



HEPBURN SHIRE COUNCIL  
ORDINARY MEETING OF COUNCIL  
PUBLIC AGENDA

Tuesday 24 February 2026

Council Chamber  
24 Vincent Street Daylesford

6:00PM

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

# AGENDA

Tuesday 24 February 2026

Council Chamber

24 Vincent Street Daylesford

Commencing at 6:00PM

## TABLE OF CONTENTS

<b>1</b>	<b>ACKNOWLEDGEMENT OF TRADITIONAL OWNERS</b> .....	<b>4</b>
<b>2</b>	<b>OPENING OF MEETING</b> .....	<b>4</b>
<b>3</b>	<b>APOLOGIES</b> .....	<b>4</b>
<b>4</b>	<b>DECLARATIONS OF CONFLICTS OF INTEREST</b> .....	<b>4</b>
<b>5</b>	<b>CONFIRMATION OF MINUTES</b> .....	<b>5</b>
<b>6</b>	<b>CONDOLENCE MOTION</b> .....	<b>6</b>
<b>7</b>	<b>PUBLIC PARTICIPATION TIME</b> .....	<b>7</b>
7.1	PETITIONS .....	8
7.2	REQUESTS TO ADDRESS COUNCIL .....	8
7.3	PUBLIC QUESTIONS.....	8
<b>8</b>	<b>OFFICER REPORTS</b> .....	<b>9</b>
8.1	FUTURE MANAGEMENT OPTIONS WHEELERS BRIDGE LAWRENCE .....	9
8.2	DOMESTIC ANIMAL MANAGEMENT PLAN 2026–2029.....	20
8.3	MID-YEAR BUDGET REVIEW/FINANCIAL REPORT – Q2 DECEMBER 2025.....	28
8.4	FOUR STREAM KERBSIDE REFORM AND ADVOCACY FOR STANDARDS .....	31
8.5	PRIORITY PROJECTS STATEMENT .....	39
8.6	AUDIT AND RISK COMMITTEE UPDATES.....	44
8.7	MAV AND ALGA MOTIONS 2026 .....	47
8.8	S6A INSTRUMENT OF DELEGATION UNDER THE PLANNING AND ENVIRONMENT ACT 1987 .....	51
8.9	RECORDS OF COUNCILLOR ATTENDANCE .....	57
<b>9</b>	<b>ITEMS OF URGENT BUSINESS</b> .....	<b>60</b>
<b>10</b>	<b>COUNCILLOR AND CEO REPORTS</b> .....	<b>60</b>

10.1 MAYOR'S REPORT .....60  
10.2 COUNCILLOR REPORTS.....60  
10.3 CHIEF EXECUTIVE OFFICER'S REPORT .....62  
11 CLOSE OF MEETING .....64

**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

Tuesday 24 February 2026

## **1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

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

## **2 OPENING OF MEETING**

**COUNCILLORS PRESENT:**

**OFFICERS PRESENT:**

### **STATEMENT OF COMMITMENT**

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

## **3 APOLOGIES**

## **4 DECLARATIONS OF CONFLICTS OF INTEREST**

## 5 CONFIRMATION OF MINUTES

### RECOMMENDATION

*That the Minutes of the Ordinary Meeting of Council held on 16 December 2025 (as previously circulated to Councillors) be confirmed.*

## 6 CONDOLENCE MOTION

### **OFFICER'S RECOMMENDATION**

*That Council acknowledges the tragic loss of Rob Anderson of Clunes and extends its deepest sympathy to family and friends and the extended community who have been impacted by this sad event.*

### **Background**

Aged just 40 and with a young family, Rob died as a result of an industrial accident while working at home on the farm in his role as a highly-skilled and hard-working welder. His work was prized by farmers throughout the region.

At his funeral in Ballarat attended by many hundreds Rob was recognised as a school council member of Clunes Primary School, Clunes Football and Netball Club committee member and as senior vice-president of the Clunes and District Agricultural Show and a selfless volunteer.

Rob was with us at a Councillor Briefing in the Clunes Warehouse last year where he was stepping up in support of the Clunes Sportsground Project. One got a profound sense that here was someone who was going to be a formidable community leader in the decades to come. He has been repeatedly described as a 'ripper bloke' and clearly his loss leaves a huge gap in our community.

## 7 PUBLIC PARTICIPATION TIME

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

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

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

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

### **BEHAVIOUR AT COUNCIL MEETINGS**

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

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

Respectful behaviour includes:

- Being courteous when addressing Council during public participation time and directing all comments through the Chair
- Being quiet during proceedings
- Being respectful towards others present and respecting their right to their own views

Inappropriate behaviour includes:

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

### **7.1 PETITIONS**

### **7.2 REQUESTS TO ADDRESS COUNCIL**

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

### **7.3 PUBLIC QUESTIONS**

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

## 8 OFFICER REPORTS

### 8.1 FUTURE MANAGEMENT OPTIONS WHEELERS BRIDGE LAWRENCE DIRECTOR INFRASTRUCTURE AND DELIVERY

*In providing this advice to Council as the Coordinator Engineering, I Tim Powell have no interests to disclose in this report.*

#### ATTACHMENTS

- Nil

#### OFFICER'S RECOMMENDATION

*That Council:*

- 1. Resolves to close Wheelers Bridge on Creswick-Lawrence Road, Lawrence, due to the continued deteriorating condition, significant safety risk to road users and pedestrians, and disproportionate renewal cost;*
- 2. Acknowledges and shares the disappointment of the required closure to ensure community safety, and the inconvenience the closure has to the local community and emergency services;*
- 3. Notifies the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts of its intention to seek formal approval to redirect the funds or withdraw from the current funding agreement under the Bridges Renewal Program;*
- 4. Notes that as a result of the closure of the bridge, the planned road construction works of \$507,453 on Creswick-Lawrence Road would also be unnecessary and authorise officers to:*
  - a. Increase the 2026/2027 infrastructure renewal program by \$507,453; and,*
  - b. Utilise Council's contribution towards the project to implement the closure as outlined in this report including appropriate infrastructure, vehicle turnarounds and interpretive signage at the site to recognise the historical value of the bridge, returning any residual funds as a saving for 2025/2026;*
- 5. Updates the 2025/2026 Capital Works Program and the 2025/2026 Annual Budget to reflect the cancellation of the current bridge renewal project and Creswick-Lawrence Road project;*

6. *Requests officers make the necessary administrative and operational arrangements to formally close Wheelers Bridge, on Creswick-Lawrence Road, including the development of a formal communications plan to ensure that residents and road users are adequately informed and supported;*
7. *Refers the investigation of opportunities, including external capital grant funding, to establish a visitor experience area to Council's Long Term Capital Works Program for future consideration; and,*
8. *Continues to work with the local CFA to support their critical response effort, taking into account the bridge closure.*

## **EXECUTIVE SUMMARY**

- Wheelers Bridge, a 125-year-old heritage listed Monier reinforced concrete bridge, has deteriorated over time, resulting in load limits, reduction to a single lane and ongoing safety concerns regarding the bridge structure.
- A renewal project retaining the original structure was scoped and costed, originally at ~\$3.6M (construction cost only), and was partially funded through the Federal government's Bridge Renewal Program on an 80:20 contribution basis.
- Following a recent Expression of Interest process, it is clear that the project is significantly underfunded, with supplier estimates exceeding the available budget by up to 100%, prompting termination of the Expression of Interest process.
- An independent engineering assessment undertaken as part of confirming the future management options of the bridge, has determined that the structure is no longer safe for any use and an interim closure was put in place in December 2025, pending this formal report to Council.
- Considering all elements of the project and impacts, officer's recommendation is to proceed with a closure to vehicle and pedestrian access.

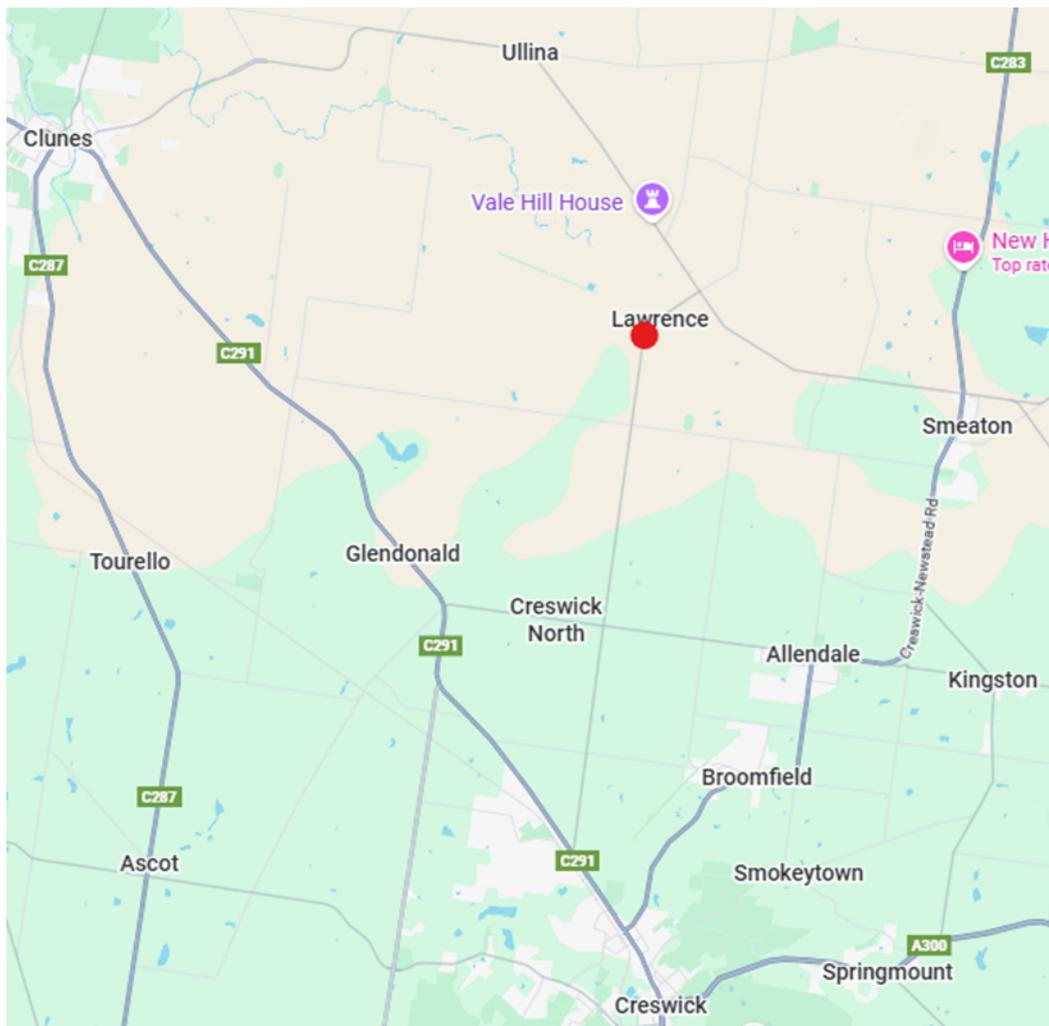
## **BACKGROUND**

Wheelers Bridge is a historic arch bridge over Birch Creek on Creswick-Lawrence Road, Lawrence, shown in the image below. Construction was completed on the 125-year-old structure by Monash and Anderson in 1900, which was the third 'Monier' system reinforced concrete bridge to be completed in Victoria and is now the oldest Monier bridge still formally in operation as a road bridge.

