. This would have been the case for the construction of a school. However, this is not demonstrated by the current proposal.

A detailed land management plan has not been provided and the management activities listed in the submitted town planning report are considered to reflect more a description of general land maintenance of a rural residential block opposed to being a comprehensive farm/land management plan demonstrating the need for a dwelling.

Any decision on an application for a dwelling in the Farming Zone must be balanced between whether a net benefit to agricultural production exists and whether any application would be detrimental to the site and surrounding land. It is considered that the application does not demonstrate such a net benefit and does not implement the relevant provisions of the State Planning Policy Framework and Local Planning Policy Framework.

### *Environmental Considerations*

A Land Capability Assessment was prepared as part of the application and referred to relevant water authorities and Council's Environmental Health Unit who offered no objection subject to conditions.

A Bushfire Management Statement was also prepared as part of the application which was referred to the Country Fire Authority who offered no objection subject to conditions.

### **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 is subject to appeal rights and may incur costs at VCAT if appealed.

### **RISK IMPLICATIONS**

N/A

### **ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS**

N/A

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The application has been advertised by sending notification of the proposal to adjoining and adjacent owners and a notice on the land. As a result, seven objections have been received. The issues raised in the objections are addressed individually as follows.

#### *Objectors Concerns*

- Non-compliance with lot size in farming zone creating bad precedent

As detailed above. The lot size is considerably smaller than the 20 hectares 'as of right' size required by the Farming Zone and there is concern that the support of the application may contribute to setting a precedent of similar proposals being required to be supported.

- Inflation of land prices

As detailed above. There is concern that a consequence of the approval of the proposed development may result in the inflation of land prices and development pressures of valuable agricultural land within the Municipality.

- Negative impact on surrounding agricultural uses including poor land management



Establishing non-agricultural land uses including dwellings used for rural residential purposes can result in poor land management practices being introduced and the introduction of conflict between the ongoing agricultural activities required on surrounding land and any newly established residential property.

- Negative impact on rural character

Whilst the property was historically used for a non-agricultural use, the property has been vacant of buildings for some time and has become part of the wider rural character of the surrounds. The development is contrary to the relevant policy directions

- Traffic Crossover vehicle access safety school bus

The application was referred to Council's Engineering Department who raised no concern in relation to traffic impact or safety. Construction of a crossover will require approval from Council to ensure it is constructed to an acceptable standard. It is not considered that the construction of a dwelling on the allotment will have a significant detrimental impact on the road safety of Chanters Lane.

- Tree removal

The application proposes the removal of the pine plantation on site which does not require planning permission. It is proposed to retain native trees where possible. Native vegetation removal and pruning is exempt under the provisions of the Bushfire Management Overlay. The retention of mature native trees is welcomed and encouraged, however the vegetation being an isolated patch is not considered to contribute significantly to the wider biodiversity of the surrounds.

- Bushfire Risk

The application was accompanied by a Bushfire Management Statement and plan which concludes that the development can be constructed to achieve compliance with a BAL-29 bushfire rating. The Statement was referred the Country Fire Authority who raised no concerns with the proposal.

- Contrary to the ESO1 and negative impact on catchment water quality.

A Land Capability Assessment was submitted with the application which determined that the site is capable of being provided an acceptable septic system to treat the wastewater associated with a four-bedroom dwelling. In addition, no concerns were raised by referral authorities including the relevant water authorities and Council's Environmental Health Team. Lastly, should a permit be issued, conditions would be included on permit requiring stormwater to be drained to a Council nominated stormwater point of discharge. It is therefore considered that the proposal is consistent with the requirements of the Environmental Significance Overlay and will not impact on the designated water catchments.

- The land was donated for use as a school. Land should be returned to original owners or original property and profits donated to the Tylden Primary School which the pine plantation was planted for.

Whilst the history of the site is a relevant consideration in determining the application, Council has no input into the sale or ownership of the land. This is not a relevant planning consideration.

## **CONCLUSION**

The proposed development does not support the objectives of the relevant Planning Policy Framework or the purpose of the Farming Zone.

The planning policy framework is clear and contains strong objectives to ensure that new dwellings on small lots (in this case, lots less than 20 hectares), do not result in loss or fragmentation of farming land and activity or are to be discouraged from locations that are separated from settlements and services. This policy framework requires a high benchmark to be satisfied for any new dwelling. It is considered that the proposed dwelling and use of the land is contrary to the Farming Zone and will negatively impact on the adjoining agricultural activities. Furthermore, the proposal will result in unnecessary fragmentation of prime agricultural land. Refusal is recommended.

## **OFFICER'S RECOMMENDATION**

11.2.1. That Council, having considered all the matters required under Section 60 of the Planning and Environment Act 1987, resolves to issue a Refusal to Grant a Permit PA in respect of the land known and described as 321 Chanters Lane Fern Hill, for the use and development of a dwelling for the following reasons:

1. The location of the proposed dwelling does not:
  - a) Provide for the erection of a dwelling on a rural lot associated with and required to support a productive agricultural enterprise;
  - b) Direct growth to existing, well serviced settlements or contribute to maintaining distinctive breaks and open rural landscapes between settlements;
  - c) Protect high quality agricultural land from encroachment of urban land uses;
  - d) Encourage consolidation of allotments capable of agricultural production;
  - e) Demonstrate overwhelming public benefit;

Contrary with the following clauses of the Hepburn Planning Scheme:

- Clause 11.01-1R (Settlement - Central Highlands)
- Clause 12.05-2R (Landscapes - Central Highlands)
- Clause 21.08 (Rural Land Use & Agriculture)
- Clause 22.04 (Rural Land)

2. The proposed use and development of a dwelling on an isolated small lot within a Farming Zone will inadvertently artificially inflate that value of land; negatively impact on the continuation of the surrounding farms to be used for agricultural purposes and expand their holdings contrary to the following Clauses of the Hepburn Planning Scheme:
  - Clause 14.01-1S 31/07/2018 VC148 Protection of agricultural land
  - Clause 16.01-5S Rural residential development
  - Clause 21.03 (Vision and Strategic Framework)
  - Clause 22.04 (Rural Land)
  - Clause 21.03 (Vision and Strategic Framework)
  
3. The proposal is contrary to the purpose and decision guidelines of Clause 35.07 (Farming Zone) of the Hepburn Planning Scheme as it does not provide for the use of land for agriculture or encourage the retention of productive agricultural land and fails to ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.

The proposal does not respond to the decision guidelines at Clause 65 of the Hepburn Planning Scheme and does not constitute the proper and orderly planning of the area.

Mr Neil Haydon, representative for Mr Sam Thompson addressed Council in support of the application.

Mr William Hickey addressed Council in objection to the application.

## **MOTION**

*11.2.1. That Council, having considered all the matters required under Section 60 of the Planning and Environment Act 1987, resolves to issue a Refusal to Grant a Permit in respect of the land known and described as 321 Chanters Lane Fern Hill, for the use and development of a dwelling for the following reasons:*

4. *The location of the proposed dwelling does not:*
  - f) *Provide for the erection of a dwelling on a rural lot associated with and required to support a productive agricultural enterprise;*
  - g) *Direct growth to existing, well serviced settlements or contribute to maintaining distinctive breaks and open rural landscapes between settlements;*

- h) Protect high quality agricultural land from encroachment of urban land uses;*
- i) Encourage consolidation of allotments capable of agricultural production;*
- j) Demonstrate overwhelming public benefit;*

*Contrary with the following clauses of the Hepburn Planning Scheme:*

- *Clause 11.01-1R (Settlement - Central Highlands)*
- *Clause 12.05-2R (Landscapes - Central Highlands)*
- *Clause 21.08 (Rural Land Use & Agriculture)*
- *Clause 22.04 (Rural Land)*

*5. The proposed use and development of a dwelling on an isolated small lot within a Farming Zone will inadvertently artificially inflate that value of land; negatively impact on the continuation of the surrounding farms to be used for agricultural purposes and expand their holdings contrary to the following Clauses of the Hepburn Planning Scheme:*

- *Clause 14.01-1S 31/07/2018 VC148 Protection of agricultural land*
- *Clause 16.01-5S Rural residential development*
- *Clause 21.03 (Vision and Strategic Framework)*
- *Clause 22.04 (Rural Land)*
- *Clause 21.03 (Vision and Strategic Framework)*

*6. The proposal is contrary to the purpose and decision guidelines of Clause 35.07 (Farming Zone) of the Hepburn Planning Scheme as it does not provide for the use of land for agriculture or encourage the retention of productive agricultural land and fails to ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.*

*7. The proposal does not respond to the decision guidelines at Clause 65 of the Hepburn Planning Scheme and does not constitute the proper and orderly planning of the area.*

**Moved:** Cr John Cottrell

**Seconded:** Cr Kate Redwood AM

**Carried**

**ATTACHMENT 4 - ADVERTISED PLANS – 321 CHANTERS LANE FERN  
HILL (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 5 - CONFIDENTIAL – OBJECTIONS - 321 CHANTERS  
LANE FERN HILL (ISSUED TO COUNCILLORS UNDER SEPARATE  
COVER)**

### 11.3. PLANNING APPLICATION 2377 FOR THE USE AND DEVELOPMENT OF A DWELLING AT 399 MOLLONGGHIP ROAD MOLLONGGHIP DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

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

#### PURPOSE

The purpose of this report is for Council to determine Planning Application PA 2377 application for the use and development of a dwelling 399 Mollongghip Road, Mollongghip.

This item was presented at the July Council meeting and deferred to provide the applicant a further opportunity to present additional information to support the application. The application is recommended for refusal.

#### BACKGROUND

##### *Site and Surrounds*

The site is a 0.54ha parcel of land located approximately 60m south of the intersection of Dean Mollongghip Road. The site is currently vacant.

The site and surrounding land are identified as being of very high agricultural land quality. (Agricultural Land in the Hepburn Shire, Enplan Strategic Assessment, 2007).

##### *Proposal*

The application proposes to use and develop the site for the purpose of a dwelling. The dwelling is proposed to be a 3 bedroom dwelling constructed in hardiplank material with an iron roof.

The applicant has supplied a land management plan with the application that seeks to justify the need for a dwelling on the site.

#### ISSUE/DISCUSSION

Zoning:	Farming Zone
Overlays:	Environmental Significance Overlay Schedule 1
Particular Provisions	None relevant
Relevant Provisions of the PPF	<ul style="list-style-type: none"> <li>• Clause 11.01 – Settlement</li> <li>• Clause 13.04-2S – Erosion and landslip</li> <li>• Clause 14.01-1S – Protection of agricultural land</li> <li>• Clause 16.01-2S – Location of residential development</li> <li>• Clause 21.05 – Settlement and Housing</li> <li>• Clause 21.08 – Rural Land Use and Agriculture</li> <li>• Clause 22.01 – Catchment and land protection</li> <li>• Clause 22.04 – Rural Land</li> </ul>



Under what clause(s) is a permit required?	Clause 35.07-1	Use of the land for a dwelling
	Clause 35.07-4	Buildings and works
	Clause 42.01-2 Environmental Significance Overlay, Schedule 2	Buildings and works
Objections?	Nil	

*Appropriateness in response to relevant State and Local Planning Policy*

The relevant policy most pertinent to the suitability of this application is related to the protection of agricultural land and ensuring that residential development is located within existing settlements throughout the Municipality.

The application seeks approval to construct a single dwelling on a lot with an area well below the 40ha minimum size for which a dwelling can be established “as of right” within the Farming Zone.

Relevant policy within the Hepburn Planning Scheme (scheme) seeks to protect farmland to allow that land to continue to be used for agricultural purposes. It does this by ensuring that productive farmland is not lost through permanent land use changes. It also seeks to prevent inappropriately dispersed urban activities in rural areas, limit new housing development in rural areas through directing housing growth into existing settlements and discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.

Despite the settlement of Mollonghip being located very close to the site, this is predominantly located on the Dean-Mollonghip Road. There are a small number of dispersed dwellings but predominantly all surrounding land is used intensively for agricultural production.

It is considered that the establishment of a dwelling will result in the loss of agricultural land through the inflation of the value of the subject site and is likely to result in a concentration of dwellings being established upon surrounding land parcels of a similar size to this site. The intensification of new dwellings on such properties has the potential for creating a conflict between existing farming operations and new dwellings.

Apart from the land along the Dean-Mollonghip Road, there are limited examples within the immediate area where dwellings are established on existing small allotments. The majority of properties are used for grazing, cropping or the growing of vegetables. Where dwellings are established, they are either located on large land parcels or are established associated with a more intensive agricultural land use.

### *Farming Zone and agricultural issues*

It is not considered that the use and development of the land for a dwelling on the subject site responds appropriately to the purpose and decision guidelines of the Farming Zone.

Sufficient justification for a dwelling on the subject site has not been provided. The application has been submitted with a land management plan and a farm management plan that seeks to demonstrate the need for a dwelling. It is proposed to undertake a market garden type enterprise in addition to undertaking general land management. The plans provide limited detail with regards to future land management activities and are in conflict of each other with regards to the areas that activities are proposed to be undertaken and where native vegetation and fruit trees are proposed. Despite this, the works are considered to reflect more a description of general land maintenance of a rural residential block opposed to being a comprehensive farm/land management plan that provides sufficient justification for the necessity of the dwelling to be located on the site to undertake such management activities.

Any decision on an application for a dwelling in the Farming Zone must be balanced between whether a net benefit to agricultural production exists and whether any application would be detrimental to the site and surrounding land. Concern is raised that without an existing and justifiable agricultural pursuit occurring on the land there is a potential for the land to be further sold with a permit which would artificially inflate the value of the land to that much greater than its agricultural value and also possibly result in a future concentration of dwellings being established on surrounding land. It is considered that the application does not implement the relevant provisions of the State Planning Policy Framework and Local Planning Policy Framework.

### *Environmental Considerations*

A Land Capability Assessment was prepared as part of the application and referred to Goulburn-Murray Water Corporation who offered no objection subject to conditions.

### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

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

### **FINANCIAL IMPLICATIONS**

N/A

### **RISK IMPLICATIONS**

N/A

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

N/A

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The application has been advertised by sending notification of the proposal to adjoining and adjacent owners and occupiers and a notice on the land. As a result, no objections have been received.

## **CONCLUSION**

The proposed development does not support the objectives of the State and Local Planning Policy, the Municipal Strategic Statement (MSS) or the Farming Zone. The planning policy framework is clear and contains strong objectives to ensure that new dwellings on small lots (in this case, lots less than 40ha where permits are triggered for use) do not result in loss or fragmentation of farming land and activity or are to be discouraged from locations that are separated from settlements and services. This policy framework requires a high benchmark to be satisfied for any new dwelling. It is considered that the proposed dwelling would make it difficult for the site to be used for agricultural activity. Furthermore, the proposal will result in unnecessary fragmentation of prime agricultural land. Refusal is recommended.

## **OFFICER'S RECOMMENDATION**

11.3.1. That Council, having considered all the matters required under Section 60 of the Planning and Environment Act 1987, resolves to issue a Refusal to Grant a Permit in respect of Planning Application PA 2377 on the land known and described as 399 Mollonghip Road Mollonghip, for the use and development of a dwelling for the following reasons:

1. The proposal fails to respond appropriately to Clauses 11.07-1 (Regional Planning), 16.01-2 (Location of residential development) as the application proposes to use the land for the purpose of a dwelling upon productive agricultural land that may impact on the 'right to farm' of adjoining agricultural land uses and may inadvertently artificially inflate that value of land impacting on the ability of surrounding farms to expand their holdings.
2. The proposal fails to respond to Clauses 11.08-8 (Agricultural productivity), Clause 14.01-1 (Protection of agricultural land), Clause 21.08-8 (Rural Land Use and Agriculture) and 22.04 (Rural Land) as the application proposes the use and development of the land for a dwelling without adequately demonstrating how the agricultural activities upon the subject site necessitate the requirement for a dwelling to be established upon the subject site and it is asserted that a dwelling will have a negative impact on the continuation of the surrounding land to be used for agricultural purposes.
3. The proposal is contrary to the purpose and decision guidelines of Clause 35.07 (Farming Zone) of the Hepburn Planning Scheme as it does not provide for the use of land for agriculture or encourage the

retention of productive agricultural land and fails to ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.

4. The proposal does not respond to the decision guidelines at Clause 65 of the Hepburn Planning Scheme and does not constitute the proper and orderly planning of the area.

Ms Loretta Bondin addressed Council in support of the application.

Mr James Iles addressed Council in support of the application.

Ms Jo Calligaris addressed Council in support of the application.

## **MOTION**

*11.3.1. That Council, having considered all the matters required under Section 60 of the Planning and Environment Act 1987, resolves to issue a Planning Permit in respect of Planning Application PA 2377 on the land known and described as 399 Mollonghip Road Mollonghip, for the use and development of a dwelling subject to the following conditions:*

*Construction in accordance with endorsed plans*

- 1) *The use development as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.*

*General Requirements*

- 2) *Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.*
- 3) *The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.*
- 4) *The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.*
- 5) *The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

*Council's Engineering Department*

*Stormwater Drainage*

- 6) *All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.*

*Access*

- 7) *Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.*
- 8) *Before the dwelling is occupied the following will be constructed for approval.*
  - *Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 255 or to approval of responsible authority.*
  - *Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1:2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.*
  - *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.*
- 9) *The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.*
- 10) *All works must construct and complete prior to commencement of use.*
- 11) *All costs incurred in complying with the above conditions shall be borne by the permit holder.*

*Environmental Health Conditions*

- 12) *An application to install a septic tank system must be submitted prior to any works commencing.*
- 13) *An EPA approved Septic Tank System must be installed in accordance with the Code of Practice: Onsite Wastewater Management 2016.*
- 14) *The effluent disposal field must be located in an area that is able to satisfy minimum setbacks from dams and waterways. A 60m*

*setback must be satisfied from any proposed or existing dams and 100m from declared waterways.*

*Central Highlands Water*

- 15) The dwelling and effluent disposal system must be located in accordance with the Land Capability Assessment by Provincial Geotechnical Pty Ltd reference 11934A dated 26 February 2019.*
- 16) The owner must install a wastewater management system that provides a secondary level of treatment of wastewater.*
- 17) Prior to a Building Permit being issued for a dwelling the owner must enter into an agreement with Central Highlands Region Water Corporation (CHW) and the responsible authority under Sections 173 and 174 of the Planning and Environment Act 1987, requiring that:*
  - a) The owner must have any wastewater treatment facility and effluent disposal system for the dwelling inspected annually by a qualified environmental health officer (“the EHO”) and must provide annually to both the Council and to CHW a written report from the EHO on the condition of the wastewater treatment and effluent disposal system.*
  - b) The Owner must have the wastewater treatment facility desludged at least once every 3 years or as otherwise determined by the EHO and evidence of this desludging must be provided in the EHO report referred to in Clause (a) herein.*
  - c) The Owner must carry out any works considered necessary by the EHO to ensure the satisfactory operation of the wastewater treatment facility and effluent disposal system.*
  - d) The owner will maintain all drainage lines at all times to divert surface water and subsurface water clear of the effluent disposal field.*
  - e) The Owner and the Council agree to do all things necessary to register a memorandum of this Agreement on the title of the land pursuant to Section 181 of the Planning and Environment Act 1987.*
  - f) The Owner must meet all costs of inspections, reports and works referred to in Clauses (a), (b), (c) and (d) herein and all costs of the Council in relation to stamping and registration of this Agreement.*
  - g) The Owner must not sell or enter into any contract to sell the land until this Agreement has been registered pursuant to Clause (e) herein.*

*The landowners must meet all costs of preparing and recording this agreement.*



### *Goulburn Murray Water Conditions*

- 18) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).*
- 19) All wastewater from the dwelling must be treated and disposed of using an approved system. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.*
- 20) The wastewater disposal area must be located at least: 100m from any waterways, 40m from any drainage lines, 60m from any dams, and 20m from any bores.*
- 21) The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.*
- 22) The dwelling must not contain bedrooms (or rooms that could be used as bedrooms) or any facilities with the potential to produce wastewater, including toilets, kitchens or other food preparation facilities.*

### *Permit Expiry*

- 23) This permit will expire if one of the following circumstances applies:
  - a) The development is not started within two years of the date of this permit.*
  - b) The development is not completed within four years of the date of this permit.*
  - c) The use is not started within four years of the date of this permit.*
  - d) The use is discontinued for a period of two years.**

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

**Moved:** Cr Neil Newitt

**Seconded:** Cr Fiona Robson

**Carried**



**ATTACHMENT 6 - APPLICATION PLANS – 399 MOLLONGHIP ROAD  
MOLLONGHIP (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 7 - LAND MANAGEMENT PLAN – 399 MOLLONGHIP  
ROAD MOLLONGHIP (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 8 - FARM MANAGEMENT PLAN - 399 MOLLONGHIP  
ROAD MOLLONGHIP (ISSUED UNDER SEPARATE COVER)**

#### **11.4. PLANNING APPLICATION 2072 FOR THE TWO LOT SUBDIVISION AT 323 KANGAROO HILLS ROAD, BLAMPIED DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

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

#### **PURPOSE**

The purpose of this report is for Council to determine the planning application (PA 2072) for the two-lot subdivision at 323 Kangaroo Hills Road, Blampied, formally known as Lot 64, Block B, on Plan of Subdivision 002617.