The bridge was placed on the National Trust of Australia (Victoria) register in June 1997 and is listed in the Hepburn Shire Planning Scheme. The bridge is not listed on the Heritage Victoria Register or National Estate Register.



*Image: Wheelers Bridge, Lawrence, taken from the southern end*



*Image: Area map (Wheelers Bridge location highlighted in red)*

## **Bridge Condition**

Over time, the bridge has shown signs of structural deterioration, confirmed by various condition assessments. A 15-tonne load limit was placed on the bridge in 2013, and investigations were completed to assess the bridge condition, provide options for its remediation, complete risk assessments and monitor for ongoing deterioration.

Due to ongoing concerns of continued deterioration, further assessments were completed and subsequently the bridge was reduced to a single lane, and a 40km/h speed limit was introduced in 2018. Periodic monitoring for any further movement was also initiated via sensors installed on the bridge. The last reading was taken in mid-2020 which showed no material movement, movement surveys ceased whilst the renewal project was being progressed.

After the expression of interest (EOI) process, Council engaged an independent engineering assessment to complete a critical project review. During their site inspection in December 2025, they deemed the structure immediately dangerous and Council implemented an interim road closure in the following days. The condition of the bridge relates to its age, the design and construction shortcomings at the time of opening, however is not linked to maintenance. Being the oldest operational Monier arch bridge in Victoria is likely due to it being in a low traffic area.

## **Bridge Renewal**

In 2013, options for the remediation of the bridge, including renewing the existing bridge in full or in part, or constructing a new bridge on a new road alignment were considered. Ultimately Council accepted the recommendation to progress renewal of the existing bridge given the comparative cost and longer-term retention of heritage elements.

Council started planning for works on Wheelers Bridge in 2015, when it engaged an engineering consultant to undertake a bridge assessment and consider costing of renewal options which considered which components of the bridge to retain or replace based on cost and risk.

In 2021, a specialist bridge designer was engaged to prepare tender documentation for the renewal of the bridge and both road approaches. The documentation included a cost estimate prepared by a quantity surveyor, indicating a total cost of just over \$4M, inclusive of project and engineering costs, design and construction.

In 2022 Council was successful in obtaining grant funding for the renewal of the bridge through the Federal Government's Safer Local Roads and Infrastructure Program on an 80:20 basis, being \$2.78M of grant funding for the construction component of the project. Additionally, Council included \$507K in the 2025/2026

Capital Works Program to fund the road renewal component of the project being reconstruction of the road approaches to the bridge.

In late 2024 on completion of detailed design, a second cost estimate was provided for the construction works, prior to commencing a public Expression of Interest (EOI) process in late July 2025. This revised cost estimate was \$3.847M (construction only). Due to the uncertainty around costs, the EOI process requested submission of estimates with confidence limits, which was intended to be followed by a selective 'Request for Tender' process with the preferred suppliers. This process was overseen by an independent probity auditor.

Three suppliers made a submission to the EOI and all costings exceeded the available budget by, or close to, 100%, not including any allowances for Council contingencies or project management costs. Based on this, the Evaluation Panel met and determined, in consultation with the Probity Advisor, to terminate the EOI process.

Considering the expression of interest pricing, the total project cost inclusive of contingency and management is indicatively in the order of \$9-10M.

## **KEY ISSUES**

### **Funding of Works**

Following a preliminary evaluation of the EOI submissions, officers have had multiple discussion with the funding body (Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts) to explore options in order to progress the project. Advice provided was:

- In accordance with the program guidelines, the Federal Government's contribution could not be increased beyond the percentage outlined in the original funding agreement, being 80% for this project. As result, if overall grant funding were to be increased, Council would need to increase its contribution to the project to meet the minimum 20% requirement.
- 'Council's contribution' may be made up of any combination of Council funds, private investment, State or Federal grant programs.
- The maximum funding available through the program is \$5M, leaving \$4-5M required in order to complete the project (the equivalent of Council's 10-year projected renewal investment in bridges), therefore requiring a Council contribution greater than the minimum 20%.

It was also noted that Council is not able to claim, pro-rata or otherwise, any portion of the expenditure to date (approximately \$270K) as the grant funds relate to the construction component of works, as per the funding agreement.

No alternative funding sources have been identified to make up the current shortfall of funds and assuming a replacement value approaching \$10M, Wheelers Bridge

would represent a significant portion of the value of Council's entire bridge and other structures portfolio.

### **Monash University Involvement**

During the planning phase of the project, there were discussions with representatives from the Engineering Department of Monash University. The discussions were about the possibilities of the university's involvement through:

- Informal design checking
- Field trips during construction
- New design for a small viewing platform and/or car parking area
- Site visits
- Financial or in-kind donations

Monash University did not commit to any specific financial involvement, however there continued to be discussions with other Monash affiliates regarding history and the project more generally.

### **TREATMENT OPTIONS**

Over the course of this project, a number of potential treatment options have been considered and investigated, as outlined below. It should be noted that continued cost escalation is anticipated over time.

#### **Option 1 | Continue the Current Arrangement**

Under this option, the bridge would remain operational, with the current lane and speed limitations in place, and additional pedestrian restrictions in place, however ongoing monitoring and maintenance would be required. The December 2025 condition assessment indicates that based on significant risk to users and the condition of the structure, this option is not viable.

#### **Option 2 | Reduce or Adjust the Current Scope of Works**

An independent assessment of the current scope of works has been undertaken, to determine whether a reduced or adjusted project may be delivered, whilst still achieving the primary structural and safety outcomes. A reduced scope could include removing the existing (historic) arches to facilitate an easier rebuild. Based on the independent assessment, this option is not viable as any potential adjustments to the scope result in minor variances to the estimated cost, without extending the expected life of the bridge for more than 25 years.

#### **Option 3 | Close the Bridge to Vehicular Traffic Only**

Under this option, the bridge would be closed to vehicular traffic but remain open to pedestrians. Works required to facilitate this option are estimated to cost in the

vicinity of \$300,000 (bridge infrastructure works, signage and barriers, off-road car parking and a vehicle turnaround) with ongoing monitoring and maintenance costs of approximately \$6,000, however the December 2025 condition assessment indicates that based on the continued risk to pedestrians, this option is not viable. It is noted, however, that there remains a historical value to the bridge and potential opportunity to promote visitation and viewing of the bridge. Although not included as part of the immediate closure scope, it is recommended that this be pursued as a future opportunity.

#### **Option 4 | Close the Bridge to Vehicle and Pedestrian Traffic**

Under this option, the bridge would be closed to vehicle and pedestrian traffic. Works required to facilitate this option are estimated to cost in the vicinity of \$200,000 (less than option 3 due to the removal of off-road car parking and relocation of barriers to support pedestrians), with a minimal ongoing cost of routine inspections. Considering risk, cost, use and value for money, it is recommended that this option be pursued. A closure, under this option, would include the installation of necessary infrastructure (barriers, fencing, warning and directional signage etc), vehicle turn around areas at both sides of the bridge and the installation of interpretive signage recognising the history of the bridge.

#### **Option 5 | Seek Additional External Funding**

Under this option, Council would defer progressing the project at this time, seek to secure additional external funding, and make application to the Bridges Renewal Program to increase their total contribution to the maximum \$5M. It is noted that an application to increase Bridges Renewal Funding would be assessed on a competitive basis, and even if approved, there are no additional funding streams identified to make up the current shortfall of \$3-4M and Council is not in a position to fund this gap from its renewal program. Considering funding constraints, use and broader community value, this option is not recommended.

#### **Option 6 | Duplicate the Bridge**

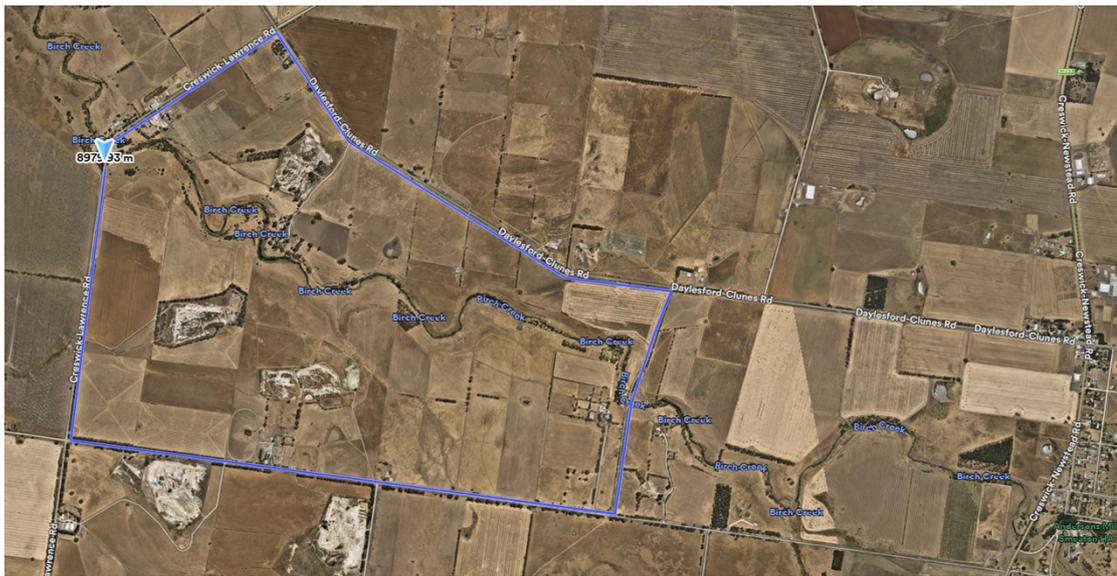
As part of the initial options assessment undertaken in 2013 the construction of a new bridge adjacent the existing structure was considered and estimated to be of a similar cost to renewing the existing asset. Given the comparable costs and aim to retain the heritage value of the existing bridge, renewal was ultimately the preferred option. An updated estimate indicates that the construction costs are likely still comparable to a renewal scenario, however there are a number additional and complex considerations associated with this option such as land acquisition and road reserve creation, new road approaches, water authority approvals, cultural heritage requirements, redesign and the like. Given this option is likely to see a total project cost the same as renewal (at least \$10M), a shortfall of funding still remains. As such, this option is not recommended.

## Traffic Detours

Closure of the bridge to vehicular traffic would require two detours be put in place (currently implemented as an interim arrangement) to accommodate standard vehicles and regular heavy vehicles.

This would require regular vehicles and emergency vehicles to travel an additional 9km (total distance) to move from one side of the bridge as shown below. Regular heavy vehicles would be required to travel an additional 13km, noting that given the 15t single axle load limit implemented in 2013, this does represent a change to the current arrangements. This detour would primarily impact on the owners of the 11 properties that abut the affected section of Creswick-Lawrence Road. With the current load limit in place, heavy emergency response vehicles and heavy vehicles from the local quarries are already required to undertake the detour.

The December 2021 average daily traffic count for Creswick-Lawrence Road was 77 vehicles per day. There are currently no pedestrian links to this rural bridge. There are property access points right at the southern end of the bridge that would remain accessible.



*Image: Vehicle Detour (including emergency vehicles)*



Image: Heavy Vehicle Detour

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

### Council Plan 2025-2029

Future Hepburn

2. Responsible management of infrastructure and environment to support wellbeing now and for future generations.

### FINANCIAL IMPLICATIONS

To date, approximately \$270K has been expended on the project for design, tender and project management costs. No grant funds have been drawn on and are not able to be claimed on a pro-rata basis as the grant is associated with construction works only.

The breakdown of project budget and income sources (multiple years) is outlined below, which includes an allocation for renewal of Creswick-Lawrence Road made within the 2025/2026 Capital Works Program, intended to fund the rehabilitation of the bridge approaches and complement the bridge renewal works. These works would be unnecessary with an ongoing bridge closure.

<i>Project Component</i>	<i>Council Contribution</i>	<i>Bridges Renewal Grant Funding</i>	<i>Project Budget</i>
Bridge renewal	\$618,250	\$2,779,200	-
Road renewal	\$507,453	\$0	-
Total	\$1,125,703	\$2,779,200	\$3,904,903

Should the recommendation to implement a closure be supported, it is proposed that the following adjustments to the 2025/2026 project budget be made:

- If the current grant funding is not able to be redirected, cancel the funding agreement with the Department of Infrastructure for \$2,779,200. No funds have been drawn down therefore no money is required to be returned.
- Utilise Council's contribution to the bridge renewal works to implement the closure, with residual funds returned to Council's general revenue and the 2025/2026 Capital Works Program updated to reflect this cancelled project.
- Increase the 2026/2027 renewal budget by \$507,443, to offset the road component of the bridge works. Funding for the works on Creswick-Lawrence Road is from Councils Road to Recovery Funding (Federal) however Council is able to adjust the overall program to accommodate this in the current year. Any further rehabilitation works on Creswick-Lawrence Road will be included in future programs as warranted, depending on assessment of the road and changed traffic patterns given the bridge closure.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Previous engagement on the Wheelers Bridge renewal project has been undertaken, involving key stakeholders such as emergency services, local Landcare and farmers, and the wider community. Submitters to the recent EOI process have been notified that no contract will be awarded.

Following the condition assessment and recommendation to immediately implement a closure on the bridge in December 2025, officers notified the immediately adjacent properties through drop ins and mail and directly contacted emergency service agencies. Broader road users were notified by site signage and VMS boards. A media release and other online media was also prepared outlining the closure.

If the recommendation in this report is supported, a formal communications plan will be prepared, to ensure that property owners, emergency services, typical road users and other stakeholders are advised of the outcome and closure. Direct discussions with the funding body will also occur and officers will continue to work with emergency services agencies to ensure response to emergencies is supported.

## **RISK AND GOVERNANCE IMPLICATIONS**

The Wheelers Bridge renewal project presents significant risk and governance considerations arising from the deteriorating structural condition of the 125-year-old heritage asset, the escalating cost environment, and the constraints of the existing funding agreement. Safety risks remain a key concern, with current load limits, single-lane operations, and failing barriers requiring ongoing monitoring and interim risk-mitigation works to maintain an acceptable level of public safety.

Financial risk has heightened substantially, with EOI submissions exceeding the available budget by up to 100%, creating a material unfunded liability. Governance risks also arise from expectations of impacted residents and road users, particularly given the potential increase in travel distances and service impacts.

#### **ENVIRONMENTAL SUSTAINABILITY**

The closure will have a minor environmental impact by increasing the commute time for some road users, however longer term, given the condition of the bridge, should any part of the structure fail this does have the potential to negatively impact Birch Creek.

#### **GENDER IMPACT ASSESSMENT**

No formal gender impact assessment has been undertaken, however it is noted that projects such as this have the potential to affect community members differently depending on how they travel, access services, and engage with public infrastructure. It is considered that the increased travel time associated with the proposed closure will not materially intensify transport disadvantage or increase safety risk for residents or road users.

## **8.2 DOMESTIC ANIMAL MANAGEMENT PLAN 2026–2029**

### **DIRECTOR DEVELOPMENT AND COMMUNITY**

*In providing this advice to Council as the Manager Community Health and Safety, I Khalid Wright have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Domestic Animal Management Plan 2026-2029 [8.2.1 - 40 pages]

#### **OFFICERS RECOMMENDATION**

*That Council:*

1. *Notes that Council has statutory responsibilities under the Domestic Animals Act 1994 to plan for and manage domestic animal management services, including dog and cat management, domestic animal businesses, enforcement and community safety outcomes;*
2. *Notes that the Domestic Animal Management Plan 2026–2029 has been developed through service review and community and stakeholder engagement, and sets Council’s strategic directions, priorities and evaluation measures for dog and cat management, responsible pet ownership, nuisance reduction, animal welfare, public safety and biodiversity protection; and,*
3. *Adopts the Domestic Animal Management Plan 2026–2029, noting that implementation will be supported through annual review and reporting to Council and Agriculture Victoria.*

#### **EXECUTIVE SUMMARY**

This report presents the Domestic Animal Management Plan (DAMP) 2026–2029 for Council adoption. The Plan is a statutory requirement under the *Domestic Animals Act 1994* and sets Council’s approach to managing dogs, cats and domestic animal businesses, balancing community safety, animal welfare, environmental protection and fair, consistent compliance over the next four years.

The DAMP has been informed by a structured service review and mixed-method engagement undertaken between September and December 2025. Feedback emphasised dog attack prevention and nuisance management, and strong interest in strengthening cat management (including support for exploring a 24-hour containment approach). The final Plan is organised around four strategies and an actions table with timeframes and evaluation measures, and includes annual review and reporting to Council and Agriculture Victoria.

## **BACKGROUND**

### **Background and Context**

Council is required to prepare and implement a Domestic Animal Management Plan (The Plan) under section 68A of the *Domestic Animals Act 1994*. The Plan must be renewed every four years and cover key areas including registration and identification, nuisance management, dog attacks, dangerous and restricted breed dogs, cat management, and domestic animal businesses.

In Hepburn Shire, animal management is delivered through the Community Safety team. The Plan has been developed to be practical and deliverable in a rural municipality with dispersed townships and competing service demands. It aligns with Council's broader strategic direction and supports shared outcomes for safe public spaces, responsible pet ownership, biodiversity protection and transparent regulation.

### **Community Engagement Overview**

Council sought feedback between September and December 2025 using a mix of face-to-face sessions, online options and community events. Engagement included five drop-in sessions (four in-person and one online), attendance at two community events, an online survey via Participate Hepburn, and direct contact through emails, phone calls and letters.

Across the engagement period, Council recorded 489 interactions and pieces of feedback. Key themes included dog attack prevention, nuisance management (including barking and roaming), and strong concern about stray and feral cats and impacts on wildlife and amenity. Feedback also indicated strong interest in strengthening cat management, including exploring a 24-hour containment approach.

Engagement responses were predominantly from residents aged 40–79 years, with higher participation from women and strong representation from Daylesford, Hepburn Springs, Trentham and Creswick. While younger residents and families were under-represented, the themes align with historical engagement patterns and Council's service request and complaint data.

## **KEY ISSUES**

### **Statutory compliance and governance**

The Domestic Animal Management Plan is a statutory requirement under the *Domestic Animals Act 1994*. Adoption of the 2026–2029 Plan ensures Council remains compliant with legislative obligations and provides a clear, transparent

framework for delivery, monitoring and reporting over the next four years. Delaying adoption would require Council to continue operating under an expiring framework.

### **Practicality and deliverability**

The Plan has been developed to reflect Council's current operational capacity, including the multidisciplinary nature of the Community Safety Team and the geographic scale of the municipality. Actions have been deliberately staged and prioritised to focus on high-impact issues such as dog attacks, nuisance and responsible ownership.

### **Community expectations and engagement outcomes**

Community engagement demonstrated strong concern about public safety and animal welfare, alongside a clear preference for balanced, credible regulation rather than symbolic or difficult-to-enforce policy settings. While expectations are high, feedback was generally pragmatic and aligned with known service demand and complaint trends.

### **Managing risk through staged implementation**

Key risks for Council relate to credibility and reputational impact if actions cannot be delivered as stated. The Plan mitigates these risks through staged implementation, measurable actions, and embedded annual review and reporting.

### **How the DAMP addresses the key issues**

The DAMP responds directly to feedback between September and December 2025. It prioritises dog attack prevention, nuisance reduction and responsible pet ownership, while addressing complex issues such as cat containment through education, desexing programs, partnerships and staged implementation.

The Plan deliberately avoids single-lever solutions and focuses on actions that are achievable, defensible and measurable within Council's existing resourcing and regulatory framework.

The attached Plan aligns with the Council Plan 2025–2029, supports community safety and wellbeing outcomes, and embeds annual review and reporting to ensure transparency, accountability and continuous improvement.

Overall, the Domestic Animal Management Plan 2026–2029 provides Council with a clear, evidence-informed and operationally realistic framework for managing dogs, cats and related services over the next four years.

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

### **Council Plan 2025-2029**

#### Hepburn Life

1. Connected Communities that are resilient, adaptable, and empowered - able to respond to and recover from climate-related impacts, emergencies, and other community challenges.
2. A healthy and inclusive community, where all people regardless of background or life stage have the opportunity to participate and thrive.
3. An informed and engaged community.

#### Hepburn Working Together

1. Future-focused services that are easy to use and inclusive.
3. An engaged, safe, and skilful workforce.

#### **Legislation:**

- *Domestic Animals Act 1994* – requires Council to prepare a DAMP every four years and implement actions relating to dog/cat management, nuisance, attacks, welfare, and officer capability.

#### **Council policy alignment:**

- Supports Council Plan outcomes relating to a healthy and inclusive community and an informed and engaged community, including providing timely information and enabling participation through accessible platforms.
- Aligns with Council's role in maintaining safe environments in public spaces and supporting community wellbeing through responsible management of shared areas impacted by domestic animals.

Adopting the Plan supports Council's compliance with the *Domestic Animals Act 1994* and provides the formal framework for Council's domestic animal management program for 2026-2029.

The Plan also supports Council's broader policy intent around:

- community safety and amenity in public spaces
- animal welfare and responsible ownership
- biodiversity protection through reduced impacts of stray and roaming cats
- consistent, transparent regulation and service reporting.

## **FINANCIAL IMPLICATIONS**

Delivery of the Domestic Animals Management Plan 2026–2029 will be done within existing operational budgets for the Community Safety team.

The actions contained in the Plan have been developed with consideration of available resources and current service levels. Costings are based on existing program delivery and staff capacity, rather than new expenditure.

Where external funding opportunities become available, such as grants from Animal Welfare Victoria or partnership programs for desexing, microchipping, or education initiatives, these will be pursued to offset costs and expand delivery.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Community engagement was undertaken between September and December 2025 using a mix of in-person, online and event-based activities to maximise accessibility and reach. Engagement activities included:

- Five drop-in engagement sessions, comprising four in-person sessions held at Council facilities and community venues and one online session
- Attendance at two major community events/shows, enabling informal, place-based engagement
- An online community survey hosted on Participate Hepburn, which received 111 submissions

In total, engagement activity generated 489 submissions, engagements and unique interactions across the engagement period of September to December.