The application is recommended for refusal.

#### **BACKGROUND**

##### *Site and Surrounds*

The subject site is a rectangular parcel of land that has a total area of 77.1 ha. The site is currently used for agricultural purposes and has direct access to Kangaroo Hills Road. A drainage line runs east-west through part of the land, with areas of managed vegetation, cropping and cleared grazing.

Surrounding properties are used for agricultural purposes, with the township of Smeaton located 4.3 km to the west of the subject site. The Blampied Rural Living Zone is located 4.4km to the east, and the township of Kingston is located 3.7km to the south-west.

The site and surrounding land is identified as having a mixture of very low, and very high agricultural land quality. (Agricultural Land in the Hepburn Shire, Enplan Strategic Assessment, 2007).

##### *Proposal*

The application proposes to use and develop the site for the purpose of a dwelling. The dwelling is proposed to be a 3 bedroom dwelling constructed in hardiplank material with an iron roof.

The applicant has supplied a land management plan with the application that seeks to justify the need for a dwelling on the site.

#### **ISSUE/DISCUSSION**

Zoning:	Farming Zone (FZ)
Overlays:	Environmental Significance Overlay Schedule 1 (ESO1) Erosion Management Overlay (EMO) Significant Landscape Overlay Schedule 1 (SLO1)
Particular Provisions	None relevant

Relevant Provisions of the PPF	<ul style="list-style-type: none"> <li>• Clause 11.05-3 – Rural productivity</li> <li>• Clause 11.10-1 – A diversified economy</li> <li>• Clause 13.04-2S – Erosion and landslip</li> <li>• Clause 14.01-1S – Protection of agricultural land</li> <li>• Clause 14.01-2 – Sustainable agricultural land use</li> <li>• Clause 16.01-2S – Location of residential development</li> <li>• Clause 21.05 – Settlement and Housing</li> <li>• Clause 21.08 – Rural Land Use and Agriculture</li> <li>• Clause 22.01 – Catchment and land protection</li> <li>• Clause 22.04 – Rural Land</li> </ul>	
Under what clause(s) is a permit required?	Clause 35.07-3 - FZ	Subdivision
	Clause 42.01-2 – ESO1	Subdivision
	Clause 44.01-5 – EMO	Subdivision
Objections?	Nil	

### *Agricultural issues*

A planning permit is required to subdivide land zoned farming and generally each lot must be at least 40 hectares. A permit may be granted however for a 2 lot subdivision that creates a lot for an existing dwelling.

Limited information has been supplied with the application to demonstrate that the proposed two lot subdivision will support and enhance agricultural productivity. The application has been submitted with a Farm Management Plan that identifies the following future uses and management activities:

- Cropping and harvesting
- Running an average of 15 Clydesdale horses
- The operation plan notes that the long-term intention is to retain both proposed lots within the same family ownership, with the potential for ownership change of the proposed Lot 1 (33.5 ha) (emphasis added).

The site is in an area of the Municipality with very low agricultural land quality being part of a volcanic cone, in accordance with the September 2007 study, Review of Agricultural Land and Rural Land Use in the Hepburn Shire. The provided Farm Management Plan, Section 6 (Soil Quality and Conservation) notes the land as ideal for agricultural uses due to high agricultural soil quality, this is conflicting advice to the above mentioned 2007 study, which lists the subject site as very low.

The breadth of relevant policy including the purpose and decision guidelines of the Farming Zone seek to ensure that any application within land zoned Farming:

- Protects farmland by ensuring that productive farmland is not lost through permanent land use changes.

- Demonstrates a net benefit to agricultural production.
- Limits the subdivision of land that will be incompatible with the future use of the land for agricultural production.

In response to the information submitted with the application the following comments are made:

- The 'potential for ownership change' is not considered an appropriate response to the supporting and enhancement of the agricultural production and fragmentation of prime agricultural land.
- The subdivision will result in a reduction in the size of an existing agricultural holding making it a less viable unit of agriculture.
- The subdivision will result in a loss of productive agricultural land.
- The proposed subdivision does not meet the decision guidelines of Clause 35.07-6, in particular the proposed subdivision will not enhance, protect or support agriculture
- The subdivision will lead to a fragmentation of agricultural land.

#### *Environmental Significance and Erosion Management Overlays*

A Land Capability Assessment was provided for each proposed lot, both completed by Provincial Geotechnical Pty. Ltd, dated October 2018.

Goulburn-Murray Water, Central Highlands Water and Council's Environmental Health team have advised that subject to conditions, including an upgrade of the existing system (to be located on the proposed Lot 1), the proposed subdivision will not adversely impact on the relevant water catchment.

The proposed subdivision does not include any proposal for vegetation removal, site cut or fill and will therefore have limited or no impact on erosion.

#### **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 is subject to appeal rights and may incur costs at VCAT if appealed.

#### **RISK IMPLICATIONS**

N/A

#### **ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS**

N/A

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The application has been advertised by sending notification of the proposal to adjoining and adjacent owners and occupiers and a notice on the land. As a result, no objections have been received.

## **CONCLUSION**

The two-lot subdivision is not considered to be an acceptable planning outcome when considering relevant planning policy.

It is considered that the further fragmentation of land, through subdivision, is not a desired planning outcome in line with the purpose of the Farming Zone or the Local and State Planning Policy Framework.

## **OFFICER'S RECOMMENDATION**

11.4.1. That Council having caused notice of the planning application PA 2072 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 determines to issue a Refusal to Grant Planning Permit for the two lot subdivision at 323 Kangaroo Hills Road, Blampied, for the following reasons:

1. The application fails to implement the objectives of the State Planning Policy Framework and the Local Planning Policy Framework, in particular, Clause 35.07 (Farming Zone).
2. The application results in a lot smaller than the minimum lot size permitted within the Farming Zone.
3. The application, if approved, would create a precedent for further incremental subdivision within the Farming Zone.
4. The proposal is inconsistent with Clause 14.01-1S of the Hepburn Planning Scheme as the proposal will result in the permanent removal of agricultural land for primary production purposes and will detract from the long term capacity of productive agricultural land to continue production.
5. The proposal is inconsistent with Clause 21.08 of the Hepburn Planning Scheme as the proposal:
  - a) fails to protect farming and other agricultural practises from the encroachment of urban growth;
  - b) fails to retain productive land for agricultural purposes;
  - c) fragments agricultural land that is currently in a productive unit;

6. The proposal is inconsistent with Clause 22.04 of the Hepburn Planning Scheme as the proposal will not reduce the amount of new rural-residential development in farming areas and fragments rural land.
7. The proposal is inconsistent with the purpose and decision guidelines of the Farming Zone at Clause 35.07 of the Hepburn Planning Scheme as the proposal will fragment and existing productive rural area and will adversely affect the use of the land for agricultural purposes

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

Mr Philip Rutherford Jackson addressed Council in support of the application.

## **MOTION**

*11.4.1. That Council having caused notice of the planning application PA 2072 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 determines to issue a Refusal to Grant Planning Permit for the two lot subdivision at 323 Kangaroo Hills Road, Blampied, for the following reasons:*

- 1. The application fails to implement the objectives of the State Planning Policy Framework and the Local Planning Policy Framework, in particular, Clause 35.07 (Farming Zone).*
- 2. The application results in a lot smaller than the minimum lot size permitted within the Farming Zone.*
- 3. The application, if approved, would create a precedent for further incremental subdivision within the Farming Zone.*
- 4. The proposal is inconsistent with Clause 14.01-1S of the Hepburn Planning Scheme as the proposal will result in the permanent removal of agricultural land for primary production purposes and will detract from the long term capacity of productive agricultural land to continue production.*
- 5. The proposal is inconsistent with Clause 21.08 of the Hepburn Planning Scheme as the proposal:*



- a) *fails to protect farming and other agricultural practises from the encroachment of urban growth;*
- b) *fails to retain productive land for agricultural purposes;*
- c) *fragments agricultural land that is currently in a productive unit;*

6. *The proposal is inconsistent with Clause 22.04 of the Hepburn Planning Scheme as the proposal will not reduce the amount of new rural-residential development in farming areas and fragments rural land.*

7. *The proposal is inconsistent with the purpose and decision guidelines of the Farming Zone at Clause 35.07 of the Hepburn Planning Scheme as the proposal will fragment and existing productive rural area and will adversely affect the use of the land for agricultural purposes*

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

**Moved:** Cr Neil Newitt

**Seconded:** Cr John Cottrell

**Carried**

**Cr Licia Kokocinski called for a division**

**Votes in favour of the Motion:** Cr Fiona Robson, Cr John Cottrell, Cr Neil Newitt, Cr Don Henderson

**Votes against the Motion:** Cr Kate Redwood AM, Cr Licia Kokocinski, Cr Greg May

**ATTACHMENT 9 - PROPOSED SUBDIVISION – 323 KANGAROO HILLS  
ROAD BLAMPIED (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 10 -FARMING PLAN – 323 KANGAROO HILLS ROAD  
BLAMPIED (ISSUED UNDER SEPARATE COVER)**

## 12. OFFICERS' REPORTS

### 12.1. CHIEF EXECUTIVE OFFICER'S REPORT

Refer to attachment 11 which is the report tabled at the meeting.

#### OFFICER'S RECOMMENDATION

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

#### MOTION

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

**Moved:** Cr John Cottrell

**Seconded:** Cr Fiona Robson

**Carried**

**ATTACHMENT 11 - CHIEF EXECUTIVE OFFICERS REPORT**

# CHIEF EXECUTIVE OFFICER REPORT

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Presented at the Ordinary Meeting  
of Council on 20 August 2019

The CEO Report is a monthly report to inform Council and the community of current issues, initiatives and projects undertaken across Council.

## CEO Update

### WEEK ENDING 28 JULY 2019

On Monday I had several internal meetings including a meeting with Cr Cottrell to discuss the proposed Local Government Bill 2019. My last meeting of the day was a meeting with the new CEO of Committee for Ballarat.

On Tuesday the Daylesford Macedon Tourism Future of Tourism Conference was held at Peppers Mineral Springs Hotel. 100+ passionate tourism operators talked all things regional tourism supported by Council. I presented on tourism in the region and the Central Victorian Goldfields World Heritage bid, while two of our staff Carl Telfar and Mick McCallum presented on the Creswick Trails project



I finished the day attending a GNET meeting at the City of Ballarat.



▶ CEO REPORT

This week was rather challenging for many with the rehoming of the domestic geese and waterfowl from Lake Daylesford. Council understands the attachment and affection many members of our community have for these birds. This unanimous decision by Council was based on the current and predicted impacts on animal welfare, environmental values and amenity of the lake.

As with any decision of Council, the CEO's functions and duties under s 94A of the Local Government Act 1989 require implementing the decision without undue delay. Council and the CEO are also obliged, under the Occupational Health and Safety Act 2004, to ensure that employees, contractors and others on Council-controlled land are not exposed to risks to their health and safety. The decision to keep details of the rehoming of geese confidential was made having regard to and was consistent with these obligations. The decision was also made having regard to the welfare of geese at Lake Daylesford, and to minimise stress to the geese by avoiding their exposure to large crowds and noise. Due to the actions of some community members on site to lure the birds onto private land and interfere with the contractor, a planned half hour operation turned into a two-and-a-half-hour operation.

Although I acknowledge this has been a divisive issue for our community and a hard a decision for some to accept, I have also received many letters and words of support for rehoming the geese. For more information on the rationale and rehoming, I encourage you to check our website: [www.hepburn.vic.gov.au/waterfowl-rehoming-lake-daylesford/](http://www.hepburn.vic.gov.au/waterfowl-rehoming-lake-daylesford/)



The rehomed geese at their new home on the Mornington Peninsula.

The Local Government Inspectorate were on site on Tuesday and Wednesday to conduct a further round of preliminary interviews.

On Wednesday I attended the Executive Team Meeting and an internal OH&S meeting, followed by a discussion with the Planning Team about a Planning Application.

I started Thursday with a Leadership Team meeting and went straight from that to an interview with WIN News to talk about the recommencement of work at the Hepburn Hub at the Rex. Their story highlighted the recent Council resolution to allocate funding to include indigenous artwork and history of the Shire at the Hub, along with a commitment to work with the Dja Dja Wurrung on the naming of meetings rooms in the facility.

On Friday I had a meeting to discuss Phase 2 of the Prevention Lab in Hepburn, and I attended a Regional Tourism Review update.

### **WEEK ENDING 4 AUGUST 2019**

I started the week reviewing draft reports for the Councillor briefing, followed by my regular bi-monthly catch up with Cr Robson. This was followed by a Hepburn Hub project control group meeting, the weekly CEO Unit catch up and another regular catch up meeting with the Manager of People & Culture, Vivienne Green.

On Tuesday I had my weekly meeting with the Mayor and Deputy Mayor and I spent the remainder of the day in the office catching up on administrative tasks and preparing information for my Annual Performance Review discussion.

On Wednesday morning I travelled to Melbourne to participate in a forum on the Local Government Bill 2019 with other Victorian Council CEO's and the Minister for Local Government, The Hon. Adem Somyurek.

On Thursday presented to some of our new employees as part of their induction. In the afternoon I had several internal meetings, followed by a Committee for Ballarat Round Table event that evening at which Kevin Sheedy was the guest speaker.

▶ CEO REPORT

On Friday I had a relatively quiet day appointment wise and had a much-needed day in the office catching up on administrative tasks.

**WEEK ENDING 11 AUGUST 2019**

My first appointment of the day was a mid-year PEP talk with one of my direct reports. Our PEP talks (Performance Excellence Programme) are an opportunity to ‘check-in’ on how staff are progressing with their objectives and training & development plans with their supervisors.

In the afternoon I attended a meeting with several staff and Cr Kokocinski regarding the next steps with the Trentham Community Hub.



Tuesday was Councillor Briefing day which went for most of the day. Tuesday’s briefing agenda included a two hour workshop with the Dja Dja Wurrung discussing how we can work more closely together, what

a Treaty with the Dja Dja Wurrung might look like, the benefits of a Treaty and what steps we could follow to achieve Treaty.

At this week's briefing we had many staff from various departments attend to brief Councillors on a variety of topics. We are encouraging Managers to bring staff along to briefings to present to Councillors. It is a great opportunity for staff to experience Councillor Briefings and to also understand the questions that Councillors ask.

▶ CEO REPORT

On Wednesday morning I met with a candidate applying for a temporary vacancy, followed by the Executive team meeting, a Waste to Energy project control group meeting and my regular catch up with the Director of Infrastructure & Development Services, Bruce Lucas.

On Thursday I attended the much-anticipated opening of the Creswick IGA. The Mayor, Cr Don Henderson, spoke at the opening. The previous owners of the supermarket did the honour of cutting the ribbon. The supermarket windows and internal walls pay homage to the history of Creswick with historic photos sitting proudly.



We had a Leadership Team on Thursday morning and following that I attended the LGPro CEO Forum & meeting in Melbourne.

On Friday I attended the Loddon Campaspe Council's meeting in Castlemaine with the Mayor and that evening I attended the 22<sup>nd</sup> Clunes Community Dinner.



## WEEK ENDING 18 AUGUST 2019

On Monday I spent the day in the office in internal meetings and conducting PEP talks.

Due to the high volume of agenda items for Council briefings, on Tuesday we had another all-day Councillor Briefing.

On Wednesday morning I attended a Toolbox meeting at the Daylesford Depot followed by the Executive Team meeting. I then travelled to Ballarat to a Regional Councils Transformation Programme initiation meeting and following this, I had my regular catch up with the Director Community & Corporate Services, Bradley Thomas.

I spent Thursday in Ararat at a Central Victorian Greenhouse Alliance Board meeting followed by a tour of the Ararat Wind Farm.

On Friday I conducted a further PEP talk, attended a farewell morning tea for the Manager of Governance, Compliance & Risk, Steve Millard, and attended a meeting to review our 2019/20 Full project list which was to:

1. Agree on the role description and responsibilities for each position (Project Sponsor/Owner etc.)
2. Review and confirm the full list of 2018/19 projects with the June 30 financials and understand our likely rollovers
3. Review and confirm the full list of 2019/20 projects (current year)
4. Assign project ownership for each project to suitable staff members
5. Agree on requirements for each project owner (project plan etc.) and a process for how the information will be disseminated to all project owners from this group.

On Sunday I attended the 'Ballarat Expo – Escape from the City'. The Victorian Government is currently building the \$100 million Ballarat GovHub at 330 -304 Mair Street, Ballarat (next to the Civic Hall).

Once completed the Ballarat GovHub will house up to 1000 Victorian public servants. This includes 600 newly created and relocated positions from Melbourne.

For staff whose positions are being relocated to Ballarat, they have an option to move with their positions. To support staff with their decision on a relocation to Ballarat and the surrounding regions, Regional Development Victoria hosted the Ballarat Expo – Escape from the City.

The purpose of the Expo was to provide people with information about what it is like to live and work in the region. Information was provided about local councils and their offerings, local house prices and the rental market through local real estate agents, schools and childcare options from local education providers and local employment opportunities for family members.

The remainder of this week's activities will be included in the CEO Report which is presented at the September 2019 Council meeting.

## 12.2. CUSTOMER REQUESTS UPDATE

### DIRECTOR COMMUNITY AND CORPORATE SERVICES

*In providing this advice to Council as the Director Community & Corporate Services, I Bradley Thomas have no interests to disclose in this report.*

#### PURPOSE

The purpose of this report is to provide Council an update on customer requests received and responded to through the Closing the Loop system, for the period ended 31 July 2019.

#### BACKGROUND

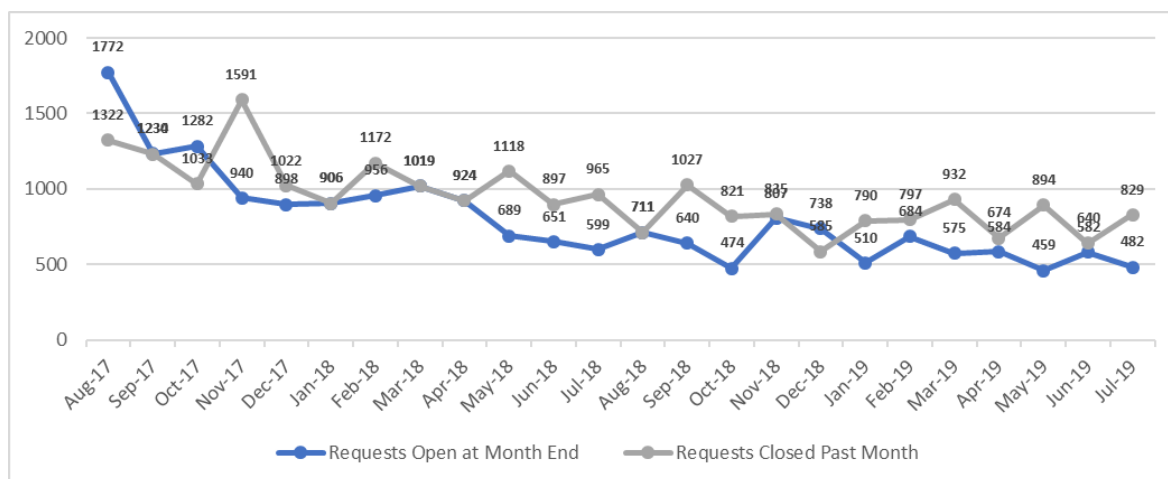
Council uses a Customer Request System *Closing the Loop* to receive and respond to a wide range of requests. The system is web-based and enables community members to directly enter requests, as well as staff to add and manage requests both in council offices as well as remotely.

In using the system, the organisation is focussed on the importance of contact with customers to close the loop on all requests and recording details of actions taken.

#### ISSUE/DISCUSSION

The following data provides the key indicators for the customer requests in *Closing the Loop*.

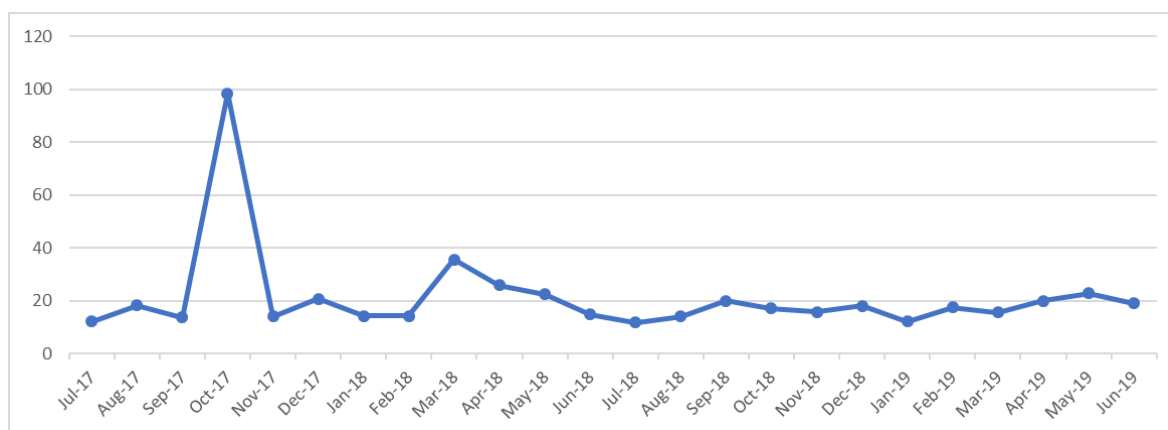
#### Total Requests Open and Closed Each Month



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

Category	Jan	Feb	March	April	May	June	July
Call back	196	218	171	168	155	166	174
Roads and Footpaths	94	95	65	72	50	68	50
Parks and Open Space	55	62	57	26	17	25	23
Information Technology (internal)	56	56	57	46	48	50	41
Development - Planning, Building and Septics	36	43	45	51	36	42	46
Waste	30	30	7	4	16	43	2
Other	43	180	173	151	137	188	146
<b>Total</b>	<b>510</b>	<b>684</b>	<b>575</b>	<b>518</b>	<b>459</b>	<b>582</b>	<b>482</b>

### Average Days to Close Requests



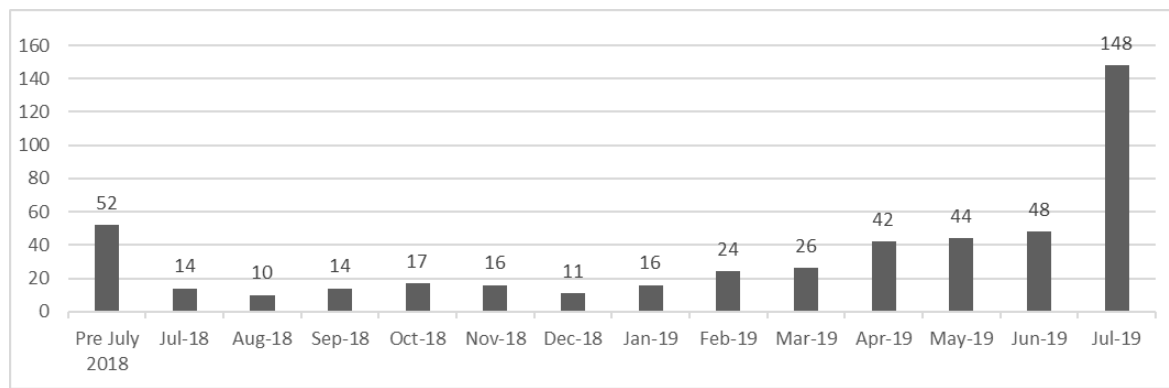
The average days to close requests in the months of July and November 2017 were particularly high due to closing out old requests that were migrated from our old customer request system. This included a large number of waste requests that had previously been actioned, but not closed in the request system.

Over the last 12 months the average days to closed has ranged between 12.23 and 22.83 – with an average of 17.60.

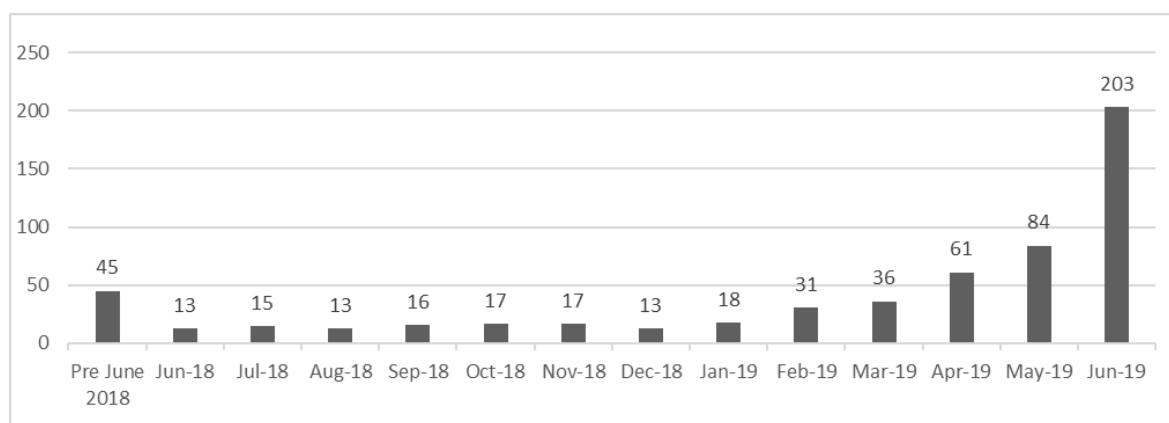


## Open Requests by Month Received

### Current



### Last Month



## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017-2021:

Strategic Objective: High Performing Organisation

Key Strategic Activity:

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

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

Key Strategic Indicator: Average Days to Close External Customer Requests

## **FINANCIAL IMPLICATIONS**

Responding to customer requests is managed within the annual budget.

## **RISK IMPLICATIONS**

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

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

No specific matters noted.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

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

## **CONCLUSION**

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

## **OFFICER'S RECOMMENDATION**

12.2.1. That Council notes the update on customer requests for the end of July 2019.

## **MOTION**

*12.2.1. That Council notes the update on customer requests for the end of July 2019.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Neil Newitt

**Carried**

**12.3. DEVELOPMENT AND COMMUNITY SAFETY REPORT**  
**DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Manager Development and Community Safety, I Alison Blacket have no interests to disclose in this report.*

**PURPOSE**

The purpose of this report is to update Council on the activities of the building, environmental health, community safety and the planning units of Council.

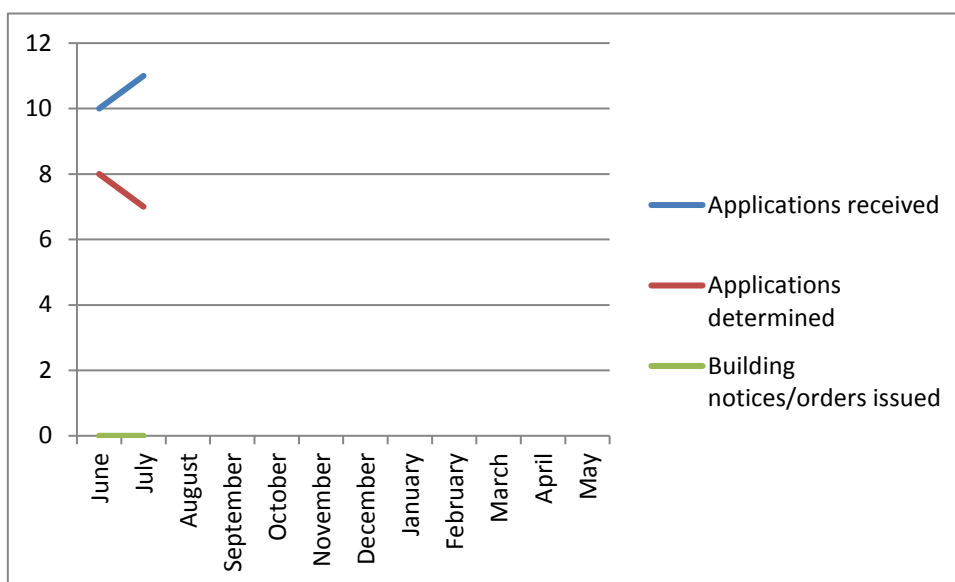
**ISSUE/DISCUSSION**

**Building**

The building activity report for July 2019 is summarised below:

Building Activity	Total
Building applications received	11
Building applications determined	7
Building notices/orders issued	0
Total development cost	\$ 884,406.00

The following graph indicates building statistics and activity for the 2019/2020 financial year. (June 2019 included)

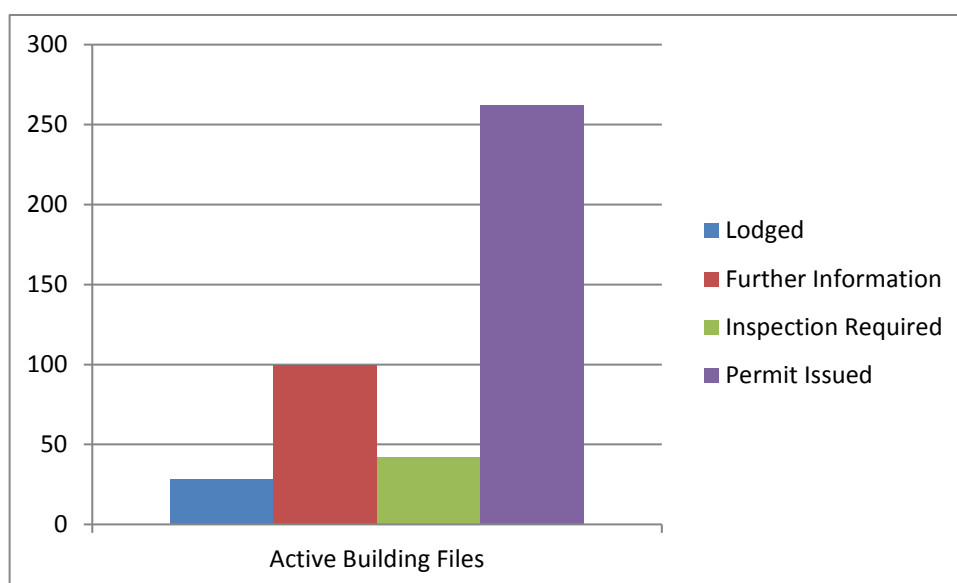


The total value of development for all Council approved building permits for the 2019/2020 financial year was \$122,384.53.

## Active Building Files

The building department has had 432 active building files over the month of July as summarised below:

Active Building Files	Total
Lodged	28
Further Information	100
Inspection Required	42
Permit Issued	262

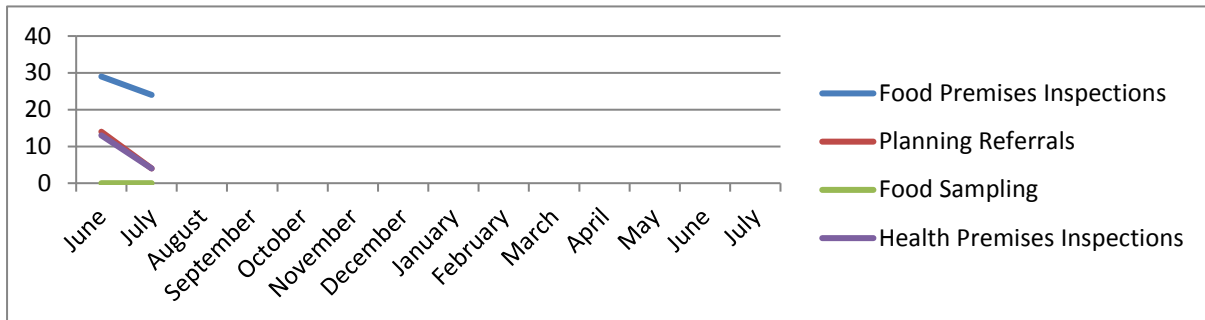


## Environmental Health

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

Environmental Health Activity	Total
Food Premises Inspections	24
Planning Referrals	4
Food Sampling	0
Health Premises Inspections	4

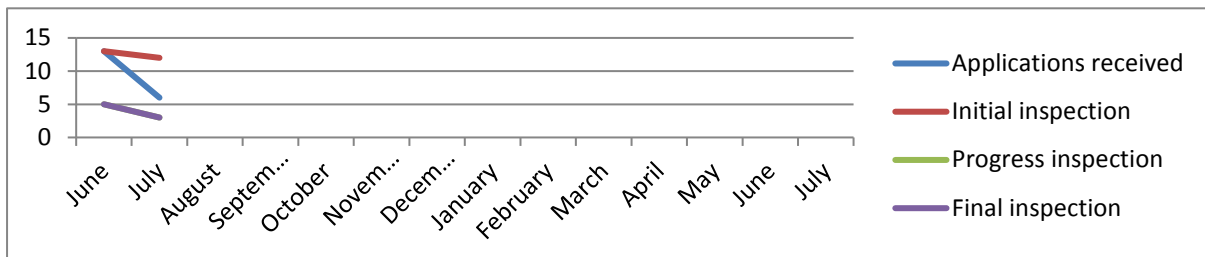
The following graph indicates environmental health statistics and activity for the 2019/2020 financial year. (June 2019 included)



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

Septic Tank applications/inspections	Total
Applications	6
Initial inspection	12
Progress inspection	3
Final inspection	3

The following graph indicates environmental health septic tank application/inspection statistics and activity for the 19/20 financial year. (June included)



### **Community Safety**

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

Local Laws Activity	Total
Cats Impounded	2
Dogs Impounded	2
Stock escaped from property	3
Infringements Issued	0
Prosecutions	0
Dog Attacks	5
Declarations of Menacing Dogs	0
Declarations of Dangerous Dogs	0

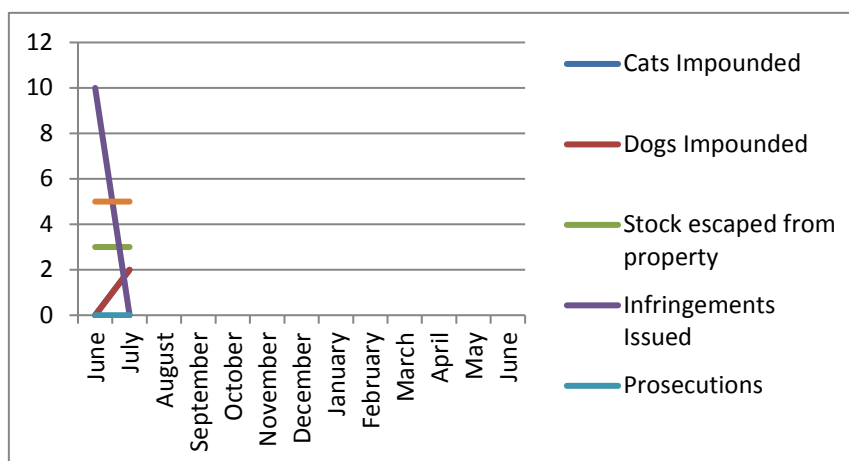
Of the reported dog attacks, insufficient evidence was obtained in order to warrant any further action or the investigation remained open at the end of July.

#### Breakdown of Infringements issued in July 2019

Infringements	Total
Parking	0
Local Law	0
Food	0
Animal	0
Fire	0

There was a decrease in the number of infringements issued during the month of July due to the recruitment of new staff and periods of leave.

The following graph indicates local laws statistics and activity for the 18/19 financial year (June 2019 included)

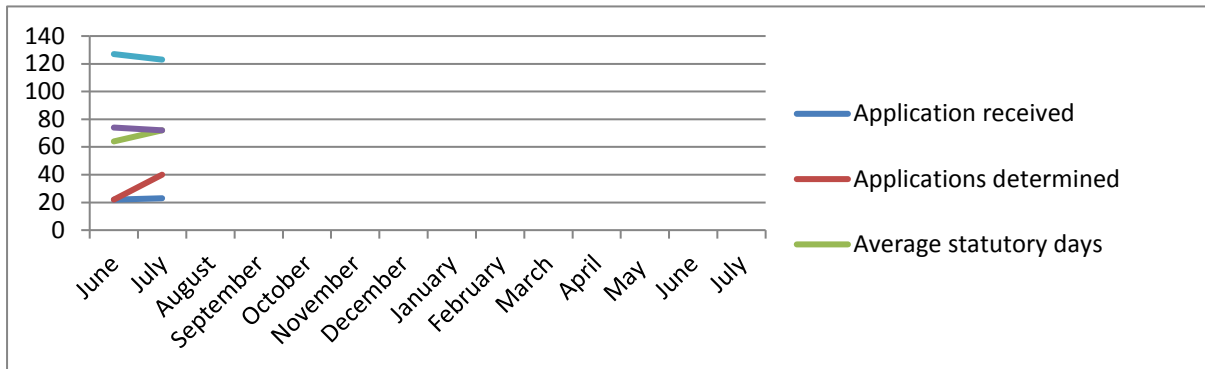


### **Planning**

The planning activity report for July 2019 is summarised below:

Planning Activity	Total
Applications received	23
Applications determined	40
Average statutory days for month	72
Average statutory days 19/20 financial yr	72
Average statutory days 18/19 financial yr	74
Outstanding applications	123

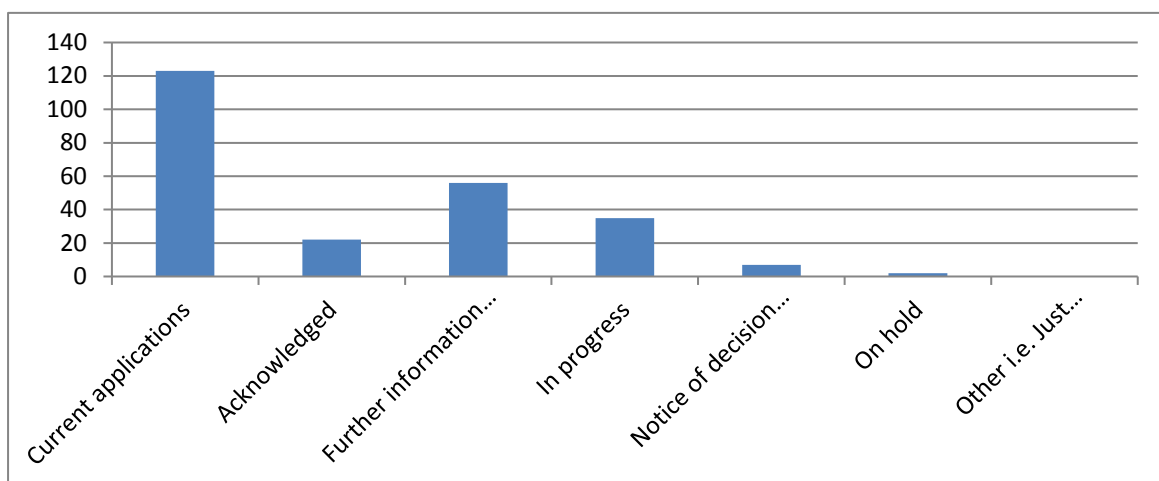
The following graph represents planning activity for the 19/20 financial year. (June 2019 included)



The average assessment time in statutory days is just above the statutory 60 day target. For the year the overall average processing time was 72 days which is an improvement on the previous year.