The engagement results demonstrate strong and consistent community expectations around public safety, fairness and animal welfare, alongside a clear preference for credible, balanced regulation rather than symbolic or difficult-to-enforce policy settings.

In addition to the formal engagement program, Council also received and considered day-to-day feedback through emails, phone calls and letters during the consultation period (captured through normal service channels and customer requests).

### **Participation Profile and Representativeness**

Engagement was made up of:

- Residents aged 40–79 years (88%)
- A higher proportion of women (65%)
- Strong participation from Daylesford, Hepburn, Trentham and Creswick

From an engagement perspective, this reflects:

- A cohort highly invested in amenity, safety and wildlife protection
- Residents with frequent exposure to public spaces and animal-related impacts
- A group more likely to engage on regulatory issues where impacts are visible and persistent

While younger residents and families were under-represented, the feedback is consistent with historical engagement patterns and aligns with complaint and service-request data already held by Council.

### **Key Engagement Themes (what the community prioritised)**

Key themes emerging from engagement included:

- Reducing dog attacks and aggressive behaviour, identified as the highest priority for the next four years
- Strong community support for cat management, including majority support for cat containment and overwhelming support for subsidised cat desexing programs
- Ongoing concern about dogs off-leash in on-leash areas, waste management and nuisance behaviours in public spaces
- A clear preference for a balanced approach to education and enforcement, rather than enforcement alone
- Moderate confidence in current animal management services, with neutrality dominating satisfaction responses—indicating an opportunity to strengthen trust through improved visibility, consistency and follow-through.

Importantly, the engagement data indicates that while community concern is high, expectations remain pragmatic. Residents are seeking visible action, fair enforcement and practical solutions, rather than aspirational policy positions that Council may struggle to enforce consistently.

### **RISK AND GOVERNANCE IMPLICATIONS**

The primary governance risk for Council is not adopting the Domestic Animal Management Plan 2026–2029, or making substantial late changes that alter the intent, sequencing or deliverability of the Plan.

Failure to adopt the Plan would result in Council operating without a current, legislatively compliant Domestic Animal Management framework, increasing the risk of:

- non-compliance with the *Domestic Animals Act 1994*;
- fragmented or reactive decision-making;
- reduced transparency around priorities, performance, and reporting;

- diminished confidence from the community and partner agencies; and,
- Impact funding opportunities from grants and partnerships.

The Plan has been carefully calibrated to reflect:

- Council’s current operational capacity;
- the multidisciplinary nature of the Community Safety and Health;
- the rural and geographically dispersed context of the Shire; and
- evidence from community engagement and service data.

Substantial amendments that introduce new policy positions, expand scope, or accelerate implementation without corresponding resources would create a risk that Council commits to actions that are difficult to implement consistently or enforce credibly. This would undermine the Plan’s effectiveness and increase reputational risk if outcomes do not align with stated intent.

The Plan mitigates these risks by:

- focusing on practical, staged and measurable actions;
- prioritising high-impact issues such as dog attacks, nuisance and responsible ownership;
- avoiding single-lever or symbolic policy settings that lack enforceability; and
- embedding annual review and reporting, allowing Council to adjust settings over time in response to evidence and capacity.

From a governance perspective, adoption of the Plan provides Council with a clear, defensible and operationally realistic framework that aligns with where domestic animal management services are currently positioned, while retaining flexibility to respond to emerging issues through future reviews rather than ad hoc change.

Overall, the Plan represents the lowest risk option for Council, providing legislative compliance, strategic clarity and a practical pathway for continuous improvement over the four-year period.

## **ENVIRONMENTAL SUSTAINABILITY**

Overall, the DAMP has no negative environmental or economic impacts. It uses current resources and focuses on practical, low-cost actions that benefit people, animals, and the environment.

The DAMP supports a healthy environment and community. It helps protect wildlife by encouraging people to keep cats contained and to desex and register their pets. This reduces stray animals and limits harm to native species.

The plan also promotes keeping public spaces safer and cleaner for everyone through responsible pet ownership. When pets are well managed, there are fewer complaints and less conflict between people.

### **GENDER IMPACT ASSESSMENT**

A Gender Impact Assessment (GIA) was undertaken for the Domestic Animal Management Plan (DAMP) 2026–2029 in accordance with the *Gender Equality Act 2020* (Vic) and Hepburn Shire Council’s Gender Equality Planning Tool.

The assessment determined that the DAMP is a direct and significant policy affecting the whole community and therefore a Gender Impact Assessment was required and completed.

The recommendation to Council is to note that a Gender Impact Assessment has been completed and its findings have been integrated into the Plan’s implementation and monitoring actions.

#### **Outcome and Findings:**

The assessment identified that animal management policies and services can have different impacts across gender, age and ability, particularly in areas of community safety, pet ownership responsibility, enforcement interactions and access to information.

- Women and older residents are more likely to engage in pet ownership and compliance activities, making them key beneficiaries of accessible education and affordable registration initiatives.
- Men and younger residents were underrepresented in engagement data, suggesting the need for tailored outreach.
- People with disability and low-income households may experience financial or mobility barriers to compliance and access to services.

Actions to address inequities include maintaining low-cost desexing programs, ensuring inclusive communication, embedding trauma-informed and gender-aware officer training, and collecting gender-disaggregated data in annual DAMP reviews.

### **8.3 MID-YEAR BUDGET REVIEW/FINANCIAL REPORT – Q2 DECEMBER 2025 DIRECTOR PERFORMANCE AND TRANSFORMATION**

*In providing this advice to Council as the Manager Financial Services, I Ange Marshall have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Financial Report for the Period Ending 31 December 2025 [**8.3.1** - 28 pages]
2. Detailed Capital Works Report - December 2025 [**8.3.2** - 1 page]

#### **OFFICER'S RECOMMENDATION**

*That Council:*

1. *Notes the financial position and performance for the six months ended 31 December 2025, including the capital projects update; and,*
2. *Notes the CEO's declaration in relation to the Local Government Act 2020 s97(3) that no revised budget is required at this point in time.*

#### **EXECUTIVE SUMMARY**

The December 2025 Quarterly Finance Report outlines the financial results for the six months ended 31 December 2025, along with a comparison to the amended budget adopted by Council (inclusive of carry forwards from 2024/2025 to complete projects).

It includes a summary of Council's financial performance and position for the 2025/2026 financial year up until 31 December 2025, and an update on each capital project as at 31 December 2025.

The financial position overall is materially on track to the amended budget with no major items for concern in the current financial year. There are no recommendations for changes to the budget as part of the mid-year review.

The current financial position needs to be read in the context of Council's Financial Plan contained within the 2025/2026 Budget, and the adopted Financial Vision (10 September 2024).

#### **BACKGROUND**

This report provides information on Council's financial performance for the period 1 July 2025 to 31 December 2025 and compares the Income Statement to the amended budget, the Balance Sheet and Statement of Cash Flows to the prior year.

The December 2025 Quarterly Finance Report along with the capital project report, have been prepared in comparison to the amended budget being the original adopted budget and carry-forward budget that was adopted at the Ordinary Meeting of Council on 23 September 2025.

## **KEY ISSUES**

The financial report and attachments provide a comprehensive overview of Council's financial performance and current financial state, for the six-month period of the 2025/2026 financial year up until 31 December 2025, and an update on the status and progress of each capital project. Officers are reviewing the format of reporting to improve readability, for this quarter an updated capital works reports is presented with expenditure details provided, and comments for projects that are "off track".

The financial position overall is on track to the amended budget with no major items for concern in the current financial year.

The main items to note at the end of Quarter 2, with further details and explanation provided in the attached report, are:

- The operating surplus for the six months ended 31 December 2025 was \$14.5 million, which is \$1.2 million (or 9%) favourable to the amended budgeted surplus of \$13.3 million. This is primarily driven by income across rates and charges and grants being favourable by \$0.9 million, as well as materials and services expenditure budget being favourable by \$0.2 million.
- Year-to-date Capital works expenditure for the six months ended 31 December 2025 was \$2.96 million which is 16% of the \$18.89 million amended budget.
- Cash holdings as at 31 December 2025 are \$4.6 million higher than the same time last year, this is mainly due to the delayed timing of the payment to the State Revenue Office for the Emergency Services Volunteer Fund income compared to when the payments were made last financial year.
- Trade and other receivables as at 31 December 2025 are \$2.9 million higher than the same time last year. This is due to a combination of the annual rate cap rise together with increased offerings of support packages relating to payment extensions on rates instalments.

Councillors will note, the Statement of Cash Flows is presented in a condensed format for this reporting period. Officers have prioritised accuracy and a clear and reliable view of Council's overall cash position and movements. Officers will continue to refine and enhance cash flow reporting, with a view to expanding the level of detail included in future reporting periods.

Council officers will remain flexible and agile in the management of their forecasts while responding in the best interests of the community and will fully update Councillors with any material items.

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

### **Council Plan 2025-2029**

Hepburn Working Together

2. Maintain corporate governance to enable good Council decision making and to ensure long-term financial viability.

***Local Government Act 2020***

Under the *Local Government Act 2020* (LGA 2020), as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

Statement by the CEO, Mr Bradley Thomas: “At this point in time, a revised budget will not be required for this financial year”.

**FINANCIAL IMPLICATIONS**

The report and associated attachments provide the opportunity for review of Council’s financial position and forecasts.

**COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are no community or stakeholder engagement implications associated with this report.

**RISK AND GOVERNANCE IMPLICATIONS**

There are no risk implications associated with this report and it has been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

**ENVIRONMENTAL SUSTAINABILITY**

There are no sustainability implications associated with this report.

**GENDER IMPACT ASSESSMENT**

There are no gender equity implications associated with this report.

#### **8.4 FOUR STREAM KERBSIDE REFORM AND ADVOCACY FOR STANDARDS DIRECTOR INFRASTRUCTURE AND DELIVERY**

*In providing this advice to Council as the Coordinator Resource Recovery, I Chantelle Hatzinikitas have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. CONFIDENTIAL REDACTED - Letter to Hepburn Shire Council - Glass Collection Service - 9 February 2026 [8.4.1 - 4 pages]

#### **OFFICER'S RECOMMENDATION**

*That Council:*

1. *Delays the decision on the implementation of the expanded kerbside service until:*
  - a. *Service standards are finalised by State Government; and,*
  - b. *The current kerbside contract term concludes in July 2028;*
2. *Acknowledges that the implementation of an extended four-stream service will require an 18-month period to plan and implement a service expansion;*
3. *Writes to the Minister for Local Government outlining Council's position and requesting:*
  - a. *Finalisation of the Service Standards and Regulations;*
  - b. *Acknowledgement of Council's concerns regarding financial viability;*
  - c. *Exploration of alternative options to kerbside collection, including:*
    - i. *Expanding the Container Deposit Scheme to include wine and spirit bottles*
    - ii. *Establishing glass drop-off points; and,*
4. *Continues advocacy for standards through:*
  - a. *Greater Ballarat Alliance of Councils (GBAC);*
  - b. *Municipal Association of Victoria (MAV);*
  - c. *Glass advocacy groups; and,*
  - d. *Continued partnerships with surrounding councils.*

## **EXECUTIVE SUMMARY**

In accordance with the State Government's *Circular Economy (Waste Reduction and Recycling) Act 2021*, all local government areas in Victoria are required to provide all households with a four-stream kerbside collection service, inclusive of separate services for general waste (red), mixed recycling (yellow), glass recycling (purple), and Food Organics and Garden Organics (FOGO) (green) by July 2027.