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

Status of all active applications as at July 2019	
Current applications	123
Acknowledged	22
Further information request	56
In progress	35
Notice of decision pending	7
On hold	2
Other i.e. Just submitted, referred	0



### **Applications determined in July 2019 under delegation.**

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

Permit issued by delegated officer	40
Notice of Decision by officer	7

### **OFFICER'S RECOMMENDATION**

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

### **MOTION**

*12.3.1. That Council receives and notes the report for information.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Greg May

**Carried**



**ATTACHMENT 12 - PLANNING PERMITS ISSUED UNDER DELEGATION  
IN JULY 2019**

Planning Permits issued under delegation - July 2019

Application ID	Address	Proposal	Stage/Decision
PlnPA002183	38 Leggatt Street, DAYLESFORD VIC 3460	Construction of a dwelling, vegetation removal	NOD
PlnPA002235	132 Brandy Hot Road, EGANSTOWN VIC 3461	Use and development of group accommodation, including alterations and additions to dwelling, construction of two cabins (resulting in four	Permit Issued
PlnPA002026	4375 Midland Highway, DAYLESFORD VIC 3460	Alterations and additions to existing service station and signage	Permit Issued
PlnPA002320	Cerini Lane, EGANSTOWN VIC 3461	Request to end Section 173 agreement AD879330B relating to planning permit 2002/7436	Refused
PlnPA002342	221 Clunes Road, CRESWICK VIC 3363	Use and construction of a dwelling and associated works	Withdrawn
PlnPA002362	18 Blackmores Road, CLUNES VIC 3370	Partial demolition, alterations and additions to a dwelling and associated works	Permit Issued
PlnPA002366	69A Albert Street, CRESWICK VIC 3363	Use and development of the land for a shed and store (self storage)	Permit Issued
PlnPA002354	138 Kangaroo Hills Road, BLAMPIED VIC 3364	Buildings and works incorporating an extension to an existing dwelling including site cut greater than 1 metre in depth	Permit Issued
PlnPA002379	97 Clunes Road, CRESWICK VIC 3363	Construction of a second dwelling	Permit Issued
PlnPA002288	66A West Street, DAYLESFORD VIC 3460	Re-subdivision of three lots into two lots	NOD
PlnPA002376	40 Myles Road, NEWLYN NORTH VIC 3364	Construction of a dwelling, outbuilding (shed) and associated works	Permit Issued
PlnPA002385	24 Beckwith Street, CLUNES VIC 3370	Three lot subdivision	Permit Issued
PlnPA002057.01	26 Hill Street, DAYLESFORD VIC 3460	Amendment to PA 2057, which allowed for 'alterations and additions to existing dwelling', to alter preamble to 'demolition of dwelling,	Withdrawn
PlnPA002393	27 Vincent Street, DAYLESFORD VIC 3460	Partial demolition (remove internal adjoining wall between shops 3 and 4), alterations and additions (increase balcony handrail height) and	Permit Issued
PlnPA002391	230 Ascot Road, CRESWICK VIC 3363	Construction of an outbuilding and associated works	Permit Issued
PlnPA002424	129 Giacomettis Lane, COOMOORA VIC 3461	Construction of a dwelling, carport and shed and associated works	Permit Issued
PlnPA002408	24 Millar Street, DAYLESFORD VIC 3460	Two lot subdivision	NOD
PlnPA001586	110 Dalys Lane, DENVER VIC 3461	Two lot subdivision	Permit Issued
PlnPA002441	54 Gardiner Street, CRESWICK VIC 3363	Remove Sec 173 agreement from title	Permit Issued
PlnPA002420	22 Loddon Drive, GLENLYON VIC 3461	Use and development of a Telecommunications Facility	NOD
PlnPA002429	339 Trentham-Spring Hill Road, SPRING HILL VIC 3444	Construction of a dwelling	Permit Issued
PlnPA002434	1 Camp Street, TRENTHAM VIC 3458	Two lot subdivision	Permit Issued
PlnPA002405	111 High Street, TRENTHAM VIC 3458	Two lot subdivision, construction of a dwelling	Permit Issued
PlnPA002445	100 Fairview Drive, CLUNES VIC 3370	Construction of a dwelling	Permit Issued
PlnPA002425	14 Camp Street, CLUNES VIC 3370	Construction of a dwelling and garage	Permit Issued
PlnPA002448	683 Dean-Newlyn Road, NEWLYN VIC 3364	Alterations and additions to fire station and associated works	Permit Issued
PlnPA002410	25 Augusta Drive, CRESWICK VIC 3363	Alterations and additions to a dwelling (construction of a deck and verandah) and associated works	Permit Issued
PlnPA002455	17 Vincent Street North, DAYLESFORD VIC 3460	Buildings (deck) and works to existing dwelling	Permit Issued
PlnPA002477	45 Hyde Park Road, CRESWICK VIC 3363	Enclose outdoor area into habitable room, addition of verandah	Permit Issued
PlnPA002456	180 Lithia Lane, SHEPHERDS FLAT VIC 3461	Resubdivision of 8 lots into 5 lots	Withdrawn
PlnPA002461	31 Millar Street, DAYLESFORD VIC 3460	Construction of extensions to existing dwelling	Withdrawn
PlnPA002467	65 Beckworth Court Road, CLUNES VIC 3370	Construction of outbuildings (shed and garage) and associated works	Permit Issued
PlnPA002287	36 Stanbridge Street, DAYLESFORD VIC 3460	Partial demolition, alterations and additions to a dwelling, construction of an outbuilding and associated works	Permit Issued
PlnPA002283	43 Jamieson Street, DAYLESFORD VIC 3460	Multi lot subdivision including the removal of vegetation	NOD
PlnPA002469	52 Trickeys Lane, DRUMMOND VIC 3461	Construction of a garage	Permit Issued
PlnPA002474	4A Forest Street, TRENTHAM VIC 3458	2 Lot Subdivision (resubdivision)	Permit Issued
PlnPA002460	280 Long Swamp Road, ROCKLYN VIC 3364	Construction of an agricultural shed	Permit Issued
PlnPA002370	1 Fleischer Lane, GLENLYON VIC 3461	Convert church to dwelling including extension to building, construction of garage	Permit Issued
PlnPA002374	106 Park Avenue, YANDOIT VIC 3461	construction of an outbuilding	Permit Issued

## **12.4. REGIONAL TOURISM REVIEW SUBMISSION**

### **DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Manager Community and Economic Development, I Andrew Burgess have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this report is for Council to consider to lodgement of a submission to the State Government Regional Tourism Review 2019.

#### **BACKGROUND**

##### **A new way forward for regional tourism in Victoria**

In March 2019 Minister for Tourism, Sport and Major Events Martin Pakula and Minister for Regional Development Jaclyn Symes announced State Governments intention to conduct a Regional Tourism Review. The review will take a broad look at regional tourism in Victoria and identifies a range of key goals to help build on what has already been established by businesses and communities of Victoria's local towns. Additionally, the review is designed to explore whether Victoria's regions are being offered the best support and opportunities to grow in the competitive tourism market. Input from across regional Victoria is being called for as the review aims to maximise the potential of investment and boost international visitation and other key market segments.

In July 2019 the State Government released the Regional Tourism Review Discussion Paper. The discussion paper is seeking the views of communities, governments and industry on future directions in regional tourism on five key themes important for success.

1. Strengthening our tourism offering – building the capacity, capability and attractions of different regions across Victoria to ensure they keep pace with visitor needs and expectations
2. Making the most of our marketing spending – better coordinating investment and priority setting in regional marketing to ensure partners are supported to work together towards common goals.
3. Supporting industry – better facilitating regional tourism investment and supporting industry to create excellent tourism products
4. Enhancing Regional Tourism Boards – making sure all Regional Tourism Boards have the right governance, scale, cross-sector buy-in and remit to drive tourism for the regions.
5. Better coordinating effort – delivering a more coordinated approach to regional tourism planning and strategy to reduce duplication and maximise our efforts.

The Regional Tourism Review builds on previous work across the sector by looking at issues specific to regional tourism and exploring practical solutions and emerging opportunities including;

- International visitation – only 1 percent of visitors to the regions are international, compared to 9 percent in Melbourne.
- International expenditure and overnight visitation in our regions has grown by 3.5 percent and 6.2 percent respectively to March 2019.

In addition to the five key themes identified the review is inviting discussion on opportunities to boost overnight stays and expenditure from Melbourne visitors to the regions.

## ISSUE/DISCUSSION

Consultation with key stakeholders on the Regional Tourism Review will occur throughout regional Victoria in July and August 2019. A number of questions have been included in the review and are outlined below for consideration.

Regional Tourism Review Questions:

- Do you agree with the definition of regional Victoria for tourism purposes?
- In your region, is it more important to you to increase yield, visitor numbers, or both?
  - How else should we measure success?
- How can regions and communities leverage their natural assets?
  - Where are the opportunities to partner with and support Traditional Owners and contemporary Aboriginal communities to develop tourism products?
- For existing partnerships and partnerships that have already occurred, what could have been improved?
- Where should the state prioritise facilitating boutique and high-end accommodation and any other types of accommodation?
  - What role can share accommodation (such as Airbnb) play in regional communities?
- What are the key journey experiences for Victoria or your area that will drive visitors to come and stay?
- What can we do together to support greater event visitation?
- How can we facilitate cross sector partnerships?
- How can regions and businesses better cater to diverse visitor needs?
- What are the key accessibility challenges?
- How can we improve visitor servicing?
- How can we better leverage marketing spend to promote regional visitation?
- How can Visit Victoria, other areas of government, boards and local councils work more closely on agreed priorities?
- How can we ensure marketing activity is better aligned and that effort is not duplicated?
- What are the barriers to investing in regional Victoria?
  - How could the system be improved?

- How can we use education and training, including TAFE, to address barriers impacting staffing of regional businesses?
- What support does industry require to address the challenges and opportunities that technology and disruptors present?
- Which governance structures are the most effective for boards to achieve outcomes for regional tourism?
- How can we best help different sized councils (such as regional cities and small rural councils) to leverage tourism as part of their broader development goals?
- Are there changes we can make to boards (geographic or otherwise) that would increase local government and industry buy-in?
- How do we best coordinate the work of different actors across regional tourism?
  - What are the most important points of collaboration?
- Are we allocating resources efficiently?
  - Could we better coordinate investment in regional tourism?
- How could a state-wide strategy or Destination Management Plan best connect to and leverage local strengths and priorities?

There is no obligation for Council to answer all questions and Council may wish to advise government of other important issues impacting regional tourism.

Council officers propose a submission to be made addressing the five key themes of the review.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2021:

Strategic Objective – Vibrant Economy

Key Strategic Activity:

Contribute to the strength of the economy through the ongoing development of key regional attractions and events that enable marketing of our region, attraction of visitors, business opportunities and underpin a strong community.

## **FINANCIAL IMPLICATIONS**

Nil – there is no costs to make a submission other than officer time to prepare such submission.

## **RISK IMPLICATIONS**

Nil

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Nil

## COMMUNITY AND STAKEHOLDER ENGAGEMENT

Discussion with Council Officers, Representatives of key tourism entities, other local governments, Daylesford Macedon Tourism and Councillors has occurred to formulate Councils proposed response to the review.

## CONCLUSION

Council has the opportunity to provide a submission on the discussion paper until 30 August 2019. Submissions will be used by Government to support consideration of future directions through the Regional Tourism Review.

## OFFICER'S RECOMMENDATION

12.4.1. That Council authorise the Chief Executive Officer to prepare and submit a submission in relation to the current Regional Tourism Review addressing the five key themes:

- Strengthening our Tourism Offering
- Making the most of our Marketing Spend
- Supporting Industry
- Enhancing Regional Tourism Boards
- Better Coordinating Effort

## MOTION

*12.4.1. That Council authorise the Chief Executive Officer to prepare and submit a submission in relation to the current Regional Tourism Review addressing the five key themes:*

- *Strengthening our Tourism Offering*
- *Making the most of our Marketing Spend*
- *Supporting Industry*
- *Enhancing Regional Tourism Boards*
- *Better Coordinating Effort*

**Moved:** Cr John Cottrell

**Seconded:** Cr Fiona Robson

**Carried**

**12.5. DRAFT MEMORANDUM OF UNDERSTANDING GREAT DIVIDING TRAIL ASSOCIATION INC (GDTA)  
DIRECTOR COMMUNITY AND CORPORATE SERVICES**

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

**PURPOSE**

The purpose of this report is for Council to decide whether it will engage in the Memorandum of Understanding (MOU) that has been drafted between Council Officers (on behalf of Council) and the Great Dividing Trail Association Inc. (GDTA).

**BACKGROUND**

The Great Dividing Trail Network (GDTN) consists of five individual walking tracks. The southernmost track is the Lerderderg Track, which starts in Daylesford at a new trail head at the Bridport Street Lookout above Lake Daylesford.

The Lerderderg Track runs from Daylesford to Bacchus Marsh and is 87kms in length. Four other tracks form the 214km Goldfields Track, which stretches from Mt Buninyong through the gold rush era towns of Ballarat, Creswick, Daylesford and Castlemaine to Bendigo.

The GDTA was established in 1992 by a small group of volunteers who sought to develop and promote walking tracks linking the gold rush cities and townships of Central Victoria. The network's central hub is Daylesford. The tracks, with a few exceptions, pass through forest and public land. All the tracks feature mining artefacts dating back to the gold rush era in the mid-19th century.

It is of note that the Great Dividing Trail Network (GDTN) is a clearly defined network and does not include tracks and trails implicated in the Daylesford-Macedon Rail Trail project or other walking tracks and trails across the Shire.

**ISSUE/DISCUSSION**

The land managers for the Lerderderg Track are DELWP, Parks Victoria and the Shires of Hepburn and Moorabool.

The land managers for the Goldfields Track are Parks Victoria, DELWP, cities of Ballarat and Bendigo, Shires of Hepburn and Mount Alexander, Central Highlands Water and Coliban Water, together with several committees of management. Small sections are under the management of either VicRoads or VicTrack.

Track maintenance is shared for the Goldfields Track. The GDTA is responsible for coordinating track maintenance on the southern end of the Goldfields Track between Daylesford and Buninyong.

The GDTA approached Council Officers in 2018 to commence discussions around establishing a shared understanding and for track maintenance for those portions of the Lerderderg and Goldfields Track that fall within Hepburn Shire and for which Hepburn Shire is the land manager.

The Memorandum of Understanding (MOU) is intended to clarify the roles and responsibilities and to create a working relationship between Council and the GDTA, to encourage recreational walking and cycling through the development of themed walking/riding trails in the Hepburn Shire.

Both parties recognise the benefits to community gained by walking and cycling, as outlined as focus areas in Council's Walking and Cycling Strategy. These include; community health and safety, economic prosperity and environmental sustainability.

The draft MOU relates to four key areas:

1. Signage – specifications to allow the GDTA to erect track signage to agreed Council standards
2. Track monitoring – to enable the GDTA to maintain tracks and associated infrastructure in consultation with Council
3. Communication – between Council and GDTA, particularly relating to planned track closures; and
4. Promotion – to community and general public of GDTA activities in accordance with Council communication policies

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2021:

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

Take action to encourage improved health and wellbeing to residents and to reduce the risks associated with obesity and poor nutrition. This includes the provision, development and promotion of passive and active recreation facilities and options and working with clubs and other agencies on planning for future developments and encouraging increased activity.

## **FINANCIAL IMPLICATIONS**

Nil

## **RISK IMPLICATIONS**

The draft MOU details requirements for suitable Public Liability to be maintained by both parties.



## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The majority of both the Lerderderg Track and the Goldfields Track are designated as 'shared use' for walkers, trail runners and bike riders. Where bike use is considered as unsuitable, a separate bike route is designated.

Walking has been identified as a significant active recreation option within Hepburn Shire, particularly for women and girls. Improving and maintaining walking trail infrastructure will promote encourage physical activity, which is a priority identified in the Hepburn Shire Municipal Public Health & Wellbeing Plan.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Consultation to date to draft the MOU has included representatives of the GDTA and Council Officers from Engineering, Parks & Open Spaces, Governance & Information, and Community & Economic Development. Representatives of the GDAT have also had significant input into the draft MOU.

## **CONCLUSION**

The draft MOU seeks to ensure that a transparent and accountable agreement is in place between Council and the GDTA to enable these parties to work collaboratively and cooperatively to meet shared strategic objectives.

## **OFFICER'S RECOMMENDATION**

12.5.1. That Council Adopts the Memorandum of Understanding with the Great Dividing Trail Association Inc.

## **MOTION**

*12.5.1. That Council adopts the Memorandum of Understanding with the Great Dividing Trail Association Inc.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Fiona Robson

**Carried**

Cr Licia Kokocinski abstained from the vote.

**ATTACHMENT 13 -DRAFT MEMORANDUM OF UNDERSTANDING –  
GREAT DIVIDING TRAILS ASSOCIATION**

# Memorandum of Understanding Between Hepburn Shire Council and Great Dividing Trail Association Inc.

**Purpose:** The Memorandum of Understanding (MOU) is intended to clarify the roles and responsibilities and to create a working relationship between the Hepburn Shire Council (Council) and the Great Dividing Trail Association Inc. (GDTA), to encourage recreational walking and cycling through the development of themed walking/riding trails in the Hepburn Shire. Both parties recognise the benefits to community gained by walking and cycling, as outlined as focus areas in Council's *Walking and Cycling Strategy*. These include; community health and safety, economic prosperity and environmental sustainability. The MOU seeks to ensure that a transparent and accountable agreement is in place between Council and the GDTA to enable these parties to work collaboratively and cooperatively to meet shared strategic objectives.

**Term:** This MOU is for the period commencing 1 September 2019 to 1 September 2022 (3 years)

**Parties:** **GDTA** – refers to Great Dividing Trail Association Inc. ABN 81 130 294 515; PO Box 374, Creswick VIC 3363

**Council** – refers to Hepburn Shire Council ABN 76 845 763 535 of 76 Vincent Street Daylesford 3460 VIC

**Definitions:**

- **Tracks:** Refers to the sections of the Goldfields Track and Lerderberg Track located within Hepburn Shire Council where Hepburn Shire Council is the delegated land authority or land managers; and may include other tracks by agreement.
- **Trackside vegetation:** Areas adjacent to tracks where vegetation may hinder the performance of the track.
- **Monitoring:** Regular inspection to identify defects with the tracks and associated infrastructure. The management of the list of corrective actions including the party responsible for undertaking the corrective action
- **Maintenance:** Works undertaken to ensure the tracks and associated infrastructure condition remains above intervention levels
- **Development:** The development of new sections of track and associated infrastructure to agreed standards and according to all relevant permits, controls and plans with written consent from Council
- **Acceptance of works:** Confirmation in writing from Council's Engineering team for GDTA to proceed with works

## **1. Working Arrangements**

1.1 The parties will encourage collaborative and shared respect of each organisation's roles and responsibilities through:

- Timely and professional dealings with each other;
- Early communications with respect to issues of real or anticipated concern;
- Better understanding of the values and motivations of each party;
- Confidentiality of information.

## **2. Joint Undertaking**

2.1 In developing and maintaining recreation walking and cycling tracks on Council controlled land, GDTA undertakes to:

- Erect Council approved signage in line with the standards set out in clause 4.
- Monitor tracks on Council controlled land on a six monthly basis to ensure the track, signage and associated infrastructure is maintained in good condition and to agreed standards;
- Keep a register of all track signage;
- Alert walkers and cyclists of any track closures or detours due to Council works being undertaken via the GDTA websites. Share this information with other associate parties such as the Goldfields Track Inc.

2.2 In allowing GDTA to develop and maintain tracks on Council controlled land Council undertakes to:

- Allow GDTA access to erect posts and signs to the agreed standard;
- Collaborate with GDTA to agree to the corrective actions identified to ensure that condition of tracks and associated infrastructure on Council controlled land is maintained;
- Advise GDTA when Council plans to undertake works that require the walking and cycling track route to be temporarily closed or detoured, the period of such closure, and to endeavour to provide at least 5 working days of notice to the GDTA so that the information can be shared via GDTA's website;
- Allow GDTA to promote events and activities based in Hepburn Shire through Council's social media, providing content complies with Council's internal policies.

## **3. Communication of Joint Undertaking**

3.1 In communicating and promoting recreation walking and cycling tracks each organisation agrees to include corporate logos in the design of marketing material, and signage where appropriate.

- 3.2 Each party will help communicate walking and cycling tracks via the following platforms:
- Website
  - Social media inclusive of Facebook
  - Printed material developed in the term of the MOU

#### **4. Maintenance**

- 4.1 Track maintenance to be undertaken by GDTA work crews upon receipt of acceptance of works by Council.
- 4.2 Associated track infrastructure and vegetation will not require receipt of acceptance of works by Council.
- 4.3 For the purposes of this MOU, GDTA track maintenance as defined is to only take place within the boundaries of Hepburn Shire and includes only tracks and associated infrastructure that are controlled by Hepburn Shire Council.
- 4.4 Track maintenance or development undertaken by the GDTA is excluded in areas where the track intersects with formalised Council footpaths.
- 4.5 Trackside vegetation maintenance will be undertaken on an annual basis by Council in areas deemed necessary by Council.

#### **5. Signage Installation Standards**

GDTA may install and maintain information and directional signage on Council controlled land providing it complies with the following conditions:

- Signage street blades to comply with AS1742, namely:
  - Sign blades no greater than 150mm height;
  - Sign blades no greater than 1200mm long;
  - Signs blade erected above or adjacent to footpaths to be mounted at a height between 2,500 and 3,000mm;
  - Sign blades and posts should not encroach within 500mm from face of kerb;
  - On unkerbed roads signs and posts at least 600mm clear of the outer edge of the road shoulder.
- Directional posts should comply with:
  - Be frangible;
  - Not be a danger to persons or plant;
  - Not interfere with normal traffic and pedestrian movements;
  - Be at least 1.5m behind any roadside drainage line.

Where Council deems a sign needs removal, GDTA will have 14 days to remove the sign, alternatively Council, at its own discretion and cost, will remove. Any changes or removals will be communicated back to GDTA.

#### **6. Public Liability Insurance**

Each party must keep in force during the Term of this MOU insurance coverage for public liability for an amount of not less than \$20 million for any one event.



\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Witness name

\_\_\_\_\_  
Date

DRAFT

## **12.6. DAYLESFORD MOTORFEST – MEMORANDUM OF UNDERSTANDING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Events Officer, I Bridgette O'Brien have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report is for Council to consider entering into a Memorandum of Understanding (MoU) between Hepburn Shire Council and Daylesford Motorfest Incorporated.

### **BACKGROUND**

The inaugural Daylesford Motorfest event was held at Victoria Park Daylesford on 17 February 2019. This event featured approximately 2,000 display cars, trade displays, musical acts, demonstrations, a children's activity area and food vendors (mainly local community groups) with attendance figures totalling 5,500 for the day.

Daylesford Motorfest is an incorporated committee. Council Officers and the current committee have had very positive meetings about working together collaboratively to ensure the event is successful for all involved.

### **ISSUE/DISCUSSION**

At a Council Briefing on the 7 May, Councillors noted:

- The Daylesford Motorfest event is valued and makes a positive economic and social contribution to the Shire.
- Councillors support the Daylesford Motorfest being held at Victoria Park on the 16 February 2020.
- That Council Officers will work with Daylesford Motorfest organisers to draft a Memorandum of Understanding (MoU) for the event which will clearly articulate both Council and event organisers roles and responsibilities.

Following this briefing, Council officers and event organisers have met to discuss requirements, recommendations and MoU details for the 2020 Daylesford Motorfest.

An example of some of these key requirements outlined in the draft MoU are:

- There is a requirement for the Daylesford Motorfest to provide a bond of \$5,000.
- Professional traffic management required at the entry point to the event.
- Off-site car parking location option for the general public
- Conditions around use of Victoria Park Oval and Soccer pitch
- Continue development to ensure a sustainable model of holding the event.



The introduction of an MoU will ensure that there is a transparent and accountable agreement in place between both parties.

Utilising the assessment criteria in the Events Strategy, the Daylesford Motorfest is currently categorised as a Regional Event. A set of KPI's are included in the MoU focusing on enhancing its economic impact, attracting state media coverage and significant local community engagement.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2021:

Strategic Objective – Vibrant Economy

Key Strategic Activity:

Contribute to the strength of the economy through the ongoing development of key regional attractions and events that enable marketing of our region, attraction of visitors, business opportunities and underpin a strong community.

## **FINANCIAL IMPLICATIONS**

It is recommended that Council initially enter into a 1-year MoU with Daylesford Motorfest, providing \$5,000 funding to engage a professional traffic management company and \$5,000 operational support for the length of the agreement. Following the 2020 event, negotiations for another MoU maybe considered, depending on the outcomes of the event and outcomes of Councils current Event Strategy review.

## **RISK IMPLICATIONS**

Event organisers will be required to submit a risk management plan, emergency management plan and provide proof of public liability insurance.

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

This event provides a range of positive social and economic implications for the region. The growth of this event will see the potential for the entire Shire to benefit economically, particularly with the inclusion of a second day which will encourage overnight visitation.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council officers have liaised directly with the event organisers throughout the process of drafting this MoU and will continue to work closely with the committee.

## CONCLUSION

Daylesford Motorfest is considered an important event on the annual events calendar. Councils support of this event will assist it to be delivered successfully.

## OFFICER'S RECOMMENDATION

That Council:

12.6.1. Provides to Daylesford Motorfest Inc \$5,000 funding to engage a professional traffic management company and \$5,000 operational support for the length of the agreement.

12.6.2. Authorises the Chief Executive Officer to sign the 2019/2020 Memorandum of Understanding between Daylesford Motorfest Inc and Hepburn Shire Council.

## MOTION

*That Council:*

*12.6.1. Provides to Daylesford Motorfest Inc \$5,000 funding to engage a professional traffic management company and \$5,000 operational support for the length of the agreement.*

*12.6.2. Authorises the Chief Executive Officer to sign the 2019/2020 Memorandum of Understanding between Daylesford Motorfest Inc and Hepburn Shire Council.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Neil Newitt

**Carried**

**ATTACHMENT 14 - MEMORANDUM OF UNDERSTANDING -  
DAYLESFORD MOTORFEST**

## Memorandum of Understanding

Between

Hepburn Shire Council and the Daylesford Motorfest Committee

**Purpose:** The Memorandum of Understanding (MOU) is intended to clarify the roles and responsibilities and to create a working relationship between the Hepburn Shire Council (Council) and the Daylesford Motorfest Committee to ensure the future sustainability and growth of the Daylesford Motorfest in the Hepburn Shire.

It seeks to ensure that a transparent and accountable agreement is in place between the Hepburn Shire Council and the Daylesford Motorfest Committee.

**Term:** This MOU is for a one-year period (for the 2020 event taking place on the 16<sup>th</sup> of February 2020) to be reviewed on an annual basis.

**Parties:** Committee - refers to Daylesford Motorfest Committee  
Council - refers to Hepburn Shire Council

### 1. Hepburn Shire Sponsorship Support

The Council will provide an annual sponsorship sum of \$5,000 (funding) for the 2020 event. Council will also provide an organisational contribution of up to \$5,000 subject to the requirements and provisions of this Memorandum of Understanding (MOU).

The funding will be provided by the Council for the Committee to assist with conducting a safe, accessible and professionally run event.

▶ MEMORANDUM OF UNDERSTANDING

Subject to the receipt of a tax invoice from the Committee at least 14 days prior to the due date, Council will make the sponsorship payments across the term of this MOU:

2019/2020 Payment – of \$5,000 (100%) (plus GST) to be paid within 2 weeks of the signing of the MOU.

**2. Operational Support provided by Council**

The Hepburn Shire Council will provide the following operational support and services (summarised maximum costings detailed in Appendix A) for the term of the MOU, subject to the outcome of annual evaluations and reviews.

**2.1 Traffic, Parking, Signage, Pedestrian and Transport Management Plans**

- a. The Committee is responsible for developing a Traffic Management Plan (TMP) incorporating display car parking and pedestrian management for the event, and providing this to Council's Event Officer.
- b. There is limited car parking space for the general public at Victoria Park, once the display cars have entered. Plans will need to be made for an alternative off-site car parking location to be available for the general public who are attending the event. Shuttle buses will then transport them to and from this car parking location. This information will need to be included in all event promotional material.
- c. Due to the popularity of the event last year, and to avoid having to turn display vehicles away on the day of the event, Council suggest you have pre-registration of display vehicles and that this is heavily promoted in the lead up to the event.
- d. The Committee must participate in event planning meetings with Council and relevant external authorities to assist in reviewing and developing the plan. Planning must commence in September to ensure timely and sufficient notice of traffic management requirements; the Traffic Management Plan is to be completed at least 8 weeks prior to the event and submitted to Council officers.

▶ MEMORANDUM OF UNDERSTANDING

- e. Road closure signs and equipment for the road closures will be provided by a qualified Traffic Management company (at the cost of the Daylesford Motorfest committee) including their installation, delivery and collection in accordance with the time schedule as outlined in the TMP.
- f. Suitably qualified and experienced personnel (including Traffic Controllers where indicated in the TMP) to assist in implementing and maintaining the TMP throughout the event must be provided by the Committee. All event marshals and traffic controllers must be qualified and familiar with the TMP and implement it in accordance with the Plan and instructions from relevant authorities (including Victoria Police and VicRoads).
- g. The Committee must develop a Display Parking and Pedestrian Plan for the event. It is the Committee's responsibility to provide suitably qualified and experienced personnel to implement the Parking and Pedestrian Plans. Council will provide advice to the Committee in the development of the Plans. As an example this could include display vehicles must have entered Victoria Park and parked prior to the general public gates opening and no display cars can depart until after 2pm.
- h. Traffic Management on the oval will be conducted by a suitable number of staff/volunteers. There is a requirement that Council be invited to attend a pre planning meeting to explain the requirements around vehicle access to the oval. Council may also choose to have a representative on site throughout the day to ensure traffic is managed in a suitable fashion.

## 2.2 Venue and Venue Infrastructure

- a. There is a requirement for Daylesford Motorfest to provide a bond to Council of \$5,000 (this can be a bank guarantee) this is due to any remedial works required for fixing any damage to the oval. An inspection of the oval will take place prior to the event and in the week following the event to determine the status of the bond.

▶ MEMORANDUM OF UNDERSTANDING

- b. Weather is a major concern and usage of the oval will be at the full discretion of Council. The week prior to the event there will be an expectation for regular communications regarding weather between Motorfest organisers and Council, Council will also manage watering of the oval accordingly. Council are to provide final approval for use of the oval prior to the event which will come from the Coordinator Parks and Open Spaces in liaison with Turf Maintenance.
- c. The backup plan proposed by Motorfest if the oval is unusable will be to continue to utilise the surrounding areas as planned. If there is likelihood of severe weather or code red day the event will be cancelled by Council's Emergency Management Officer in line with emergency planning/management requirements.
- d. Access to the oval has been approved from one (1) point only, minor maintenance will be undertaken by Council at this location prior to the event. Suitable matting is required at the main entry point to minimise damage to the drainage line, Motorfest are to supply, install and manage this requirement. Egress from the oval can be more than one (1) point but this will need to be managed.
- e. No access is proposed from the Eastern, Northern and Western entry points due to poor ground clearance and likely impact to vehicles.
- f. Vehicles accessing the oval will have the following properties: Maximum of 2.5 tonne, minimum 6 inch tyre width. The vehicles are to be monitored at entry points to ensure compliance, vehicles with extremely large engines (lumpy cam and slow idles) will also not be able to access the oval due to likelihood of wheel spin.
- g. There are no vehicles to be on the cricket pitch on the oval. There is no limitation on the number of vehicles on the oval, however there must be a minimum of 5 metres between the rows to enable pedestrians to have a clear, safe path. This distance will also minimise turning radius for all vehicle movements.

▶ MEMORANDUM OF UNDERSTANDING

- h. No vehicle is to access the soccer pitch which is to be delineated accordingly; a site walkover showed that there is available space to park several vehicles around the pitch which, weather dependant, is approved. Other items including, kids inflatable activities, plastic tables and chairs and hay bales can be placed on the soccer pitch. However, they must be set up on the morning of the event and packed up on the evening of the event to avoid any damage to the pitch.
- i. No stakes, penetrations or painting of the oval or soccer pitch is permitted; there is approval to have chalk lines delineating the rows/bays for parking.
- j. Council does not permit any parking of vehicles under the heritage listed Redwood tree on site. During event set up this is to be sufficiently delineated to ensure no access to the drip line of the tree.
- k. The Committee will provide adequate toilet and washroom facilities (including accessible toilets) in accordance with the requirements of the relevant section of Council (Environmental Health and/or Building).

### 2.3 Waste Management

- a. The Committee will develop a Waste Management Plan in conjunction with Council, outlining the type and amount of wastes generated, waste management strategies and responsibilities.
- b. Council will provide up to 30 bins (combination of rubbish and recycling) for the Daylesford Motorfest. These will be delivered on the Friday prior to the event and collected on the Monday following the event.
- c. The Committee agrees to work with Council to conduct a Waste Wise event
- d. Council will fund and supply one skip rubbish bin for use during the event. The committee must ensure waste from the smaller bins is emptied into the skips throughout the event.



▶ MEMORANDUM OF UNDERSTANDING

- e. The Committee is responsible to ensure event locations are left in a clean and tidy condition as per the Waste Management Plan.
- f. A review of the Waste Management Plan will be conducted annually within 8 weeks of the conclusion of the event.

#### 2.4 Marketing and Communications

- a. Council will provide promotion of the Daylesford Motorfest at the Daylesford Regional Visitor Information Centre, Creswick Visitor Information Centre and The Warehouse – Clunes. This will be on-going as assessed by the Visitor Services Team Leader.
- b. Council will allocate the Committee the events signage frames at key entry points to Daylesford four weeks prior to the Daylesford Motorfest event. The Committee will supply, install and remove the signs during the approved period.
- c. Council will provide links to the Daylesford Motorfest website on its tourism website: [www.visithepburn.com.au](http://www.visithepburn.com.au) and will include details in the event calendar listings. The Committee is required to submit all information required for these listings.
- d. Where possible, Council will support the marketing activities of the Committee.
- e. The Committee agrees to provide recognition to Council via the following mechanism:
  - Recognition of the Hepburn Shire Council as a Major and/or Government Partner (or equivalent) in all information relating to the Daylesford Motorfest including its website, marketing material, media releases and communications. The usage of Council's logo must be in accordance with the directions provided by Council.

▶ MEMORANDUM OF UNDERSTANDING

- Provide Councillors and Council officers invitations to official Daylesford Motorfest functions, events and launches, in accordance with protocol as found on Council's website: <https://www.hepburn.vic.gov.au/inviting-the-mayorcouncillors-to-an-event/?highlight=inviting%20councillors>
- Logo placement on program & advertisement

**3. Occupational Health and Safety, Risk and Compliance**

- a. The Committee must comply with all of Councils and other authority's requirements in relation to occupational health and safety, local laws, legislation, regulations, standards and codes, and the conditions of use as outlined in facility booking forms.
- b. The Committee must obtain and pay all fees associated with all the necessary permits, permissions and licenses required to conduct the event from Council and other authorities. These include, but are not limited to liquor licensing, temporary food premises permits, traffic related permits/permissions, fire safety requirements, plant and equipment use and temporary building permits.
- c. The Committee must participate in Council's Event Management Planning process. This must include risk and safety planning meetings with Council and other authorities, and provide a detailed Risk, Safety and Emergency Management Plan to Council in accordance with Council guidelines and pro-forma plans where available, at least 8 weeks prior to the event. Plans must be updated continuously as the event date nears, and must be reviewed as soon as practical following the event.
- d. The Committee must notify the Council in writing of any incident or accident occurring on Council land or property including any road, reserve or building as soon as possible after the incident or accident has occurred.
- e. Given your event is in summer, it is important you consider this in your emergency management plan:

▶ MEMORANDUM OF UNDERSTANDING

- Be aware of adverse weather conditions that could impact the event. Refer to Bureau of Meteorology for current warnings: <http://www.bom.gov.au/vic/>
- Given your event will be in the fire danger period (the fire danger period is typically from December to April) please ensure you check the Warnings, Incidents and Planned burns at: <http://emergency.vic.gov.au/respond/>
- Code Red Fire Danger Rating Days: Events cannot be held on Code Red days
- Extreme or Severe Fire Danger Rating Days: Postponement, cancellation or modified start/finish times should be considered on Extreme or Severe days. Council staff are available to assist event organisers with decision making.

#### 4. Indemnity and Insurance

- a. The Committee must indemnify and keep indemnified and hold harmless the Hepburn Shire Council, its servants and agents from and against all actions, costs, damages, loss or claims from any activities or decisions arising from the conduct of the Committee.
- b. The Committee and/or its auspice must maintain up to date insurances applicable to the event, including Public Liability Insurance for a minimum of \$20 million. The insurance policy must be maintained for the duration of the event (including the planning stages) and a copy of the certificate of currency must be provided at least one month in advance of the event date. Stallholders and contractors involved with the event must also have Public Liability Insurance.
- c. The Committee agrees that if there is any loss or damage to Council land or property as a result of the event, the Committee will immediately notify Council by making contact with the Events Officer (or other Council officer if Events Officer is not available) and cover restoration, replacement or repair costs of the loss or damage.

▶ MEMORANDUM OF UNDERSTANDING

- d. Daylesford Motorfest agrees to maintain a legal status during the term of this MOU as an Association registered under the Incorporations Act 1981 or another suitably status.

**5. Strategic and Business Planning**

- a. The Committee agrees to develop a Business Plan including an operational Event Management Plan to be reviewed and updated annually. The Business Plan will include the key objectives for the event and specific performance indicators.
- b. The parties agree that Daylesford Motorfest will pursue a model to become a successful, sustainable and compliant event. Event organisers to ensure that a percentage of profit raised from the event (as identified in the Business Plan) is retained and reinvested into future events to secure the ongoing financial viability of Motorfest. Funds over and above this amount can be distributed by the Committee at their discretion.

**6. Key Performance Indicators**

The Committee must aim to meet the following annual KPI's, which have a focus on developing tourism and economic impacts within Hepburn Shire:

- a. Strengthen partnerships with Daylesford Macedon Tourism Board, Visit Victoria and other tourism marketing bodies to enhance their support and investment to the event with a goal of securing further funding for the event.
- b. Identify and record the number of exhibitors and general public attendees.
- c. Attract local and state media coverage to encourage inter and intra state visitation.
- d. Identify and report on the number of overnight visitors who attend the Daylesford Motorfest.
- e. Continue significant engagement of local community groups and businesses and provide evidence of local community groups and business involvement.

▶ MEMORANDUM OF UNDERSTANDING

- f. Implement measures to make your event accessible and inclusive to all people of all abilities.

**7. Review and Evaluation**

- a. The Committee will attend a post event evaluation meeting with Council and other Authorities (if necessary) following the conclusion of the event.
- b. The Committee will provide a preliminary report to Council within 8 weeks of the conclusion of the event using a template provided by Council, detailing the following information providing estimates of the information below:
  - i. Attendance numbers for the Daylesford Motorfest.
  - ii. Details of the origin and estimated length of stay of visitors to the Daylesford Motorfest.
  - iii. Estimates of the economic and tourism impact of the event applying a jointly agreed methodology used to produce results.
  - iv. Impact assessment on the Hepburn community (positive and negative impacts).
  - v. Media and marketing obtained for the Hepburn Shire region as a result of the event.
  - vi. Detailed event budget, including estimates of direct spend and fundraising contribution to the local community.
  - vii. Details of specific event operational and other issues associated with the event including recommendations for improvements in future years.

**8. Dispute resolution**

- a. In the event of a dispute arising out of a failure to meet any of the obligations required by this MOU, either party may give the other party written notice specifying the details of the dispute. Within 7 days, a representative of both parties will agree to meet to resolve the issue.

▶ MEMORANDUM OF UNDERSTANDING

- b. If a dispute occurs within two weeks of the event date, both parties will agree to meet to resolve the issue within 2 working days of the notice.
- c. If the dispute is unable to be resolved, the matter will be referred to any form of alternative dispute resolution procedure on which the parties agree. Where a mediator is involved, the parties must agree to comply with the mediators instructions.
- d. The charges for the mediation will be paid equally by the parties.
- e. Council will not enter into a dispute resolution procedure for the following issues:
  - 1. The level of Council's financial and in-kind contribution
  - 2. The requirement for the Committee to comply with Council's local laws, and other regulations and legislation relating to the conduct of the event.

**9. Termination of MOU**

- a. If the Committee is unable to deliver the outcomes specified in this MOU, Council may review the level of sponsorship and in-kind support provided to the event.
- b. If Council or the Committee is in breach of the terms of this MOU this MOU maybe terminated in writing by the Chief Executive Officer of Council.

▶ MEMORANDUM OF UNDERSTANDING

MOU between Hepburn Shire Council and the Daylesford Motorfest Committee

Signed for and on behalf of the Hepburn Shire Council:

Signature of CEO                  Evan King                  Date

Witness signature                  Witness Name                  Date

Signed for and on behalf of Daylesford Motorfest Committee:

Signature of President                  Print Name                  Date

Witness signature                  Witness Name                  Date



▶ MEMORANDUM OF UNDERSTANDING

Appendix A: Estimate of Hepburn Shire Council's Operational Support

Support provided	Details	Estimated Cost to Council
Venue Hire	Waiver of Victoria Park Hire Fees including use of powered site poles under the trees at the park	\$700
Marquee Hire	Waiver of Marquee Hire Fees	\$300
Waste Management	Supply, delivery, collection of 30 additional rubbish bins and a skip bin	\$700
Portable Toilet Hire	10 additional portable toilets	\$1,150
Toilet Facility Cleaning	Additional Cleaning of toilet facilities throughout the event day (does not include portable toilet cleaning)	\$150
Display cars in main street	Waiver of permit fee for 6 cars to be displayed throughout town on the Saturday prior for promotional purposes	\$150
	<b>Total estimated in-kind support value</b>	<b>\$5,000</b>

Additional in-kind support provided by Council's Events Officer and other officers (details below). The value of this support has not been costed.