Hepburn Shire Council has already taken steps towards meeting these requirements by rolling out FOGO bins to township households, which was also a key initiative of our Sustainable Hepburn Strategy. This initiative has delivered positive environmental outcomes and increased diversion rates from landfill.

However, the State Government's service standards remain overdue, and officers are cautious about committing to further service changes without clarity, given the potential financial implications for both Council and residents. Officers have developed a plan to align with the draft standards and anticipate that once the final standards are published, Council will require approximately 18 months to achieve compliance. A timeline is attached to this report for further detail.

Any changes to the resource recovery service delivery will consider:

- Compliance with State Government legislation
- Financial viability
- Environmental sustainability
- Resource demand and outputs
- Community priorities.

## **BACKGROUND**

### **DEVELOPMENT TIMELINE OF SERVICE STANDARDS AND REGULATIONS**

The following timeline has been provided by DEECA and is available on the Engage Victoria website:

- Consultation on the standard lists: November 2021 - January 2022
- Release framework and consultation on discussion paper: 29 September 2022 - 22 October 2022
- Prepare proposed regulations, service standard and Regulatory Impact Statement (RIS): Late 2022 - Mid 2024
- Consultation on the regulations, service standard and RIS: 18 June 2024 - 14 August 2024
- Review feedback: Late 2024 - Early 2025
- Finalise and publish the regulations and service standard: Mid 2025 (noting this has been revised from the original schedule of December 2024)

As of January 2026, there has been no update on when the regulations and service standards will be finalised and published. During both above-mentioned consultation periods, Hepburn provided submission on the available draft documents and led a submission on behalf of the GBAC group of councils.

### **KEY CHANGES IN THE CURRENT DRAFT SERVICE STANDARDS**

The following points outline changes Council will need to make to the current waste service offering, based on the draft service standard:

- Glass will no longer be accepted in the mixed recycling bin and must be recycled separately. This will include the introduction of a dedicated glass recycling kerbside service for all properties.
- All properties will need to have access to a FOGO kerbside service. For Hepburn Shire, this will mean an extension of the current FOGO township service to include properties in rural areas.
- Drop off services may be considered where a kerbside is not reasonably practicable, but the current documentation is unclear on the conditions and requirements of introducing this service.
- Council may need to allow properties the opportunity to opt-out of their FOGO kerbside service where home composting or other utilisation of organic material can be shown resulting in financial implications.

### **WHAT HAS COUNCIL DONE TO COMPLY WITH SERVICE STANDARDS**

#### **Introduction of Food organics and Garden Organics**

For Hepburn Shire, we have begun to work towards this by rolling out food and garden organics bins to 5600 households in township regions. This is achieving positive environmental benefits and increasing our landfill diversion rates.

#### **Drop off FOGO and glass at transfer stations**

Simultaneously, with the introduction of FOGO kerbside services, drop off points for food organics and glass were established at all three of Hepburn Shire's transfer stations. This has allowed residents who are outside of the township collection area to also divert organic material from landfill and encourage residents to separate glass items from mixed recycling.

#### **Waste diversion achieved**

The Victorian Government is committed to a circular economy and has set targets to divert 80% of waste from landfill by 2030. Prior to introducing FOGO to township properties, the Council's landfill diversion rate was only 16%. In early 2025, after just 12 months since service implementation, the diversion rate has increased to 57% with a potential figure of 71% based on the current service offering through better sorting of the waste streams.

### **Feedback provided**

Officers have provided feedback on multiple occasions to express concerns over the challenges both Hepburn Shire and surrounding councils face in becoming compliant with the current draft service standards and regulations. Feedback has been inclusive of both Hepburn Shire specific responses, as well as a joint feedback submission with surrounding councils. The following areas of concerns have been included in previous submissions:

- Changes to implementation timeline for planning and procurement
- Mandatory kerbside services for all rural properties
- Provision of glass kerbside services, instead of centralised glass collection points
- Option for households to opt-out of FOGO services
- Standards contents list – inclusion of compostable caddy liners

### **KEY ISSUES**

#### **Service standards timeline**

The proposed Service Standards and Regulations being established under the *Circular Economy (Waste Reduction and Recycling) Act 2021* by Recycling Victoria, are still yet to be finalised.

As a result, there continues to be uncertainty around the expected services to be implemented under the legislation and if Council proceeds with rolling out new and expanded kerbside collection services, there may be a requirement to then change / increase the services upon service standards and regulations being finalised. This would likely result in residents incurring additional costs and confusion around service details, potentially diminishing the benefits of a clear and informed service rollout.

#### **Council implementation timeline**

Through this report, officers recommend following an 18-month timeframe for delivery of compliant services upon final publication of the service standard and regulations. Allowing adequate time to introduce such substantial changes will ensure the most beneficial outcomes for Council and the community. The recommended timeline is proposed as follows:

- Stage One – Consultation and Planning (4 months)
  - Focused on service planning, procurement and stakeholder engagement.
- Stage Two – Reporting and Approval (3 months)
  - Council endorsement and public communications.
- Stage Three – Rollout Preparation (6 months)

- Contract finalisation, data preparation, community engagement and education
- Stage Four – Promotion and Service Delivery (5 months)
  - Bin deliveries, strong communications and education campaign, and service commencement
- Stage Five – Service Continuation (service commencement onwards)
  - Service Standards in place, bin charges commence, continued education and monitoring

### **Glass recycling**

The requirement for separate kerbside glass recycling presents both logistical and financial challenges. Data gathered from recent bin audits and transfer stations indicate a very low volume of glass material generated within the shire. This may be attributed to the success of the Container Deposit Scheme (CDS) that redirects many glass containers. Providing a kerbside glass recycling bin to all households will be an expensive process and potentially an under-utilised service. Councils that have already introduced a glass recycling bin have reported presentation rates as low as 20%, with bins only 30% full on average.

### **Glass drop off points**

Council must determine whether kerbside glass bins or expanded drop-off facilities will best meet community needs and legislative requirements. The current service standard is unclear on what exemptions are available for councils to provide centralised glass drop-off points for the community instead of a residential kerbside service, and what the operating requirements for drop-off locations may be.

### **Deadlines and penalties**

Council has been made aware of the State Government’s previously proposed commencement date of 1 July 2027 for the rollout of the glass as part of the four-stream kerbside service, and that penalties may apply to councils that do not meet prescribed deadlines.

However, officers have sought further independent legal advice, which confirms that the current risk associated with delaying the rollout of the glass service is negligible, as the relevant regulations and service standards have not yet been finalised or enacted. Accordingly, there is currently no statutory obligation requiring Council to commence the service by July 2027.

The advice further indicates that, even if future regulations establish a mandatory commencement date, councils are likely to have strong legal grounds for delaying implementation where reasonable explanations exist, including financial constraints, the absence of substantive State funding, and existing contractual commitments that would require costly variations.

The detailed legal advice supporting this assessment is provided as a Confidential attachment to this report.

Currently, of the 79 local governments in Victoria:

- 27 (34%) local governments have delivered or are planning either a kerbside glass service or hybrid kerbside glass bin and drop off service.
- 15 (19%) local governments have delivered a glass drop-off service only.
- 33 (42%) local governments have joined the glass advocacy group that oppose the glass bin rollout by 1 July 2027.

### **Significant change for Council and the community**

Changes to kerbside services impact all residents with increased annual waste charges and changes to behaviour. All households in Hepburn Shire may be expected to receive the four-stream service, therefore extensive consultation and education will be required to ensure a successful implementation and ongoing landfill diversion.

### **New and updated waste contracts**

The introduction of new services across the shire will require Council to engage new contractors, as well as seek variations to current contracts. This is inclusive of service implementation and ongoing operations, such as:

- Bin supply and delivery
- Kerbside collection expansion
- Glass processing
- Additional FOGO processing

The recommended timeline allows sufficient time for contract negotiations, market testing and increased community awareness prior to service introduction to achieve the best outcomes for Council and the community.

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

### **Council Plan 2025-2029**

Future Hepburn

2. Responsible management of infrastructure and environment to support wellbeing now and for future generations.

### **Victorian Government Legislation**

Circular Economy (Waste Reduction and Recycling) Act 2021

## **FINANCIAL IMPLICATIONS**

The financial impact of introducing a four-stream service under the current draft standards is significant.

Implementing a four-stream kerbside service across Hepburn Shire is currently estimated to cost Council \$1,430,000, which includes bin supply and delivery, education, and staffing. In addition, ongoing operational costs based on current contracts are expected to increase by \$1,347,000 per year to accommodate additional volumes, service collections, and collection vehicles to achieve the service requirement. This increase in operational costs, based on initial assessments, is projected to result in an average increase in waste charges of approximately \$375 per household.

While these figures are based on recent data and initial advice from contractors, they remain subject to confirmation. Costs may vary due to contractual agreements, collection frequencies, waste levies, service fees, annual cost increases and compliance requirements under the finalised standards.

To make future service changes more viable, officers will continue to explore cost-saving measures throughout the implementation planning. The Service Standards and Regulations are important for this assessment. Council will also review alternative waste service options and seek opportunities for grant funding.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council has collaborated with other councils through the Greater Ballarat Alliance of Councils (GBAC) to provide submissions to the Draft Standards.

Officers have worked to prepare a timeline and explored options and costs on implementing a four-stream collection service as the advice provided from DEECA has been to proceed as though the draft standards will be adopted.

Community engagement is not required for Council to delay the service changes until standards are finalised. However, during the transition to four-stream service, Council may consider establishing a deliberative engagement panel to explain the changes and gather community input. While community priorities will be considered, choices may be limited due to legislative requirements.

### **RISK AND GOVERNANCE IMPLICATIONS**

Delaying service changes until standards are finalised carries the risk of potential fines if Council cannot meet the July 2027 deadline. However, proceeding with draft standards also carries a risk of significant financial outlay on infrastructure, behavioral change, and contracts that may not align with the final requirements, triggering rework and potential further costs.

Officers have prepared a strategy and implementation plan for when the standards are finalised which will allow Council to act quickly towards achieving the requirements – in an estimated 18-month time frame.

Officers recommend balancing legislative compliance with financial responsibility and community expectations.

Officers anticipate that once the standards are confirmed, Council will require approximately 18 months to achieve compliance. During this period, Council will continue to engage with contractors, collaborate with other councils, and prepare the community for the transition. This measured approach clearly demonstrates a commitment to service changes and legislative compliance while also being financially responsible, safeguarding the interests of residents and maintaining transparency in decision-making.

### **ENVIRONMENTAL SUSTAINABILITY**

The proposed changes to resource recovery services align with the Victorian Government's circular economy goals, which aim to divert 80% of waste from landfill by 2030.

Council's current actions towards a four-stream service (through kerbside FOGO in townships and drop off for FOGO and glass available) means Council is contributing to these targets, with a diversion rate of 57% achieved so far, as well as reduced greenhouse gas emissions.

The transition represents a significant financial cost and social change for the community, and Council must proceed carefully to balance environmental benefits with affordability. Long-term benefits include reduced reliance on landfill, improved recycling outcomes, and stronger alignment with Council's sustainability strategies.

### **GENDER IMPACT ASSESSMENT**

No gender impact assessment is required for this report, however, the introduction of future services will require further assessment.

## **8.5 PRIORITY PROJECTS STATEMENT**

### **CHIEF EXECUTIVE OFFICER**

*In providing this advice to Council as the Chief Executive Officer, I Bradley Thomas have no interests to disclose in this report.*

### **ATTACHMENTS**

1. Hepburn Shire Council Priority Projects [8.5.1 - 6 pages]

### **OFFICER'S RECOMMENDATION**

*That Council:*

1. *Acknowledge the important role that advocacy plays in the role of Council;*
2. *Endorses the attached priority projects statement;*
3. *Authorises the Chief Executive Officer to make minor administrative changes to the correct the statement, if needed; and,*
4. *Acknowledges that Councillors and the Executive Team will continue actively advocating for projects, especially in the lead up to the 2026 State Election.*

### **EXECUTIVE SUMMARY**

The purpose of this report is to obtain Council endorsement for an advocacy document that identifies priority projects and initiatives, reflecting the Council's ongoing commitment to advocacy, particularly as the 2026 State Election approaches.

The ten projects included have been selected based on recent capital works planning, Council resolutions on significant matters, collaboration with peak bodies, and consultation with Councillors and Officers.

It should be noted that a range of other projects — outlined within masterplans, asset renewal programs, and additional strategic documents — are also critical for both Council and the Community. Therefore, this priority statement does not represent an exhaustive or exclusive list of future initiatives Council will pursue funding for.

### **KEY ISSUES**

One of Council's roles is to advocate for better outcomes for our Shire through policy development, service improvements and capital investment. The following ten projects form the attached priority projects statement.

<b>Project</b>	<b>Project Type</b>	<b>Description</b>
Aquatic provisions	Advocacy	Calling for the establishment of a dedicated funding program to substantially support the refurbishment and improvement of rural and regional outdoor swimming pools, as well as to ensure further investments into aquatic infrastructure, including the enhancement of natural waterways
Financial Sustainability of Councils	Advocacy	<p>Council is actively advocating for legislative reforms aimed at tackling the financial sustainability issues faced by councils, with a particular focus on rural councils.</p> <p>Proposed measures include the establishment of a local government cost index to inform rate capping, shifting the management of the Emergency Services and Volunteers Fund collection responsibility away from councils, and increasing the funding available to rural councils.</p>
Improved Workplace Occupation Violence Legislation	Advocacy	<p>Following several unacceptable and intolerable incidents of violence and aggression directed at Council staff and Councillors, Council is urging the Victorian and Federal governments to strengthen legislation.</p> <p>The goal is to better protect Councillors and Council officers, both physically and online, by ensuring their safety against such threats. Council is also advocating that local government be included in forthcoming Workplace Protection Orders.</p>
Albert Street, Daylesford realignment	Construction	Seeking funding to provide a long-term safety upgrade to realign the intersections at Duke and Albert streets and Albert Street and Midland Hwy (Howe Street), Daylesford and transform Albert Street into a community activation space

<b>Project</b>	<b>Project Type</b>	<b>Description</b>
Daylesford Community Facilities – Phase 1	Construction	Seeking funding to support Phase 1 of a major upgrade to the Daylesford Town Hall to reinvigorate it as a hub for community activities and events, that meets the evolving needs of residents and local groups with long-term ambition to house the library within the Town Hall
Doug Lindsay Recreation Reserve - Female friendly soccer facility	Construction	Seeking funds to construct inclusive, female-friendly and gender-neutral soccer facilities for players and officials to respond to participation growth
Glenlyon Recreation Reserve Pavilion	Construction	Seeking funds to deliver an accessible, fit-for-purpose pavilion that meets the needs of user groups and satisfies planning controls
Victoria Park, Daylesford – Soccer pitch realignment	Construction	Seeking funding to realign the current single soccer pitch into two new soccer pitches, addressing a high priority identified in the Park’s Masterplan and responding to participation growth
Clunes Recreation Reserve Masterplan	Planning	Seeking funds to finalise a masterplan and develop detailed plans that focus on the renewal and upgrade of the recreation site (Bull Milgate Reserve) including long term flood protection
Future Hepburn (Strategic Land Planning)	Planning	Seeking funding to support the implementation of Future Hepburn, a crucial initiative shaping land use, development, and community benefit for the Shire. Future Hepburn will integrate the Rural Hepburn Strategy and town structure plans of Creswick, Clunes, Daylesford, Glenlyon and Trentham into the planning scheme.

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

### **Council Plan 2025-2029**

Hepburn Working Together

2. Maintain corporate governance to enable good Council decision making and to ensure long-term financial viability.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from the consideration of this report. Each project or initiative may affect the Shire's finances differently: some will have no impact as they are policy-based, while others may involve minor costs, capital expenditure, or ongoing maintenance expenses. It should be noted that the figures provided in the priority project statement represent current estimates of the total funding required by Council to advance these projects. Budget allocations will be determined individually for each project and assigned to the relevant financial years as appropriate. It is anticipated that there will be no material impact on the 2026/2027 budget, and any successful project advocacy can be accommodated within Council's Long Term Financial Plan if the requested levels of funding are successful.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are no direct community or stakeholder engagement implications associated with this report; these will be examined thoroughly as each project or initiative moves forward.

Should the statement be adopted by Council it will be widely distributed and discussed with key stakeholders, including current and perspective candidates in forthcoming elections.

## **RISK AND GOVERNANCE IMPLICATIONS**

The Priority Project statement should be considered promptly, as it clarifies Council's priorities for discussions with State and Federal funding bodies, particularly before the 2026 State Election - adoption will give Councillors and Officers a clear framework for these conversations. Council risks weakened advocacy compared to other Councils if a clear position is not adopted.

## **ENVIRONMENTAL SUSTAINABILITY**

This report does not have immediate sustainability implications; these will be examined thoroughly as each project or initiative moves forward.

## **GENDER IMPACT ASSESSMENT**

This report does not have immediate gender equity implications; these will be examined thoroughly as each project or initiative moves forward.

## **8.6 AUDIT AND RISK COMMITTEE UPDATES**

### **DIRECTOR PERFORMANCE AND TRANSFORMATION**

*In providing this advice to Council as the Director Performance and Transformation, I Brooke Holmes have no interests to disclose in this report.*

### **ATTACHMENTS**

1. CONFIDENTIAL REDACTED - Draft Confidential Minutes Audit and Risk Committee 24 November 2025 [8.6.1 - 61 pages]

### **OFFICER'S RECOMMENDATION**

*That Council:*

1. *Receives the draft minutes of the Audit and Risk Committee Meeting that was held on the 24 November 2025;*
2. *Notes and accepts the recommendation of the Audit and Risk Committee to appoint an alternate Councillor member to ensure continuous Councillor representation when either of the appointed Councillor members is unavailable to attend a meeting;*
3. *That Council appoint Cr \_\_\_\_\_ as the alternate Councillor representative to the Audit and Risk Committee; and,*
4. *Confirms the appointment of Mr Shane Marr as Chair of the Audit and Risk Committee for 2026.*

### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider advice from the Audit and Risk Committee (ARC) meeting that was held on 24 November 2025, including the recommendation from the Committee for the appointment of a Chair for 2026, and appointment of an alternative Councillor member to the Committee.

### **BACKGROUND**

The purpose of the Audit and Risk Committee is to oversee and monitor the effectiveness of Council in carrying out its responsibilities for accountable financial management and risk, good corporate governance, provide experience in public sector management, the maintenance of systems of internal control, and the fostering of an ethical environment.

The Audit and Risk Committee is not a delegated committee and cannot exercise statutory functions and powers of the Council under delegation and essentially acts as an advisory body on behalf of Council.

The Audit and Risk Committee meetings are closed to the public.

## **KEY ISSUES**

### Minutes

The Confidential Minutes of the meeting are attached for Councillors' consideration.

### Alternative Councillor Appointment

The Audit and Risk Committee currently includes two appointed Councillors — Mayor Cr Clark and Cr Hood. When either member is unable to attend, the Committee's ability to maintain direct involvement, oversight, and connection with the broader Councillor group is reduced. Given the Committee's role in supporting Council's responsibilities for financial management, risk oversight, internal control, and governance, consistent Councillor participation is essential.

Appointing an alternate Councillor will ensure:

- Uninterrupted Councillor representation at all meetings
- Strengthened governance continuity, particularly for audit, financial oversight, and risk matters
- Improved alignment and communication between the Committee and the full Councillor group

The Committee passed the following motion:

*That the Committee recommends that Council appoints an alternate Councillor member to sit on the Committee in the event that either of the appointed Councillor members are unable to attend a meeting.*

### Chair Appointment

Mr Shane Marr was the Council appointed Chair of the Audit and Risk Committee for 2025.

Per the Committee's Charter, the Chairperson of the Committee must be an independent member. The Committee will recommend the Chairperson to Council for appointment, and Council will appoint the Chairperson via Council Resolution.

The Committee passed the following at the meeting:

*That the Audit and Risk Committee recommends Mr Shane Marr as Chair of the Audit and Risk Committee for a further one-year term until 31 December 2026.*

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

### **Council Plan 2025-2029**

Hepburn Working Together

2. Maintain corporate governance to enable good Council decision making and to ensure long-term financial viability.

The appointment of an alternate Councillor to the Audit and Risk Committee aligns with Council's obligations under the *Local Government Act 2020*, which requires Council to establish an Audit and Risk Committee and maintain strong oversight of financial management, risk, and governance matters.

The recommendation also supports the principles outlined in the Audit and Risk Committee Charter, which emphasises effective governance, consistent Councillor engagement, and continuity of oversight.

This matter is consistent with the objectives of the Council Plan 2025–2029 – Hepburn Working Together, which includes the commitment to:

- *Maintain corporate governance to enable good Council decision-making and ensure long-term financial viability.*

#### **FINANCIAL IMPLICATIONS**

There are no financial implication of the recommendations.

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are no community or stakeholder engagement implications associated with this report.

#### **RISK AND GOVERNANCE IMPLICATIONS**

Appointing an alternate Councillor reduces the risk of gaps in governance oversight by ensuring continuous Councillor representation at Audit and Risk Committee meetings. This supports Council's obligations under the *Local Government Act 2020* and the Audit and Risk Committee Charter, which emphasise strong governance, financial oversight, and robust risk management.

Not appointing an alternate could lead to reduced transparency, diminished oversight of audit and risk matters, and weaker alignment between the Committee and the broader Councillor group.

#### **ENVIRONMENTAL SUSTAINABILITY**

There are no sustainability implications associated with this report.

#### **GENDER IMPACT ASSESSMENT**

This report does not identify any gender equity implications. However, as both Council-appointed members are currently male, consideration should be given to appointing a female Councillor as the substitute.