- Advice on development of event Memorandum of Understanding
- Advice on development of Traffic Management Plan for Road Closures
- Advice on development of Risk Management Plan for Event
- Advice on development of an Emergency Management Plan



▶ MEMORANDUM OF UNDERSTANDING

- Inspection (if required) on Saturday of event by an Environmental Health Officer to ensure all temporary food premises have relevant permits.
- Parks & Open Spaces team will delineate around the heritage listed tree
- Parks & Open Spaces team will arrange for placement of soil/sand on the speed hump as you enter the gate if required
- Parks & Open Spaces team will mow the event area in the lead up to the event

DRAFT

## **12.7. GLENLYON RECREATION RESERVE DRAFT MASTERPLAN DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Project Officer, I Kathie Schnur have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report seeks Council endorsement of the draft Glenlyon Recreation Reserve Masterplan (please refer to Attachment) for phase two (2) community consultation.

### **BACKGROUND**

Glenlyon Recreation Reserve (the Reserve) is a much-used reserve in Glenlyon of which the local community are extremely proud. It supports several sporting and community clubs, including the Riding for the Disabled, Pony Club and Adult Riding, Carriage Drivers, Gun Club, Collectors and Restorers, Landcare and various neighbours, residents and casual users. This variety of sporting, community clubs and users is notably unique compared to other recreational reserves that may predominantly host traditional offerings such as football, netball and cricket or similar. The Reserve also hosts some significant events including the New Year's Day Wood Chop.

Based on community and stakeholder consultation to date, a draft Masterplan has been produced and recently shared with the Glenlyon Recreation Reserve Special Committee (Section 86) and relevant Council Officers for comment. The initial feedback received has been positive and constructive to further inform the development of the draft master plan.

The draft Glenlyon Masterplan aims to identify several priorities and upgrade projects to improve the value and use of the Reserve for the community with a view to:

- Enhance the Reserve's capacity to be used for sport and active recreation opportunities.
- Increase the scope and quality of the active (non-club) and passive recreation opportunities at the Reserve.
- Explore opportunities and support use of the Reserve's functionality, adaptability and infrastructure for other non-sport activities.
- Clarify future use of the Reserve to enable effective infrastructure planning, budgeting and funding opportunities.

### **ISSUE/DISCUSSION**

The draft Masterplan has been reviewed by the relevant Council officers and the Glenlyon Recreation Reserve Special Committee (Section 86) to review and confirm key functional issues; spatial discrepancies on the proposed physical attributes and other areas and/or events not considered.

The draft Masterplan is yet to be taken to the broader local community for further consultation.

Council Officers have been encouraged by Sport and Recreation Victoria (SRV) Grampian's Regional Officers to consider the Glenlyon pavilion redevelopment as a potential funding submission under SRV's, 2020/2021 Community Sport and Infrastructure Funding program due to the diversity and non-traditional aspects of participation at Glenlyon Reserve. Officers will seek Council's consideration and support at a future date to progress the scoping for redevelopment of the existing pavilion for consideration as a potential 2020/2021 funding submission under SRV's, CSIF program, if supported by the community through the Masterplan process.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2021:

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

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

Provide great community Parks and Open Spaces by greening our streets, managing tree safety and improving our town entrances, sporting ovals, botanic gardens and passive recreation spaces.

## **FINANCIAL IMPLICATIONS**

Council has an existing \$10,000 budget allocation for development of the masterplan, and to undertake any further planning requirements such as community consultation to complete the masterplan development project.

Council also has a \$15,000 budget allocation to undertake the design phase of the proposed redevelopment of the Glenlyon Recreation Reserve community pavilion if this component is supported through the master plan development process, and the 2019/20 budget includes \$50,000 to implement physical capital works as a result of the masterplan.

Any proposed master plan recommendations will be prioritised over a longer term period and will require business case development to inform Council's consideration of future budget allocations and/or develop submissions for any potential external funding partners.

## **RISK IMPLICATIONS**

Council Officers have sought confirmation that the existing pavilion is included within the Reserve's heritage overlay and therefore, removing and/or developing a new pavilion site, it is not an option. This is correct; however, the heritage overlay conditions allows the existing pavilion to be redeveloped to include design components to accommodate community group use, whilst respecting the required heritage considerations

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Recreation, whether it is active or passive, structured or unstructured, provides opportunities for local residents and visitors to the area to improve their fitness and this helps to protect against poor health outcomes. Participation in recreational activities can also help to bind communities together, reducing social isolation and creating higher awareness of environmental influences.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Phase One of community consultation including a community meeting has been undertaken to inform development of the draft masterplan. Further community consultation through a community forum and making the draft master plan available on Council's website for comment will commence in August. Following the community consultation, a final version of the masterplan will be presented to Council for consideration of adoption.

## **CONCLUSION**

The draft Glenlyon Recreation Reserve Masterplan has been prepared through an initial phase of community and key stakeholder consultations.

The draft masterplan aims to reflect the key issues and opportunities raised in consultations to date including:

- Consideration of the existing heritage overlay in the redevelopment of the Reserve including the existing pavilion.
- Opportunities to further increase access to informal community sport and active recreation pursuits within the Reserve.
- Opportunities to further increase universal access and create an inclusive environment within the Reserve.
- Further improve and conserve the environmental and biodiversity aspects of the Reserve.
- Consideration of an indicative financially sustainable (10 year) redevelopment plan.

This report seek Council's endorsement of the draft masterplan for further community consultation and to progress subsequent consideration of the adoption of the final version of the masterplan.

## **OFFICER'S RECOMMENDATION**

12.7.1. That Council endorse the release of the draft Glenlyon Recreation Reserve Master Plan to undertake Phase Two (2) community consultation.

## **MOTION**

*12.7.1. That Council endorse the release of the draft Glenlyon Recreation Reserve Master Plan to undertake Phase Two (2) community consultation.*

**Moved:** Cr John Cottrell

**Seconded:** Cr Fiona Robson

**Carried**

**ATTACHMENT 15 - DRAFT MASTER PLAN (LEAF DESIGN 2019)  
(ISSUED UNDER SEPARATE COVER)**

## **12.8. PREVENTION LAB – “EARLY TEST COMMUNITY”**

### **DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Community Projects Officer, I Rachel Murphy have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this report is for Council to accept the invitation from Health Futures Australia for Hepburn Shire Council to co-convene a ‘early test community’ within the municipality.

#### **BACKGROUND**

Recently Health Futures Australia invited Hepburn Shire to be an ‘Early Test Community’ as part of the work of the Central Highlands Prevention Lab Phase 2. Phase 2 is scheduled to run over the next 10 months.

Health Futures Australia is a not-for-profit organisation that focuses on the determinants of preventable chronic disease. The organisations priority is prevention and keeping the population well for as long as possible by working with organisations, sectors and communities in a ‘whole of system’ approach to prevention.

Health Futures Australia are contracted by the Department of Health and Human Services in collaboration with the Central Highlands Regional Partnership to implement the ‘Central Highlands Prevention Lab’. Additional information is available at <https://www.rdv.vic.gov.au/regional-partnerships/central-highlands/projects#the-prevention-lab>

Health Futures Australia implemented Phase 1 of the project in 2018. Building on the work from this initial stage, Phase 2 will focus on working with local government, business, industry, doctors, health practitioners and community leaders to co-design a ‘system shift’ strategy and prototype a healthy community.

An ‘Early Test Community’ is a placed-based (Hepburn Prevention Lab) stewarded by Health Futures Australia in partnership with local government to co-lead the design of a community led prevention effort using a range of experimental activities and methods.

This Lab will design a strategy and interventions to shift the municipality towards long-term sustainable health and wellbeing measures – especially in relation to the reduction of obesity.

The Lab’s approach will focus on community leadership development, shaping the identity and purpose of a local prevention effort, communication and investment strategy.

Benefits to the community by taking part in this project include:

- Enhanced community leadership within the prevention environment

- Opportunity to demonstrate regional, and potential national, leadership
- Increased engagement of the community in the collective design of their healthy future
- The possibility of new and exciting community-led projects
- Potential new forms of investment and financing made available to the community

## **ISSUE/DISCUSSION**

There is a strong alignment with this project and the Hepburn Shire Council Municipal Health and Wellbeing Plan.

### *Confirmation of Support from Council*

Health Futures Australia seek to confirm Hepburn Shire Councils support to co-lead the Lab including agreeing to the following requirements:

- Committing to full participation in the Lab
- Committing CEO and Mayoral support for the Lab
- Providing capacity to co-lead and promote the project within the Hepburn Shire community
- Providing a key project contact person from Council
- Attendance at Labs (design workshops)
- Share learnings regarding the experiences of a community-led prevention effort with the broader Central Highlands community

### *Support from Health Futures Australia*

Health Futures Australia will work with Council Officers to co-lead the design, facilitation and monitoring / evaluation of the Lab. They will also provide a part-time resource to support community activation activities.

If Council accepts the invitation to co-lead the design of a community led prevention effort, including agreement to be an 'Early Test Community'. Health Futures Australia will partner with Council to arrange an initial workshop to progress the establishment of a community convening team for the project.

Health Futures predict this first Lab will commence in September 2019.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

Take action to encourage improved health and wellbeing to residents and to reduce the risks associated with obesity and poor nutrition. This includes the provision, development and promotion of passive and active recreation facilities and options, and working with clubs and other agencies on planning for future developments and encouraging increased activity.



## **FINANCIAL IMPLICATIONS**

Hepburn Shire Council is not obligated to contribute financially to the implementation of this project within the municipality.

## **RISK IMPLICATIONS**

As the project is led by Health Futures Australia, there are no direct risks to Hepburn Shire Council from co-convening the project.

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Health Futures Australia have adopted a 'place-based approach' to implement the 'Hepburn Prevention Lab'. The aim of this approach is for the local community to design a strategy and interventions to shift the municipality towards long-term sustainable health and wellbeing measures.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Hepburn Shire has been selected as an 'Early Test Community' due to its strong engagement, energy, passion and outstanding leadership shown by not only Council but local community leaders from across a wide range of sectors during Phase 1.

Through assistance from Council and Hepburn Health Service, Health Futures Australia will identify and invite key community stakeholders to take part and contribute to the project. Health Futures Australia will do this through establishing a 'community convening team'.

## **CONCLUSION**

Hepburn Shire Council accepts the invitation to co-lead the design of a community led prevention effort, including agreement to be an 'Early Test Community'.

## **OFFICER'S RECOMMENDATION**

12.8.1. That Council accepts the invitation to co-lead the design of a community led prevention effort, including agreement to be an 'Early Test Community'.

## **MOTION**

*12.8.1. That Council accepts the invitation to co-lead the design of a community led prevention effort, including agreement to be an 'Early Test Community'.*

**Moved:** Cr Fiona Robson

**Seconded:** Cr Kate Redwood AM

**Carried**

## **12.9. ADOPTION OF SMALL BUSINESS FRIENDLY CHARTER DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Coordinator Economic Development, I Rebecca Pedretti have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report is for Council to consider adoption of the Victorian Small Business Commissions – Small Business Friendly Charter.

### **BACKGROUND**

The initiative is a strategic partnership between the Victorian Small Business Commission (VSBC) and local councils to benefit small businesses in Victoria. The commitments underlying the initiative are codified in a charter that was developed in partnership with representatives from twelve councils, Small Business Victoria, Local Government Victoria and the Municipal Association of Victoria. The charter includes actions to be delivered by both the VSBC and Hepburn Shire within the next 12 months.

### **ISSUE/DISCUSSION**

The Australian Bureau of Statistics (ABS) defines a small business as a business employing fewer than 20 people. Categories of small businesses include:

- Non-employing businesses (sole proprietorships and partnerships without employees)
- Micro-businesses (businesses employing between 1 and 4 people including non-employing businesses)
- Other small businesses (businesses that employ between 5 and 19 employees)

Figures from the Australian Bureau of Statistics bring the total number of Victorian small businesses to more than 576,000 as of June 2017, meaning small businesses make up approximately 98 per cent of the state's total businesses.

The purpose of the charter is for Council and Small Business to work together to create a fair and competitive trading environment for Victorian small businesses.

The key aspects of the charter include:

1. Working with small businesses disrupted by Infrastructure projects;
2. Supporting the creation of small business networks across Victoria;
3. Faster permit approvals processes for small businesses;
4. Prompt payment to small businesses;

5. Easy to read, easy to understand information for Victorian small businesses; and
6. Open channels of communication between the VSBC and local councils.

Other additional commitments include promoting the initiative through Councils regular communication streams and at the end of the first 12 months, quality assurance and review through an evaluation/feedback report.

Whilst the implementation of the charter will be driven by the Economic Development team there will also need to be a cross-organisational approach as many of the actions have an impact or compliment work in other departments.

### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2021:

Strategic Objective – Vibrant Economy

Key Strategic Activity:

Contribute to the strength of the economy through the ongoing development of key regional attractions and events that enable marketing of our region, attraction of visitors, business opportunities and underpin a strong community.

### **FINANCIAL IMPLICATIONS**

Minimal cost will be required to implement the charter – any costs will be incurred within the Economic Development Strategy implementation project budget

### **RISK IMPLICATIONS**

Risk implications are minimal.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Participating in this initiative will strengthen Councils commitment to supporting small business and is a proactive approach to supporting economic activity in the Hepburn Shire.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

All relevant internal stakeholders have been communicated with and have committed their support to this initiative through their day to day work practices. Upon signing of the Charter a communication plan will be rolled out to notify the community of Councils participation in this initiative.

## **CONCLUSION**

The Charter is a commitment between Hepburn Shire Council and the Victorian Small Business Commission to work together to create a fair and competitive trading environment for small businesses.

## **OFFICER'S RECOMMENDATION**

12.9.1. That Council approves the Chief Executive Officer to sign the Victorian Small Business Commission's – Small Business Friendly Council Charter

## **MOTION**

*12.9.1. That Council approves the Chief Executive Officer to sign the Victorian Small Business Commission's – Small Business Friendly Council Charter*

**Moved:** Cr John Cottrell

**Seconded:** Cr Licia Kokocinski

**Carried**

**ATTACHMENT 16 -SMALL BUSINESS FRIENDLY COUNCIL CHARTER**

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## Charter Agreement

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### Introduction

This Charter is a commitment between your council and the Victorian Small Business Commission (VSBC) to work together to create a fair and competitive trading environment for Victorian small businesses. It also tells you what you can expect as a business owner from your local council and the VSBC. By signing the charter, the VSBC and local councils agree to meet these commitments within 12 months.

### Commitments and what you can expect from us

#### Part 1 | Work with small businesses disrupted by infrastructure projects

The VSBC will:

- a. provide councils with VSBC resources for managing the impacts of disruption
- b. provide dispute resolution services in relevant matters
- c. advocate on behalf of small businesses with authorities who undertake major works
- d. work collaboratively with council to develop practical initiatives that benefit small businesses

Your council will:

- a. refer to the VSBC's [Small Business Engagement Guidelines](#) when planning new works and request that external project managers do the same
- b. provide small businesses with the VSBC's guide for small businesses on [Managing Disruption](#)

#### Part 2 | Support the creation of small business networks across Victoria

The VSBC and your council will:

- a. distribute the VSBC's guide to building [Stronger Networks](#)
- b. actively engage with small business networks and identify new opportunities for development
- c. include representatives of associations in conversations concerning small businesses

#### Part 3 | Faster permit approvals processes for small businesses

Your council will:

- a. work towards faster permit approvals for new small businesses. This may mean:
  - i. registering with the Better Approvals Project and completing this as scheduled; or
  - ii. implementing strategies to streamline permit approvals processes for small businesses

#### **Part 4 | Prompt payment to small businesses**

The VSBC will:

- a. raise awareness of the Australian Supplier Payment Code<sup>1</sup> across Victoria to ensure your business is paid within 30 days of issuing an invoice

Your council will:

- a. initiate processes to ensure invoices from small businesses are paid promptly; or
- b. commit to signing up to the Australian Supplier Payment Code to pay small businesses within 30 days

#### **Part 5 | Easy to read, easy to understand information for Victorian small businesses**

The VBSC will:

- a. liaise with Small Business Victoria on the development of new resources for your business and communicate requests from your council about what is needed
- b. refer your council to new resources as they are made available

Your council will:

- a. link your business with the resources available at [business.vic.gov.au](http://business.vic.gov.au)
- b. provide the VSBC [Retail Lease Checklist](#) to prospective tenants

Both parties will:

- a. identify opportunities for the development of new resources for your business

#### **Part 6 | Open channels of communication between the VSBC and local councils**

The VSBC will:

- a. advocate on behalf of small business when your council notifies VSBC of key issues of concern
- b. work with relevant agencies to progress matters of concern to local councils and small businesses

Your council will:

- a. notify the VSBC of issues affecting local small business communities
- b. refer commercial disputes to the VSBC dispute resolution team as appropriate
- c. provide details of the VSBC's dispute resolution services on its website

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<sup>1</sup> Further information on the Australian Supplier Payment Code can be found on the website of the Business Council of Australia | [www.bca.com.au](http://www.bca.com.au)

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## **Additional commitments**

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### **Promotion of Initiative**

The VSBC will:

- a. provide all participating councils with the Small Business Friendly Council Initiative logo to use in their own materials
- b. provide all participating councils with an animated video promoting the benefits of having a small business friendly council to Victorian small businesses
- c. share success stories and case studies from participating councils in the VSBC eNewsletter and on social media
- d. list all participating councils on the VSBC website

Your council will:

- a. utilise the Small Business Friendly Council Initiative and videos in relevant communications
- b. provide VSBC with case studies and success stories associated with the initiative

### **Quality assurance and review**

The VSBC will:

- a. contact your council 12 months after signing the charter to assess their status on each commitment
- b. review feedback from your council about the value of the charter and modify it as appropriate after 12 months

Your council will:

- a. work towards fulfilling each commitment within the first 12 months of signing the charter
- b. work with the VSBC to amend the charter if required





## **12.10. CLUNES CERAMIC AWARDS**

### **DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Coordinator Economic Development, I Rebecca Pedretti have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report is to recommend providing funding to the Clunes Ceramic Awards.

### **BACKGROUND**

The Clunes Ceramic Award is an initiative of Creative Clunes Inc. and is in partnership with the Art Gallery of Ballarat and the Castlemaine Art Gallery and Historical Museum.

The Clunes Ceramic Award is a biennial event and was first held in 2009, this is the 6th event. The Clunes Ceramic Award is continuing to develop into a respected and highly prized Regional Arts Event in the Australian state of Victoria.

The exhibition is open from Saturday 28 September to Sunday 13 October 2019, open from Thursday to Sunday 10:30am – 4:30pm at the Union Bank Arts Centre Clunes. Entry to view the exhibition is by gold coin donation.

### **ISSUE/DISCUSSION**

The Clunes Ceramic awards are in the top 3 Ceramic Awards in Australia and are high profile.

Approximately 100 to 150 entries are received from around Australia and Internationally. Of these entrants 45 finalists are selected and make up the exhibition.

The exhibition attracts approximately 1,000 people each weekend, which equates to 3,000 across the three weekends. Visitor statistics from the previous event stated:

- 30% of attendees came from within 30km of Clunes
- 31% from Regional Victoria
- 33% from Melbourne Metro
- 6% from Interstate and International (Germany, USA, France, Holland)

The awards include a winner, runner up, people's choice and 3 emerging artist recognition awards. Most finalists attend the opening night event

A new element is being introduced to the event this year called the Fringe Festival. This is for local artists who aren't shortlisted as a finalist. They will be given the opportunity to exhibit their work in 14 local retail shops around Clunes, this artwork is also available for the general public to purchase. The

requested funds would be put towards setting this up and ensuring it is adequately promoted.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2021:

Strategic Objective – Vibrant Economy

Key Strategic Activity:

Contribute to the strength of the economy through the ongoing development of key regional attractions and events that enable marketing of our region, attraction of visitors, business opportunities and underpin a strong community.

## **FINANCIAL IMPLICATIONS**

A \$2,000 (one year) grant is proposed and would be funded from the existing 2019/2020 Events budget.

## **RISK IMPLICATIONS**

A funding agreement will be drafted by Council officers which will require the event organisers to submit a risk management and emergency management plan and proof of public liability insurance to Council officers as a condition of funding.

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The Clunes Ceramic Awards attracts approximately 3,000 people to the event. Based on the latest research figures provided by Tourism Research Australia, average spend per visitor per night in Hepburn Shire is \$203, while a day tripper spends on average \$74. The growth of this event will have a significant positive impact on the Shires economy.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council officers have engaged with the event organiser throughout this process.

## **CONCLUSION**

Council officers have identified an opportunity for Council to support this event via a one-off grant funded from the events budget, subject to Councils approval.

If funding is approved, a funding agreement will be drafted and will require the organisers of the awards to acknowledge Council's support and invitations to the Councillors to attend the opening of the exhibition.

## **OFFICER'S RECOMMENDATION**

12.10.1. That Council approves a one-off grant of \$2,000 to the Clunes Ceramic Awards for the 2019 event.

## **MOTION**

*12.10.1. That Council approves a one-off grant of \$2,000 to the Clunes Ceramic Awards for the 2019 event.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr Kate Redwood AM

**Carried**

## **12.11. CONTRACT HEPBU.RFT2019.93 REQUEST FOR TENDER FOR ASPHALT SUPPLIER PANEL**

### **DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Coordinator Engineering, I Tim Powell have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this report is for Council to consider awarding a panel contract HEPBU.RFT2019.93 for the supply and installation of asphalt products to a panel of approved suppliers for a period of two (2) years, with two additional one (1) year options for extension by mutual agreement, (with annual price increase).

#### **BACKGROUND**

Through the course of delivering a suite of infrastructure works and special projects, multiple Council departments use asphalt and asphalt contractors.

In order to streamline procurement, receive better competitive rates and develop ongoing relationships with experienced contractors, Council is seeking to establish a panel of approved and suitable suppliers.

Although the financial total of use of panelled suppliers is hard to characterise, it is estimated that expenditure will range between \$150,000 and \$400,000 depending on the specific capital projects within any given financial year.

The use of panelled suppliers could include works in:

- Asphalt overlays of urban roads or carparks
- Road patching
- Extra urban footpath development
- Recreation and sporting courts

#### **ISSUE/DISCUSSION**

Tenders were invited via public advertisement on Council's e-tender portal and The Courier (Ballarat) on 20/07/2019 in accordance with Council's Procurement Policy.

The closing date for acceptance of submissions was Friday August 2nd 2019.

Six (6) tender submissions were received.

The tender submissions were evaluated by an evaluation panel consisting of:

- Tim Powell- Coordinator Engineering,
- Paul O'Leary - Project Engineer

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

- Price

- Compliance with the criteria outlined in the Request for Tender

The outcome of the Tender evaluation is detailed in the attached Confidential Tender Evaluation Report.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2020

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

Continue to invest in our assets at a level greater than depreciation by delivering the annual asset renewal capital works programs

## **FINANCIAL IMPLICATIONS**

All anticipated expenditure will be in accordance with approved budgets and included in approved Council programs over the duration of the contract.

The use of an approved panel of suppliers will help to ensure best value for money to Council. Use of an approved panel of suppliers does not exclude sourcing services from other sources through a separate procurement process which will be considered on a project specific basis.

## **RISK IMPLICATIONS**

Financial risks are minimal as the awarding of this contract and inclusion on the approved supplier panel does not commit Council to the use of goods and/or services.

The contract includes provisions for the rise and fall in the price of asphalt and annual re-pricing of services. Annual programs and works packages will be assessed based on changes in prices.

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

There are no foreseeable negative environmental, social or economic implications to appointing a supply panel for asphalt works

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

No external community engagement was required in the preparation of this tender.

## **CONCLUSION**

Following a formal tender process and detailed evaluation of received tenders, it is recommended that council appoints four (4) tenderers to an approved Asphalt Supplier Panel.

The acceptance to the panel does not guarantee any works and that purchase orders will be raised on an “as required” basis.

Unsuccessful letters will be sent to the two unsuccessful tenderers.

## **OFFICER'S RECOMMENDATION**

That Council:

12.11.1. Appoint to the Asphalt Supplier Panel:

.....  
.....  
.....  
.....

12.11.2. Provide a letter of acceptance to the appointed panel members confirming:

- *That the submission, as supplied, has been accepted for a period of two (2) years with two options to extend for a further one (1) year by mutual agreement;*
- *There is no guarantee of minimum works being issued to them; and*
- *Outline the form of Contract.*

12.11.3. Authorise Council officers to approve individual purchase orders, within Officer delegation and within approved budgets, as required, to an approved panel of suppliers.

12.11.4. Delegate the CEO to approve the purchase orders over \$200,000 (inclusive of GST) for works procured from the approved panel suppliers for asphaltting services.

12.11.5. Authorise the Director Infrastructure and Development Services to exercise the contract extension options, pending internal contract performance reviews.

## **MOTION**

*That Council:*

12.11.1. *Appoint to the Asphalt Supplier Panel:*

- *Boral Resources Pty Ltd*
- *Centre State Asphaltting Pty Ltd*
- *Civil By Parker Pty Ltd*
- *Smith & Wil Asphaltting Pty Ltd*

12.11.2. *Provide a letter of acceptance to the appointed panel members confirming:*

- *That the submission, as supplied, has been accepted for a period of two (2) years with two options to extend for a further one (1) year by mutual agreement;*
- *There is no guarantee of minimum works being issued to them; and*
- *Outline the form of Contract.*

12.11.3. *Authorise Council officers to approve individual purchase orders, within Officer delegation and within approved budgets, as required, to an approved panel of suppliers.*

12.11.4. *Delegate the CEO to approve the purchase orders over \$200,000 (inclusive of GST) for works procured from the approved panel suppliers for asphaltting services.*

12.11.5. *Authorise the Director Infrastructure and Development Services to exercise the contract extension options, pending internal contract performance reviews.*

**Moved:** Cr Greg May

**Seconded:** Cr Licia Kokocinski

**Carried**



**ATTACHMENT 17 -CONFIDENTIAL TENDER EVALUATION REPORT  
(ISSUED TO COUNCILLORS UNDER SEPARATE COVER)**

## **12.12. CONTRACT HEPBU.RFT2019.101 REQUEST FOR TENDER FOR FOOTPATH EXPANSION AND RENEWAL IN HEPBURN SHIRE 2019/2020 DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

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

### **PURPOSE**

The purpose of this report is for Council to consider awarding Contract HEPBU RFT2019.101 - Footpath Expansion and Renewal in Hepburn Shire 2019/2020.

### **BACKGROUND**

The Contract forms part of Council's Footpath Expansion and Footpath Renewal programs.

Footpath construction rates were sought for works at the following locations and scope as approved in Council's 2019/20 Infrastructure Works Program:

1. Reconstruct 157 metres of concrete footpath on Napier Street Creswick between Turner Street and South Street
2. Construct 171 metres of 1.5 metre wide concrete footpath on the East side of Bridport Street Daylesford between Albert Street and Central Springs Road
3. Construct 220 metres of 1.5 metre wide concrete footpath on the West side of Vincent Street North between Raglan Street and Hospital Street
4. Replacement of 225 metres of the existing bitumen footpath with concrete on Service Street Clunes between Hill Street and Bath Street
5. Reconstruct/construct 85 metres of concrete footpath on Quarry Street Trentham between High Street and Albert Street

### **ISSUE/DISCUSSION**

Tenders were invited via public advertisement on Council's e-tender portal and The Courier (Ballarat) on 27/07/2019 in accordance with Council's Procurement Policy.

The closing date for acceptance of submissions was Friday 2 August 2019.

Seven (7) tender submissions were received.

The tender submissions were evaluated by an evaluation panel consisting of:

<b>Name</b>	<b>Title</b>
Chair: Paul O’Leary	Project Engineer Infrastructure
Tim Powell	Coordinator Engineering
Ashley Goad	Engineering Development Officer
Mark Young-Harvey	Safety Systems Facilitator

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

<b>Criteria</b>	<b>Weighting</b>
Price	50%
OHS Management and Quality Systems	15%
Confidence in ability to Deliver the Project	15%
Key Staff and Resources Available	5%
Previous Experience in Similar Projects	10%
Local Content	5%
<b>Total</b>	<b>100%</b>

The outcome of the tender evaluation is detailed in the attached Confidential Tender Evaluation Report.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2020

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

Continue to invest in our assets at a level greater than depreciation by delivering the annual asset renewal capital works programs

## **FINANCIAL IMPLICATIONS**

All anticipated expenditure is included in the approved 2019/2020 Council programs with a budget allocation of \$215,925.

The financial review of this tender is detailed in the attached Confidential Tender Evaluation Report.

## **RISK IMPLICATIONS**

There are no expected risk implications. The expected construction related risks shall be mitigated by managing the work site and providing traffic management in accordance with AS 1742.3.

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

There are no foreseeable negative environmental, social or economic implications in awarding the contract.

Footpaths provide positive community infrastructure and form the backbone of Council's Walking and Cycling Strategy.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

No external community engagement was required in the preparation of this tender.

## **CONCLUSION**

Following a formal tender process and detailed evaluation of received tenders, the preferred tender from Contractor A for a contract sum as per the Confidential Tender Evaluation Report is recommended.

In addition, it is recommended that Council authorise Council Officers to make variations and additions to the Contract within Officer delegation and approved budgets.

## **OFFICER'S RECOMMENDATION**

That Council:

12.12.1. Award Contract HEPBU RFT2019.101 - Request for Tender for Footpath Expansion and Renewal in Hepburn Shire 2019/20 to  
.....

12.12.2. Authorise Council Officers to make variations and additions to the Contract within Officer delegation and approved budgets.

12.12.3. Authorise the Chief Executive Officer and the Mayor to sign and seal the contract documents.

## MOTION

*That Council:*

*12.12.1. Award Contract HEPBU RFT2019.101 - Request for Tender for Footpath Expansion and Renewal in Hepburn Shire 2019/20 to Accurate Bricks Concrete and Landscaping*

*12.12.2. Authorise Council Officers to make variations and additions to the Contract within Officer delegation and approved budgets.*

*12.12.3. Authorise the Chief Executive Officer and the Mayor to sign and seal the contract documents.*

**Moved:** Cr Greg May

**Seconded:** Cr Fiona Robson

**Carried**

**ATTACHMENT 18 - CONFIDENTIAL - TENDER EVALUATION REPORT –  
FOOTPATH EXPANSION AND RENEWAL IN HEPBURN (ISSUED TO  
COUNCILLORS UNDER SEPARATE COVER)**

## **12.13. CONTRACT HEPBU.RFT2019.42 - SUPPLY AND DELIVERY OF TWO BACKHOE LOADERS**

### **DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Acting Technical and Fleet Services Officer, I Jackie Mitchell have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this report is for Council to consider the awarding of Contract HEPBU.RFT2019.42 for the supply and delivery of two CCF Class 5 Backhoe Loaders for Council's works operations.

#### **BACKGROUND**

Council invited submissions, through a public tender process HEPBU.RFT2019.42 - for the Supply and Delivery of Two (2) Backhoe Loaders for use on road maintenance and construction works.

This purchase is to replace Council's 2001 & 2003 Caterpillar Backhoe Loaders which are programmed for replacement.

#### **ISSUE/DISCUSSION**

This major plant purchase is in accordance with Council's plant replacement program and the replacement has been endorsed through the Plant Committee.

The Plant Committee considered the ongoing need and utilisation of these items and the continuing maintenance requirements of the existing backhoe loaders. The replacement purchase is required to assist with the timely delivery of the annual works program. Without the implementation of a plant replacement program, Council risks increased downtime impacts, loss of operational capability and increased maintenance costs.

#### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Section 186 of the *Local Government Act 1989* and Council's Procurement Policy requires Council to publicly advertise any purchases over \$150,000.

A public tender was lodged on Council's E-Tender Portal and a tender advertisement was placed in the Ballarat Courier. Accordingly, this procurement process is compliant with the *Local Government Act 1989* and Council's Procurement Policy.

#### **FINANCIAL IMPLICATIONS**

The budget for this plant purchase has been allocated from the Capital (Plant Replacement) Program. The gross budget allocation is \$340,000.00. The purchase price for two (2) backhoe loaders from the preferred tenderer can be accommodated within the current Fleet and Plant Replacement Program.

## **RISK IMPLICATIONS**

The plant operators have been involved in the development of the tender and the evaluation of the tenders received.

With the proposed purchase, Council will have 3 backhoe loaders in service and it is expected that the backhoe loaders will continue to meet operational needs and expectations.

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The recommended vehicle meets the Australian Standards for heavy vehicles and meets the Euro Stage IIIA Standard for engine emissions.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The Plant Committee has reviewed the current and proposed vehicle use and the appropriate replacement vehicle needs. This panel included representatives from Council's maintenance operations, workshop staff and designated operators.

## **CONCLUSION**

Following the detailed evaluation of tender submissions for Contract HEPBU.RFT2019.42 – Supply and Delivery of a Two (2) Backhoe Loaders, a preferred tenderer for the supply and delivery of these items of plant has been identified as detailed in the attached confidential tender evaluation report.

## **OFFICER'S RECOMMENDATION**

That Council:

12.13.1. Awards Contract HEPBU.RFT2019.42 – for the Supply and Delivery of Two (2) Class CCF 5 Backhoe Loaders for the sum of \$..... (ex GST) to .....

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



## MOTION

*That Council:*

*12.13.1. Awards Contract HEPBU.RFT2019.42 – for the Supply and Delivery of Two (2) Class CCF 5 Backhoe Loaders for the sum of \$350,000 (ex GST) to William Adams Pty Ltd*

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

**Moved:** Cr Greg May

**Seconded:** Cr John Cottrell

**Carried**

**ATTACHMENT 19 - CONFIDENTIAL - TENDER EVALUATION REPORT  
(ISSUED TO COUNCILLORS UNDER SEPARATE COVER)**

## 12.14. RECORD OF ASSEMBLIES OF COUNCILLORS

### CHIEF EXECUTIVE OFFICER

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

### PURPOSE

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

### BACKGROUND

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

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

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

### ISSUE / DISCUSSION

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

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

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

Date	Committee Name	Location
19 June 2019	Reconciliation Action Plan Community Reference Group	Council Offices, Duke Street
6 August 2019	Councillor Briefing	Council Chamber
13 August 2019	Councillor Briefing	Council Chamber

### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

### FINANCIAL IMPLICATIONS

Nil

## **RISK IMPLICATIONS**

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

## **ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS**

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

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

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

## **CONCLUSION**

Information provided for noting.

## **OFFICER'S RECOMMENDATION**

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

## **MOTION**

*12.14.1. That Council receives and notes the Records of Assemblies of Councillors.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr John Cottrell

**Carried**

**ATTACHMENT 20 - 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:** RAP Community Reference Group

**Date:** 19 June 2019

**Time:** 9am

**Venue:**  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify) Duke Street Meeting Room

**Councillors present:**

Cr John Cottrell

Cr Don Henderson

Cr Kate Redwood AM

Cr Licia Kokocinski

Cr Greg May

Cr Neil Newitt

Cr Fiona Robson

**Members of Council Staff present:**

CEO Evan King

Director Community & Corporate Services  
Bradley Thomas

Director Infrastructure and Development  
Services Bruce Lucas

Other, please specify: Donna Spiller, Rachel Palmer, Ashani Dendara

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

**Name and title of Officer responsible for this written record:**

CEO Evan King

Director Community & Corporate Services  
Bradley Thomas

Director Infrastructure and Development  
Services Bruce Lucas

Other, please specify: Donna Spiller

DOC/18/28797

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

RECORD OF ASSEMBLY OF COUNCILLORS

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

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Signature: 

## Reconciliation Action Plan (RAP)

### Community Reference Group (CRG)

Wednesday 19 June 2019

Meeting Room, Duke Street Customer Service Centre Daylesford

Attendees: Mayor Don Henderson (Chair), Rod Poxon, Peter O'Mara, Gary Lawrence, Warren Maloney, Erica Higgins, Rachel Palmer (Coordinator Community Partnerships), Donna Spiller (Arts, Culture and Reconciliation; Minutes).

Apologies: Barry Golding

Item	Time	Agenda Item	Presenter
1	9:00am	<ul style="list-style-type: none"> <li>Acknowledgement of Country</li> <li>Welcome, apologies and introductions</li> <li>Acceptance of minutes from previous meeting</li> </ul> Actions from previous minutes	Chair  Rachel
2	9:05am	Terms of Reference Role of Group Name Change	Donna & Rachel
3	9:20am	Debrief regarding Reconciliation Week Reading the Country at Contact Tour	Rachel, Gary and Donna
2	9:35am	NAIDOC week 7-14 July: ideas Table Documents from Barry Golding Point 2	Chair Donna
3	10:00am	January 26 – Recommendations for Briefing Report Table Document from Barry Golding Point 1	Chair Donna
4	10.15am	Other business Further Tabled Items 3 and 4 from Barry Golding	Chair Donna
5	10.30am	Meeting close	Chair



## 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, 6 August 2019  
**Time:** 9:00am – 4:30pm

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

**Councillors present:**

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

**Members of Council Staff present:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> CEO Evan King  | <input checked="" type="checkbox"/> Other, please specify:  |
| <input checked="" type="checkbox"/> Director Infrastructure and Development Services Bruce Lucas | Manager Development and Community Safety – Alison Blacket, Coordinator Planning – Nathan Aikman, Manager Community and Economic Development – Andrew Burgess, Arts, Culture and Reconciliation Officer – Donna Spiller, Community Programs Officer – Rachel Murphy, Coordinator Economic Development – Rebecca Pedretti, Coordinator Community Partnerships – Rachel Palmer, Events Officer – Bridgette O’Brien, Manager Major Projects – Carl Telfar Manager |
| <input checked="" type="checkbox"/> Director Community & Corporate Services Bradley Thomas       |   |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:** Tuesday, 6 August 2019      **Agenda Attached**

**Matters Councillors not present**

Councillor Name	Item

**Name and title of Officer responsible for this written record:**

*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*

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CEO Evan King

Other, please specify:

Director Community & Corporate Services

Bradley Thomas

Director Infrastructure & Development

Services Bruce Lucas

Signature: \_\_\_\_\_



Tuesday 6 August 2019  
 Council Chamber, Daylesford Town Hall  
 9:00am – 3:15pm

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

INVITED:

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

CHAIR:

Mayor Don Henderson  
Evan King – Chief Executive Officer

APOLOGIES:

Councillor Kate Redwood AM

No	Time	Type	Agenda Item	Presenter	Page No
1.	9:00am	Report	Small Business Friendly Council Charter Agreement	Coordinator Economic Development	4
2.	9:15am	Report	Clunes Ceramic Awards	Events Officer	11
3.	9:30am	Report	Daylesford Motorfest – Memorandum of Understanding	Events Officer	13

4.	10:00am	Report	Memorandum of Understanding - Great Dividing Trail Association Inc	Coordinator Community Partnerships	30
5.	10:15am	Report	Public Art Panel – Adjustment to Terms of Reference	Arts, Culture and Reconciliation Officer	38
6.	10:30am	Presentation	Balaki Wurrekang - Treaty discussion with the Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC)	From the Dja Dja Wurrung Clans Aboriginal Corporation: Rodney Carter (CEO), Nikita Charles, Jim Brooks and Dominika Balwin	44
	11.00am	Break			
	11:15am	Presentation	Balaki Wurrekang - Treaty discussion with the Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC) cont.	From the Dja Dja Wurrung Clans Aboriginal Corporation: Rodney Carter (CEO), Nikita Charles, Jim Brooks and Dominika Balwin	44
7.	12:30pm	Report	Prevention Lab – Early Test Community	Community Programs Officer	48
	12.45pm	Lunch			
8.	1:15pm	Presentation	Spray Minimization Project	Michelle Matthews-Student Environmental Scientist, Federation University	50

9.	1:45pm	Report	Planning Application 2222 for the construction of two dwellings at 2A Ruthven Street Daylesford	Coordinator Planning	53
10.	2:00pm	Report	Planning Application 2357 for the use and development of a dwelling at 321 Chanters Lane Fern Hill	Coordinator Planning	63
11.	2:15pm	Report	Planning Application 2072 for the two lot subdivision at 323 Kangaroo Hills Road Blampied	Coordinator Planning	68
12.	2:30pm	Discussion	External Committees Update	CEO	71
13.	2:45pm	Discussion	Executive Issues Update	CEO	72
14.	3:00pm	Discussion	Councillor 'Burning Issues' Discussion	CEO	73
	3:15pm		CLOSE OF MEETING		

## RECORD OF ASSEMBLY OF COUNCILLORS

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

**Title of Meeting:** Councillor Briefing  
**Date:** Tuesday, 13 August 2019  
**Time:** 9:00am – 6:00pm

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

**Councillors present:**

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

**Members of Council Staff present:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> CEO Evan King  | <input checked="" type="checkbox"/> Other, please specify:   |
| <input checked="" type="checkbox"/> Director Infrastructure and Development Services Bruce Lucas | Manager Community and Economic Development – Andrew Burgess, Manager Environment and Waste – David Watson, Manager ICT – Chris Whyte, Sustainability Officer – Dominic Murphy, Biodiversity Officer – Brian Bainbridge, Manager Development and Community Safety – Alison Blacket, Coordinator Economic Development – Rebecca Pedretti, Coordinator Community Partnerships – Rachel Palmer, Project Officer – Kathie Schnur, Project Officer – Ange Dooley, Events Officer – Bridgette O'Brien |
| <input checked="" type="checkbox"/> Director Community & Corporate Services Bradley Thomas       |  |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned
Nil	

**Matters Considered:** Tuesday, 13 August 2019    **Agenda Attached**

**Matters Councillors not present**

Councillor Name	Item
Cr Licia Kokocinski	5, 6, 7, 8 and 9
Cr Don Henderson	7

**Name and title of Officer responsible for this written record:**

*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*

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CEO Evan King

Other, please specify:

Director Community & Corporate Services

Bradley Thomas

Director Infrastructure & Development

Services Bruce Lucas

Signature: \_\_\_\_\_



Tuesday 13 August 2019  
 Doug Lindsay Recreation Reserve, Creswick  
 9:00 am – 5:00 pm

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

INVITED:

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

CHAIR:

Mayor Don Henderson Evan King – Chief Executive Officer
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APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.	9:00am	Discussion	In Camera - CEO Annual Performance Review	CEO	3
	10:30am		Break		
2.	10:45am	Site Visit	Waste to Energy Pilot Project	Sustainability Officer	4



No	Time	Type	Agenda Item	Presenter	Page No
3.	11:45pm	Report	Glenlyon Recreation Reserve Draft Master Plan	Project Officer	5
4.	12:15pm	Report	Outcome of Rehoming of Waterfowl from Lake Daylesford	Manager Environment and Waste	9
	12.30pm		Lunch		
5.	1:00pm	Workshop	Visit Victoria Event Funding Options	Coordinator Economic Development	12
6.	1:45pm	Presentation	Daylesford Macedon Tourism - Regional Tourism Review Discussion Paper Response Presentation	Steve Wroe – Daylesford Macedon Tourism	18
7.	2:15pm	Discussion	Regional Tourism Review Discussion Paper Response 2019	Manager Community and Economic Development	20
	2:45pm		Break		
8.	3:00pm	Presentation	Victoria Police Crime Data and Community Safety Briefing	Victoria Police	22
9.	4:00pm	Workshop	Hepburn Planning Scheme Review	Professor Paul Buxton	23
	5:00pm		CLOSE OF MEETING		

### **13. COUNCIL SPECIAL COMMITTEES (SECTION 86)**

#### **13.1. APPOINTMENT OF MEMBERS TO SPECIAL COMMITTEES (SECTION 86) OF COUNCIL**

##### **CHIEF EXECUTIVE OFFICER**

*In providing this advice to Council as the Coordinator Governance and Information, I Katherine Toom have no interests to disclose in this report.*

##### **PURPOSE**

The purpose of this report is for Council to consider the appointment and reappointment of members to the Lyonville Hall, Creswick Museum and Glenlyon Recreational Reserve Special Committees (Section 86) of Council.