## 8.7 MAV AND ALGA MOTIONS 2026

### CHIEF EXECUTIVE OFFICER

*In providing this advice to Council as the Chief Executive Officer, I Bradley Thomas have no interests to disclose in this report.*

### ATTACHMENTS

- Nil

### OFFICER'S RECOMMENDATION

*That Council:*

- 1. Submits the following two motions to the May 2026 Municipal Association of Victoria (MAV) State Council:*
- 2. That the Municipal Association of Victoria advocates strongly to the Premier, Attorney General and the Minister Local Government for the inclusion of Local Government, within its proposed Workplace Protection Orders that are to be introduced by legislation in April 2026, or in similar legislation;*
- 3. That the Municipal Association of Victoria advocates strongly to the Minister for Emergency Services and Minister Local Government to at least double the annual Municipal Emergency Resourcing Program funding provided to Councils, and also request that funding is annually increased by the rate cap, to ensure councils can meet critical emergency management responsibilities;*
- 4. Submits the following two motions to the 2026 Australian Local Government Association (ALGA) National Assembly:*
  - a. That the Australian Local Government Association strongly advocates to the Federal Minister for Communications to implement the recommendations regarding volumetric attacks as outlined in the Report of the Statutory Review of the Online Safety Act 2021. This will enable the e-Safety Commission to receive the necessary legislative support to effectively address volumetric attacks;*
  - b. That the Australian Local Government Association should initiate a comprehensive, nationwide communications and marketing campaign that promotes positive messages about the vital role of Local Government and the wide array of services it provides. This campaign should also include targeted messaging aimed at countering negative community behaviours and addressing social media attacks directed at Councillors and Officers; and,*

5. *Authorises the Chief Executive Officer to make minor administrative amendments to the motions, if necessary.*

## **EXECUTIVE SUMMARY**

The Municipal Association of Victoria (MAV) will hold its next State Council on 29 May 2026, and the Australian Local Government Association (ALGA) will hold its National General Assembly on 23-25 June 2026. MAV and ALGA are the State and Federal peak bodies for Local Government.

Both the MAV and ALGA call for motions from Councils to be considered, and debated at these events. If passed, these motions effectively become the work plan for the MAV and ALGA to work towards.

This report considers four motions, two each of the MAV and ALGA that take into account the role of the peak bodies, and each initiative Council has been working on.

## **KEY ISSUES**

The four proposed motions cover a range of topics, that are impacting the Local Government, and in particular Hepburn Shire on an almost daily basis. Implementation of these motions would strengthen both the sector, and Council.

Workplace Protection Orders - The Victorian Government plans to introduce Workplace Protection Orders in April 2026, drawing from the implementation experiences in the ACT and South Australia. These orders would empower businesses to seek Magistrates Court intervention to prevent individuals from entering or approaching a workplace if there are concerns about violent or intimidating behaviour. This initiative will be beneficial as it allows the Council, rather than individual staff members, to apply to the Court. It also provides protection for both staff and Councillors from inappropriate behaviours. However, Local Government (LG) is currently excluded from the proposed Workplace Protection Orders, which are primarily targeted at the retail sector. It is crucial that LG be included in this legislation.

Municipal Emergency Resourcing Program - The State Government allocates yearly funding to Councils through the Municipal Emergency Resourcing Program aimed at helping them plan and prepare their organisations and communities for emergency response and recovery. While this grant funding is appreciated and has had a positive impact, there is an urgent need for additional resources to enhance our prevention initiatives. Unfortunately, funding for this program has not seen significant increases in recent years, and there is no annual increase in line with the rate cap (CPI or similar), and thus in real terms the State Government funding is reducing year on year.

Volumetric Attacks - In recent years, there has been a significant increase in online abuse, particularly through targeted and coordinated (volumetric) attacks. These

incidents have severely impacted staff retention, discouraging talented individuals from public service and causing experienced Councillors to reconsider their roles. This situation threatens both the wellbeing of those involved and the continuity and quality of local government service delivery. Currently, the E-Safety Commission lacks the legislative authority to review and address volumetric attacks. A review, conducted and presented in early 2025, highlighted the urgent need for specific legislative measures to tackle these issues. Recommendations 23 and 24, in particular, emphasise the importance of clearly defining volumetric attacks and empowering the regulator with the necessary tools to respond effectively. This is consistent with advocacy by the Greater Ballarat Alliance of Council, of which Council is a member of.

National Campaign – Councils in Victoria and across Australia are affected by the growing challenge of negative public sentiment, misinformation, and online abuse directed at Councillors and Officers. These behaviours undermine trust in local government, discourage civic engagement, and impact the wellbeing of elected representatives and staff. The issue is systemic and widespread, not confined to any single municipality or region. A nationwide campaign ensures unified, professional messaging that reinforces the value of local government across all communities, and is particularly important as many councils, including Hepburn Shire, lack the capacity to develop and deliver high impact communications independently.

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

### **Council Plan 2025-2029**

#### Hepburn Life

1. Connected Communities that are resilient, adaptable, and empowered - able to respond to and recover from climate-related impacts, emergencies, and other community challenges.

#### Hepburn Working Together

2. Maintain corporate governance to enable good Council decision making and to ensure long-term financial viability.

## **FINANCIAL IMPLICATIONS**

The financial impact of considering these motions is limited, since they will be submitted to MAV and ALGA using current officer resources. However, if the motions are implemented, there could be considerable benefits for the Local Government sector.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

This report has no direct community or stakeholder engagement implications. If the motions are accepted, they will be submitted to MAV and ALGA, and officers will communicate accordingly.

## **RISK AND GOVERNANCE IMPLICATIONS**

Motions to be considered by the MAV and ALGA must be adopted by Council, by specific deadlines – adoption at the February meeting will ensure deadlines are met.

## **ENVIRONMENTAL SUSTAINABILITY**

There are no direct sustainability implications associated with this report.

## **GENDER IMPACT ASSESSMENT**

This report does not identify any direct gender equity implications. However, it is important to recognise that women are typically underrepresented as Councillors and Senior Executives. Furthermore, behaviours from certain community members, an increasing negative public sentiment, misinformation, and online abuse directed at Councillors and Officers may include elements of gender bias.

## **8.8 S6A INSTRUMENT OF DELEGATION UNDER THE PLANNING AND ENVIRONMENT ACT 1987**

### **DIRECTOR PERFORMANCE AND TRANSFORMATION**

*In providing this advice to Council as the Governance Advisor, I Catherine Nurse have no interests to disclose in this report.*

### **ATTACHMENTS**

1. S6A Instrument of Delegation under the Planning and Environment Act 1987 - Draft [8.8.1 - 8 pages]

### **OFFICER'S RECOMMENDATION**

*That Council, in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolves that:*

1. *There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;*
2. *The instrument comes into force immediately upon resolution of Council and is to be signed by the Council's Chief Executive Officer and the Mayor;*
3. *On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) of the powers, duties and functions delegated by the attached instrument are revoked; and,*
4. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

### **EXECUTIVE SUMMARY**

Instruments of Delegation represent the formal delegation of powers by Council under the *Local Government Act 2020* (the Act) and enable the business of Council to be carried out efficiently and in line with Council approved policies.

The S6A Instrument of Delegation is a new Instrument made and reflects legislative changes and amendments to the *Planning and Environment Act 1987*.

The Instrument will be authorised by the CEO and the Mayor once it has been considered by Council.

## BACKGROUND

Instruments of Delegation represent the formal delegation of powers by Council. Section 11(1)(b) of the *Local Government Act 2020* (the Act) provides for a Council to delegate powers, duties and functions to its CEO under the Act or any other Act, other than certain specified powers.

Delegations enable the business of Council to be carried out effectively, in line with Council approved policies and are assigned to positions within Council, rather than to staff individually. When executing powers under delegation, staff are also limited and bound by Council policies and procedures.

Section 11 of the Act specifies a number of powers, duties and functions that must be specified through Instruments of Delegation, along with a number of exclusions to what can be delegated to the CEO:

*(1) A Council may by instrument of delegation delegate to—*

*(a) the members of a delegated committee; or*

*(b) the Chief Executive Officer— any power, duty or function of a Council under this Act or any other Act other than a power, duty or function specified in subsection (2).*

*(2) The following are specified for the purposes of subsection (1)—*

*(a) the power of delegation;*

*(b) the power to elect a Mayor or Deputy Mayor;*

*(c) the power to grant a reasonable request for leave under section 35;*

*(d) subject to subsection (3), the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;*

*(e) the power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;*

*(f) the power to approve or amend the Council Plan;*

*(g) the power to adopt or amend any policy that the Council is required to adopt under this Act;*

*(h) the power to adopt or amend the Governance Rules;*

*(i) the power to appoint the chair or the members to a delegated committee;*

*(j) the power to make, amend or revoke a local law;*

*(k) the power to approve the budget or revised budget;*

*(l) the power to borrow money;*

*(m) subject to section 181H(1)(b) of the Local Government Act 1989, the power to declare general rates, municipal charges, service rates and charges and special rates and charges;*

*(n) any power, duty or function prescribed by the regulations for the purposes of this subsection.*

Council subscribes to the Maddocks Authorisations and Delegations Service, which provides advice regarding legislative amendments and template instruments which are then tailored to organisational requirements. Maddocks inform Council about the legislative changes that affect the powers, duties and functions of Council.

Council conducts a biannual update of Instruments in accordance with Maddocks' advice on legislative changes and which incorporates any changes to Council's organisational structure since the previous update.

The following table provides an overview of Council's Instruments of Delegation, what powers are delegated, and what approval is required:

#### **Delegation from Council**

*Require resolution of Council*

**Schedule 5** – Delegation from Council to the CEO under the *Local Government Act 2020*

*Includes delegations required and excluded under the Local Government Act 2020*

**Schedule 6** – Delegation from Council to Council Staff under various Acts

*Powers are delegated direct to officers under the following Acts:*

- *Cemeteries and Crematoria Act 2003*
- *Domestic Animals Act 1994*
- *Food Act 1984*
- *Heritage Act 2017*
- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Cemeteries and Crematoria Regulations 2025*
- *Planning and Environment Regulations 2015*
- *Planning and Environment (Fees) Regulations 2016*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024*
- *Road Management (General) Regulations 2016*
- *Road Management (Works and Infrastructure) Regulations 2015*

**Schedule 18** - Instrument of Delegation Environment Protection Authority powers from Council to members of Council staff

*Allows authorised officer to exercise powers held by the Environment Protection Authority under the Environment Protection Act 2017, specifically relating to:*

- *onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and*
- *noise from the construction, demolition or removal of residential premises.*

### **Delegation from the CEO**

*To be determined by the CEO*

**Schedule 7** – Sub-delegation from the CEO to Council Staff under various Acts

*Powers, as delegated to the CEO by Council or under various Acts, are sub-delegated to Council Staff under various Acts and through administrative powers.*

**Schedule 13** – delegation directly from the CEO to Council Staff under various Acts

**Schedule 14** – delegation from the CEO to Council Staff related to VicSmart applications

**Schedule 15** – authorisation from the CEO to Council Staff related to Freedom of Information Processing

**Schedule 16** – delegation from the CEO to Council Staff related to bushfire reconstruction

**Schedule 17** – authorisation from the CEO to Council Staff related to the *Oaths and Affirmation Act 2018*

## **KEY ISSUES**

### **Instrument of Delegation to Members of Staff (S6A) – to be adopted by Council**

The Instrument of Delegation to Members of Council staff is based upon the Maddocks template, prepared as a new, separate Instrument relating to legislative changes under the *Planning and Environment Act 1987*.