##### **BACKGROUND**

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

##### **ISSUE/DISCUSSION**

The following applications have been received from community members following the expiry of some existing membership terms and communication with other community members who have been attending the public meetings by committee members concerned about the number of volunteers or user group representation on the committee.

##### **Lyonville Hall Special Committee**

Ms Vicki Jackson – returning member

##### **Creswick Museum Special Committee**

Ms Diane Sewell – returning member

Mr Geoffrey Newmarch – returning member

Ms Phyllis Wright – returning member

Ms Evelyn Wright – returning member

##### **Glenlyon Recreation Reserve**

Ms Kathie Attwood – new member

Mr John Cable – returning member

Ms Shelley Sandow – new member

Mr Adam Tori – new member

The application forms have been circulated to Councillors out of session.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

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

## **FINANCIAL IMPLICATIONS**

None identified.

## **RISK IMPLICATIONS**

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

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

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

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

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

## **CONCLUSION**

Appointment of these committee members will enable the Special Committees of Hepburn Shire Council to operate in accordance with their Instruments of Delegation. The hard work of committee members and volunteers has been, and will continue to be, of considerable value to our local communities and the broader Hepburn Shire.

## **OFFICER'S RECOMMENDATION**

That Council:

13.1.1. Resolves to appoint Ms Vicki Jackson as a member of the Lyonville Hall Special Committee for a period commencing 1 September 2019 until 31 August 2021, and

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

13.1.3. Resolves to appoint Ms Diane Sewell as a member of the Creswick Museum Special Committee for a period commencing 1 September 2019 until 31 August 2021, and

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

13.1.5. Resolves to appoint Mr Geoffrey Newmarch as a member of the Creswick Museum Special Committee for a period commencing 1 September 2019 until 31 August 2021, and

13.1.6. That Mr Geoffrey Newmarch, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.

13.1.7. Resolves to appoint Ms Phyllis Wright as a member of the Creswick Museum Special Committee for a period commencing 20 August 2019 until 31 August 2021, and

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

13.1.9. Resolves to appoint Ms Evelyn Wright as a member of the Creswick Museum Special Committee for a period commencing 1 September 2019 until 31 August 2021, and

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

13.1.11. Resolves to appoint Ms Kathie Attwood as a member of the Glenlyon Recreation Reserve Special Committee for a period commencing 20 August 2019 until 31 August 2021, and

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

13.1.13. Resolves to appoint Mr John Cable as a member of the Glenlyon Recreation Reserve Special Committee for a period commencing 1 September 2019 until 31 August 2021, and

13.1.14. That Mr John Cable, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.

13.1.15. Resolves to appoint Ms Shelley Sandow as a member of the Glenlyon Recreation Reserve Special Committee for a period commencing 20 August 2019 until 31 August 2021, and

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

13.1.17. Resolves to appoint Mr Adam Tori as a member of the Glenlyon Recreation Reserve Special Committee for a period commencing 20 August 2019 until 31 August 2021, and

13.1.18. That Mr Adam Tori, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return

## MOTION

*That Council:*

- 13.1.1. Resolves to appoint Ms Vicki Jackson as a member of the Lyonville Hall Special Committee for a period commencing 1 September 2019 until 31 August 2021, and*
- 13.1.2. That Ms Vicki Jackson, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*
- 13.1.3. Resolves to appoint Ms Diane Sewell as a member of the Creswick Museum Special Committee for a period commencing 1 September 2019 until 31 August 2021, and*
- 13.1.4. That Ms Diane Sewell, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*
- 13.1.5. Resolves to appoint Mr Geoffrey Newmarch as a member of the Creswick Museum Special Committee for a period commencing 1 September 2019 until 31 August 2021, and*
- 13.1.6. That Mr Geoffrey Newmarch, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*
- 13.1.7. Resolves to appoint Ms Phyllis Wright as a member of the Creswick Museum Special Committee for a period commencing 20 August 2019 until 31 August 2021, and*
- 13.1.8. That Ms Phyllis Wright, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*
- 13.1.9. Resolves to appoint Ms Evelyn Wright as a member of the Creswick Museum Special Committee for a period commencing 1 September 2019 until 31 August 2021, and*
- 13.1.10. That Ms Evelyn Wright, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*
- 13.1.11. Resolves to appoint Ms Kathie Attwood as a member of the Glenlyon Recreation Reserve Special Committee for a period commencing 20 August 2019 until 31 August 2021, and*
- 13.1.12. That Ms Kathie Attwood, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*

- 13.1.13. *Resolves to appoint Mr John Cable as a member of the Glenlyon Recreation Reserve Special Committee for a period commencing 1 September 2019 until 31 August 2021, and*
- 13.1.14. *That Mr John Cable, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*
- 13.1.15. *Resolves to appoint Ms Shelley Sandow as a member of the Glenlyon Recreation Reserve Special Committee for a period commencing 20 August 2019 until 31 August 2021, and*
- 13.1.16. *That Ms Shelley Sandow, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*
- 13.1.17. *Resolves to appoint Mr Adam Tori as a member of the Glenlyon Recreation Reserve Special Committee for a period commencing 20 August 2019 until 31 August 2021, and*
- 13.1.18. *That Mr Adam Tori, pursuant to section 81(2A) of the Act, is exempted from being required to submit a primary and ordinary return.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr John Cottrell

**Carried**

## **13.2. MINUTES OF SPECIAL COMMITTEES (SECTION 86)**

### **CHIEF EXECUTIVE OFFICER**

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

### **PURPOSE**

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

### **BACKGROUND**

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

### **ISSUE/DISCUSSION**

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

- Creswick Museum Special Committee – 3 June 2019
- Glenlyon Recreation Reserve Special Committee – 12 June 2019
- Creswick Museum Special Committee – 1 July 2019
- Lee Medlyn Home of Bottles – 15 July 2019

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

### **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **RISK IMPLICATIONS**

Nil

### **ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS**

Nil

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Members of the community are represented on these committees.

## CONCLUSION

Minutes and reports have been provided for noting.

## OFFICER'S RECOMMENDATION

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

- Creswick Museum Special Committee – 3 June 2019
- Glenlyon Recreation Reserve Special Committee – 12 June 2019
- Creswick Museum Special Committee – 1 July 2019
- Lee Medlyn Home of Bottles – 15 July 2019

## MOTION

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

- *Creswick Museum Special Committee – 3 June 2019*
- *Glenlyon Recreation Reserve Special Committee – 12 June 2019*
- *Creswick Museum Special Committee – 1 July 2019*
- *Lee Medlyn Home of Bottles – 15 July 2019*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Neil Newitt

**Carried**



## **14. COUNCIL ADVISORY COMMITTEES**

### **14.1. RECONCILIATION ACTION PLAN COMMUNITY REFERENCE GROUP: NAME CHANGE**

#### **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

*In providing this advice to Council as the Arts, Culture and Reconciliation Officer, I Donna Spiller have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this briefing is to discuss changing the name of the Reconciliation Action Plan Community Reference Group (RAPCRG).

#### **BACKGROUND**

Council adopted its first Reconciliation Action Plan (RAP) in 2018. A RAP Community Reference Group (CRG) has been reappointed by Council in May 2019 for an 18-month term to provide advice on the implementation of the RAP and other reconciliation matters.

#### **ISSUE/DISCUSSION**

If Council approves the name change the current RAP Community Reference Group will become known as the RAP Advisory Committee.

There will be no change to the function of this group, the name aligns with the purpose of the Committee which is outlined in the Terms of Reference, and the naming reflects other advisory committees.

#### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2021:

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

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

#### **FINANCIAL IMPLICATIONS**

Nil

#### **RISK IMPLICATIONS**

Changing the name to RAP Advisory Committee reduces confusion regarding the members role and is in keeping with other advisory Committees.

## ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Nil

## CONCLUSION

The role of the RAP CRG is that of an advisory committee, and the amended name better reflects the role and aligns with other committees.

## OFFICER'S RECOMMENDATION

14.1.1. That Council renames the Reconciliation Action Plan Community Reference Group as the Reconciliation Action Plan Advisory Committee

## MOTION

*14.1.1. That Council renames the Reconciliation Action Plan Community Reference Group as the Reconciliation Action Plan Advisory Committee*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Licia Kokocinski

**Carried**

## **14.2. PUBLIC ART PANEL – ADJUSTMENT TO TERM OF REFERENCE DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Arts Culture and Reconciliation Officer, I Donna Spiller have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this briefing is to recommend Council adopt an amendment to the Public Art Panel Terms of Reference (TOR) including changing the name of the Public Art Panel to reflect being an Advisory Committee.

### **BACKGROUND**

In December 2013, Council adopted the Public Art Policy to encourage art installation in public places and provide a strategic direction for the development of public art within Hepburn Shire.

In May 2014, Council resolved to establish the Public Art Panel as an advisory committee to provide independent advice to Council regarding public art projects and adopted the Public Art Panel Terms of Reference. Revised Terms of Reference were adopted by Council in March 2017.

The current Public Art Panel TOR does not include a clause to outline the term of members.

Currently the Public Art Panel has seven members, of which five members were appointed in 2014. One member of the Panel is an elected Chair.

### **ISSUE/DISCUSSION**

#### Term of Members

The current Public Art Panel TOR includes a Selection Criteria and Panel Appointments clause that does not detail a term for members that are appointed by Council. The Selection Criteria and Panel Appointments clause could be amended to include clause 2.3.8 as outlined below, with clause 2.3.4 to be updated to reflect a minimum of four members:

*In order to achieve an orderly rotation of members and continuity of membership the term of members shall be either 4 years or 3 years.*

*Previous and existing members are eligible to re-apply.*

Considering the high interest in Public Art Panel membership, the recommendation is that returning members be offered a term of three years and new members be given a term of four years.

#### Chair:

The current Public Art Panel TOR stipulates in Clause 4.1.1 that the Chair shall be elected amongst the panel on an annual basis or as required. Clause

4.1.2 states that where available, a Hepburn Shire Councillor will participate in Public Art Panel meetings to provide a direct conduit back to Council.

The TOR could be amended to appoint a Councillor as the Chair.

Clause 4.1.1 could be replaced with the following;

*A Hepburn Shire Councillor will chair the Public Art Panel. The Councillor will be appointed by Council. The Councillors role is to Chair the discussion. Should a Councillor not be in attendance, a Chair will be elected by the Committee.*

Clause 4.1.2 could be removed from the TOR

#### Name Change:

If Council approves the name change the current Public Art Panel will become the Public Art Advisory Committee. There will be no change to the function of this group, the name aligns with the purpose of the Committee which is outlined in the Terms of Reference, and the naming reflects other advisory committees.

#### EOI/Selection

If Council approves this amendment to the TOR, Officers will commence the Expression of Interest (EOI) process to appoint the Public Art Panel. Expression of Interest will be advertised to the community to seek and appoint panel members.

Council officers will recommend members to be appointed by Council, for formal adoption at a future Council meeting. Selection will be based on relevant expertise as described in the selection criteria; geographical representation across the Shire; and diversity of culture, gender and age.

### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2017:2021:

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

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

## **FINANCIAL IMPLICATIONS**

Minimal – the cost of advertising for members of the Public Art Advisory Committee.

## **RISK IMPLICATIONS**

Specifying the Chair and changing the name of the committee assists to clarify roles of members and reduces the risk of confusion.

Creating a term for members allows for positions on the committee to become available. Reducing the risk of the community feeling excluded from the opportunity to be a member.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The adoption of a specific term for members allows for an Expression of Interest process to be advertised throughout the community.

## **CONCLUSION**

The amendments to the Public Art Panel Terms of Reference create greater opportunities for members of our community to act as advocates and make recommendations about Public Art.

Changing the name assists to define the role of the panel and creates consistency across Council community committees.

The Chair being an appointed Councillor is consistent with other Community Committees.

## **OFFICER'S RECOMMENDATION**

14.2.1. That Council adopt the proposed amendments to the Public Art Panel Terms of Reference including:

- Term of Members
- Appointment of Chair
- Name Change

## **MOTION**

*14.2.1. That Council adopt the proposed amendments to the Public Art Panel Terms of Reference including:*

- *Term of Members*
- *Appointment of Chair*
- *Name Change*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr John Cottrell

**Carried**

**ATTACHMENT 21 - AMENDED TERMS OF REFERENCE – PUBLIC ART  
PANEL**

## PUBLIC ART PANEL

### TERMS OF REFERENCE MARCH 2017

#### 1. Purpose

The Public Art Panel will provide advice to assist Hepburn Shire Council make decisions about public art projects and acquisitions.

#### 2. The Panel

##### 2.1. Role and Responsibilities

2.1.1. The Panel will be conversant with Hepburn Shire Council's Public Art Policy 40 (C) in order to advise Hepburn Shire Council on selection of public art based on the following criteria, as set out in the policy:

- Quality of the artwork and artist
- Durability of work
- Safety and suitability
- Relevance to Hepburn Shire
- Artwork materiality

2.1.2. The Panel will act as advocates/voices in the community about public art, and assist to keep the community informed about proposed public art projects.

##### 2.2. Conflict of Interest

2.2.1. Panel members will disclose to Council officers any conflicts of interest, either direct or indirect, that relates to a Public Art Panel meeting agenda item. The onus to determine whether a conflict of interest exists rests entirely with the individual Panel member. Once a conflict of interest is identified, the Panel member must take the following steps:

1. Tell the Panel you have a conflict of interest.
2. Tell the chair you are leaving the meeting.
3. Leave the room until the matter has concluded.

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#### ► CONTACT

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## ► PUBLIC ART

### 2.3. Selection criteria and panel appointments

2.3.1. The Public Art Panel will be selected based on the following criteria:

- Professional and/or community art expertise;
- Knowledge of contemporary public art applications and issues;
- Experience in art, art curatorship, art policy, architecture and/or design;
- Proven ability to work cooperatively in advisory groups or selection panels.

2.3.2. The selection of the Panel will be determined by Council. Selection will be based on relevant expertise as described in the selection criteria; geographic representation across the Shire; and diversity of culture, gender and age.

2.3.3. Public Art Panel positions will be publicly advertised and appointed through applications to Council.

2.3.4. The Panel will consist of up to 10 members (in addition to a Hepburn Shire Councillor). Additional short-term members may be selected from communities or groups involved with a special project, or to provide special expertise for a project where required. **The committee will operate with a minimum of 4 members.**

2.3.5. The Hepburn Shire Councillor's role on the Panel is an ex officio member of the committee as a non-voting member.

2.3.6. Non Hepburn Shire residents who demonstrate exceptional skills in the area of public art may be appointed to the Panel.

2.3.7. Other members may be sought where particular skills are required or as new partnership opportunities are identified. This may be for a short or long term period depending upon the requirements of the project.

2.3.8. **Term of Members: In order to achieve an orderly rotation of members and continuity of membership the term of members shall be either 4 years or 3 years. The panel will continue to operate with a minimum of four members.**

**Previous and existing members are eligible to re-apply**

### 2.4. Non-panel participants

2.4.1. Relevant Council officers such as engineers, planning, heritage, arts and tourism will be co-opted as required, but without voting rights.

## 3. Hepburn Shire Council

### 3.1. Role and Responsibilities

3.1.1. Council will have overall accountability for the development and implementation of

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public art in the Shire while recognising that the advice, liaison, discussion and involvement of the Public Art Panel are essential.

- 3.1.2. Council will make officers available to provide advice to the Public Art Panel on proposed public art projects where required.
- 3.1.3. Council Officers are responsible for calling meetings, circulating minutes and written material for the Public Art Panel.

#### 4 Administration and Co-ordination

##### 4.1 Administration

- 4.1.1. **A Hepburn Shire Councillor will chair the Public Art Panel. The Councillor will be appointed by Council. The Councillors role is to Chair the discussion. Should a Councillor not be in attendance, a Chair will be elected by the Committee.**
- 4.1.2. **To be deleted** – Where available, a Hepburn Shire Councillor will participate in Public Art Panel meetings to provide a direct conduit back to Council.
- 4.1.2. The Public Art Panel will be administered and supported by Hepburn Shire Council. Council will be responsible for calling meetings, circulating minutes and written material as required.
- 4.1.3. Meetings of the Public Art Panel will be held as needed.
- 4.1.4. This document will be reviewed after the first year to determine whether the Terms of Reference remain current and relevant.
- 4.1.5. Hepburn Shire Council will be responsible for determining if the Public Art Panel is no longer required.

##### 4.2 Co-operation

- 4.2.1. All individuals involved in the Public Art Panel will be required to work in a co-operative and positive manner.
- 4.2.2. Adhering to the principle of clear and open communication is considered essential to the operation of the Public Art Panel and for the continued development of public art projects in the Shire.
- 4.2.3. Where disputes between members arise, parties will be encouraged to discuss issues openly and clearly in a respectful manner.
- 4.2.4. Where there is difficulty in resolving disputes, an independent mediator may be engaged to assist in finding resolution.

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### **14.3. MINUTES OF ADVISORY COMMITTEES**

#### **CHIEF EXECUTIVE OFFICER**

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

#### **PURPOSE**

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

#### **BACKGROUND**

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

#### **ISSUE/DISCUSSION**

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

- Reconciliation Action Plan Community Reference Group – 19 June 2019
- Reconciliation Action Plan Community Reference Group – 17 July 2019

These minutes have been provided to Councillors under separate cover.

#### **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **RISK IMPLICATIONS**

Nil

#### **ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS**

Nil

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Members of the community are represented on these committees.

#### **CONCLUSION**

Minutes have been provided for noting.

## OFFICER'S RECOMMENDATION

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

- Reconciliation Action Plan Community Reference Group – 19 June 2019
- Reconciliation Action Plan Community Reference Group – 17 July 2019

## MOTION

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

- *Reconciliation Action Plan Community Reference Group – 19 June 2019*
- *Reconciliation Action Plan Community Reference Group – 17 July 2019*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Fiona Robson

**Carried**

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**15. CLOSE OF MEETING**

Meeting closed 10:00 pm

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