The Instrument has been developed incorporating recent legislative changes and to provide further clarity on officer powers. The template for the S6A Instrument of Delegation has been released by Maddocks outside of the usual biannual schedule, with the recommendation for Council to appropriately delegate officers under the amended *Planning and Environment Act 1987* (PE Act) via this new, temporary Instrument. The legislative changes to the PE Act reflected in this Instrument will be incorporated into the S6 Instrument of Delegation to Members of Staff in the next

biannual update of delegations released by Maddocks, and once the revised S6 Instrument has been adopted by Council, the temporary S6A Instrument of Delegation to Members of Staff will therefore no longer be required and will be revoked at that time.

Amendments to the delegated powers, duties and functions in the revised Instrument of Delegation to Members of Council Staff are largely administrative in nature and will not result in any significant changes to current practices.

The Instrument is attached. In summary, the legislative changes in this new Instrument of Delegation:

- Provides for the revised mechanism in relation to preparing amendments to the planning scheme, and changes in relation to the abandoning of amendments and related Ministerial powers; and
- Addresses provisions of the Act which have been repealed, and the related delegable powers and functions.

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

### **Council Plan 2025-2029**

Hepburn Working Together

2. Maintain corporate governance to enable good Council decision making and to ensure long-term financial viability.

Amendments to the delegated powers, duties, and functions in the Instrument are administrative in nature and will not result in any significant changes to current practices.

It is noted that Instruments of Delegation provide that a power, duty, or function may only be exercised in accordance with adopted policies.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The S6A Instrument of Delegation have been prepared based on current advice provided by Council's solicitor Maddocks.

Consultation has occurred with relevant staff during the preparation of the revised Instruments of Delegation to ensure that appropriate staff delegates have been nominated.

## **RISK AND GOVERNANCE IMPLICATIONS**

Maintaining Council's delegations ensures Council continues to comply with its obligations under various Acts and Regulations and enables the business of Council to be carried out efficiently.

If the Council did not delegate duties, powers, and functions to members of Council staff and enable the CEO to do the same, Council would not be able to manage the volume of work and decisions that are effectively carried out by officers every day.

Appropriate conferring of powers to positions within Council also enables decisions that are made on a day-to-day basis to be compliant and reduce the opportunity to be challenged from an authorising environment perspective.

## **ENVIRONMENTAL SUSTAINABILITY**

There are no sustainability implications associated with this report.

## **GENDER IMPACT ASSESSMENT**

There are no gender equity implications associated with this report.

## **8.9 RECORDS OF COUNCILLOR ATTENDANCE**

### **DIRECTOR PERFORMANCE AND TRANSFORMATION**

*In providing this advice to Council as the Governance Advisor, I Catherine Nurse have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Record of Councillor Attendance - Councillor Briefing - 11 November 2025 [8.9.1 - 2 pages]
2. Record of Councillor Attendance - Councillor Briefing - Workshop - 18 November 2025 [8.9.2 - 2 pages]
3. Record of Councillor Attendance - Pre Council Meeting Briefing - Statutory Meeting of Council - 18 November 2025 [8.9.3 - 1 page]
4. Record of Councillor Attendance - Pre Council Meeting Briefing - 25 November 2025 [8.9.4 - 1 page]
5. Record of Councillor Attendance - Councillor Briefing - 2 December 2025 [8.9.5 - 1 page]
6. Record of Councillor Attendance - Councillor Briefing - 9 December 2025 [8.9.6 - 2 pages]
7. Record of Councillor Attendance - Pre Council Meeting Briefing - 16 December 2025 [8.9.7 - 1 page]
8. Record of Councillor Attendance - Councillor Briefing - 3 February 2026 [8.9.8 - 2 pages]

#### **OFFICER'S RECOMMENDATION**

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

#### **EXECUTIVE SUMMARY**

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

#### **BACKGROUND**

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

*If there is a meeting of Councillors that:*

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

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

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

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

## KEY ISSUES

The following Records of Councillor Attendance are reported:

<b>Date</b>	<b>Meeting/Committee Name</b>	<b>Location</b>
11 November 2025	Councillor Briefing	Council Chamber
18 November 2025	Councillor Briefing – Workshop	Council Chamber
18 November 2025	Pre-Council Meeting Briefing (Statutory Meeting)	Council Chamber
25 November 2025	Pre-Council Meeting Briefing	Council Chamber
2 December 2025	Councillor Briefing	Council Chamber
9 December 2025	Councillor Briefing	Council Chamber
16 December 2025	Pre-Council Meeting Briefing	Council Chamber
3 February 2026	Councillor Briefing	Council Chamber

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

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

### Council Plan 2025-2029

#### Hepburn Working Together

**Outcome 2** – *Maintain corporate governance to enable good Council decision making and to ensure long-term financial viability.*

## FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

## COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

### **RISK AND GOVERNANCE IMPLICATIONS**

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

### **ENVIRONMENTAL SUSTAINABILITY**

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

### **GENDER IMPACT ASSESSMENT**

There are no gender equity implications associated with this report.

## **9 ITEMS OF URGENT BUSINESS**

## **10 COUNCILLOR AND CEO REPORTS**

### **10.1 MAYOR'S REPORT**

**Councillor Tony Clark**

### **10.2 COUNCILLOR REPORTS**

**Councillor Shirley Cornish**

**Councillor Tim Drylie**

**Councillor Don Henderson**

**Councillor Lesley Hewitt**

**Councillor Pat Hockey**

Councillors last year concluded with a rush of activities after the December meeting. I was thrilled to pay a visit to the Clunes Kindergarten to meet their tiny graduates on the occasion of the historic last days at the site in Fraser Street, before the move to the all-new multi-million dollar Early Learning Centre in Paddock Street. Later in January of course the majority of Councillors visited the impressive new facility. A large investment that points to the continued and anticipated growth for that town.

On the very next day I travelled to Daylesford Secondary for their Awards night where I was honoured to present the year-level dux awards. The life of a councillor includes some lovely highlights each month. Next month Australia Day was another only featuring a very early start arriving at the base of Mt Beckworth at 5.30am for the annual walk to the summit. This was a council supported event, but it could not have happened without the steadfast work of Helen Hardy as organiser and John Drife as Master of Ceremonies.

Later in early February I attended the Sunset at the Springs Youth event and witnessed a memorable music and magic event that was great fun to be a part of, even ending up on stage as a part of the magic show. Congratulations to the team and the impressive group of young people who made the event zing. Meanwhile my formal role attending meetings of the Creswick and Clunes museums as well as the Lee Medlyn Home of Bottles kicked off for the year and I look forward to engaging with those three hard-working crews.

Finally, in what has become an annual crisis given an apparently drying climate, I have had lots of engagement on the matter of long grass, after what was by some measures an ideal spring for farm production. Good rain though that led unfortunately to an abundance of tall and dry grass once we reached a dry January.

This critical issue that demands attention now again points to the inadequacy of current funding models for rural councils.

I also attended the Q&A Session for the Hepburn Mineral Springs Reserve Draft Masterplan. Only one person called in and I would urge others to reach out to councillors with their views on this matter even if they are in stern opposition so that councillors can understand the community's priorities at this time. A quick email with just a few sentences can be instructive and we are always happy to hear from you. Indeed that is always an option on any matters on your mind or if you would like to catch up for a chat.

**Councillor Brian Hood**

**RECOMMENDATION**

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

### 10.3 CHIEF EXECUTIVE OFFICER'S REPORT

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

#### RECOMMENDATION

*That Council receives and notes the Chief Executive Officer's Report for February 2026.*

#### CHIEF EXECUTIVE OFFICER UPDATE

- On Thursday 15 January, I had the pleasure of attending the open day at the Early Learning Centre in Clunes, with a number of Councillors and other staff. This remarkable facility is truly impressive and stands as a testament to the dedication and vision behind the project. It is wonderful for the Clunes community to have the opportunity to access high-quality childcare and kindergarten services. This development is a significant asset for local families, and I am delighted to see such valuable resources now available in our area.
- In January I attended a memorial service to honour the life of Steve Wroe, CEO Daylesford Macedon Tourism. Family, friends, and colleagues gathered to share heartfelt stories, reflecting on his kindness, humour, and the lasting impact he had on those around him. The ceremony was a fitting tribute, celebrating Steve's legacy and the cherished memories he leaves behind.
- We recently had the privilege of coming together for the Citizenship Ceremony, an event that was truly uplifting and memorable. It was fantastic to witness each new Australian stand before the community, make their pledge, and officially become a part of our nation. The room was filled with a real sense of pride and happiness, shared by families, friends, and members of the wider community.
- In February, two youth events were held, Picnic in the Park (Creswick) and Sunset in the Springs (Hepburn). Picnic in the Park was a day of BIG smiles, LOUD laughs, and a little bit of magic! It was a fun day with live music from awesome young local musicians, FREE food, face painting, crafts, and the chance to check out a real CFA fire truck. Glinda the Good Witch and Cath the Magician were both in attendance.
- In January we finished our annual gravel resheet program. Program highlights include: 10 roads improved; 15 km of gravel roads resheeted across the Shire; over 14,500 tonnes of gravel moved all part of our \$650,000 budget. As part of this year's works, we trialled a new road mix on McLennans Road in Clunes and Jubilee Road in Sulky, two roads with higher traffic volumes and high maintenance needs. We will monitor the results, but we expect it to deliver long-term benefits like: reduced maintenance needs; better resistance to

potholes and corrugations, and lower overall lifecycle costs. Thank you to our community for your patience during these works. We're proud to build safer, more resilient roads for everyone.

- Nominations for the 2026 Community Awards are open from Monday 19 January to Friday 6 March. Council is accepting nominations for people, events and activities that have made significant impacts on the lives of others in Hepburn Shire. Categories: Citizen of the Year; Young Citizen of the Year (25 years or younger); Community Event of the Year; and Hepburn Together Award. Successful nominees will be announced at an event on Tuesday 19 May at The Warehouse – Clunes from 5 to 7 pm. Council has decided to host the event during National Volunteer Week (18-24 May) this year to better align the event with the celebration of volunteers.
- Council is proud to once again host an International Women's Day (IWD) event on Wednesday 4 March 2026 to honour the achievements of women in our Shire. The event is free and community members can register their attendance via [TryBooking](#)
- Hepburn Shire residents can now recycle their polystyrene at Council's three transfer stations in Creswick, Daylesford and Trentham. The recycling trial is set to begin mid-February and will run until June 2026 when factors such as uptake, contamination and cost will be considered. More information on the initiative at [Transfer stations](#).
- This month we were proud to host representatives from the Greater Ballarat Alliance of Councils (City of Ballarat, Central Goldfields Shire Council, Golden Plains Shire Council, Hepburn Shire Council, Moorabool Shire Council and Pyrenees Shire Council) as well as representatives from Agriculture Victoria – it was pleasing to bring together staff from various background (planning, economic development, emergency management) to discuss opportunities of how to further support our agriculture sector.

**11 CLOSE OF MEETING**