

HEPBURN SHIRE COUNCIL

ORDINARY MEETING MINUTES

7pm Tuesday
19 June 2007
Senior Citizens Room
Rear Town Hall, Daylesford

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HEPBURN SHIRE COUNCIL – COUNCIL PLAN 2006-2011

VISION STATEMENT:

Hepburn Shire will be a vibrant, creative rural Shire with strong and healthy connected communities. Our Council will govern with integrity and inclusiveness. Our natural environment, productive agricultural land and rich heritage will remain valued and protected as assets for residents and visitors to appreciate and enjoy.

Council has in the COUNCIL PLAN established 5 objectives to enable your Team of Councillors and Officers to move forward.

Objective One – Strengthening Communities

Council will engage with and support our diverse communities to realise their potential and determine and achieve their aspirations.

- 1.1 To be a leader in community consultation, advocacy & engagement
- 1.2 Enhance community connectedness, capacity building and leadership
- 1.3 Enhance external relationships

Objective Two – Service Delivery

Council will deliver responsive services to our community within available resources.

- 2.1 Improve service delivery
- 2.2 Improve internal and external communication
- 2.3 Further develop the range of facilities and programs

Objective Three – Asset and Resource Management

Council will effectively manage our assets and resources to create a better Shire for our community.

- 3.1 Improve the management of our assets
- 3.2 Foster & encourage leadership
- 3.3 Responsible financial management
- 3.4 Promote and encourage innovation
- 3.5 Tight, sharp, focussed, professional administration

Objective Four – Economic Development

Council will strengthen our local economy by working in partnership with business and community.

- 4.1 Develop partnerships with educational and research organisations
- 4.2 Promote and market the Shire
- 4.3 Encourage and support diversity of economic activity and employment

Objective Five – Heritage and Environment

Council, in partnership with our community will ensure that our cultural, natural and built environment is protected, conserved and enhanced for future generations.

- 5.1 Promote & practise environmental management and sustainability
- 5.2 Respect and honour our unique historical and cultural attributes

Council has committed itself to these philosophies, to the five objectives, to the strategies of implementation and to being accountable to all of the Hepburn Shire.

Hepburn Shire is a wonderful home for all of us. Our Council Plan and the Community Plan provide a direction for the future.

**MINUTES OF THE ORDINARY MEETING
OF THE HEPBURN SHIRE COUNCIL HELD AT
SENIOR CITIZENS ROOMS DAYLESFORD ON 19 JUNE 2007,
COMMENCING AT 7 PM**

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Cr David Smith JP – Mayor 2006-07
20 JUNE 2007.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

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

PRESENT: Mayor, Cr David Smith; Councillors Janine Booth, Tim Hayes, Bill McClenaghan and Heather Mutimer.

IN ATTENDANCE: Chief Executive Officer, Victor Szwed; Director Infrastructure & Development, Rod Conway; Director Corporate Services, Chris Cowley; Manager Community Services, Martin Walmsley. 11 Public and 1 media.

The Mayor to open the meeting with a reading of the Council prayer at 7pm.

OPENING PRAYER

Almighty God, we ask your blessing upon this council.
direct and guide our deliberations.

We ask you to grant us wisdom and sensitivity as we deal with
the business of our Shire.

May each decision that we make advance the wellbeing of all our
residents.

This we pray. Amen

1. APOLOGIES:

Nil

2. DECLARATION OF PECUNIARY INTEREST:

Nil.

3. CONFIRMATION OF MINUTES:

3.1 ORDINARY MEETING OF [15 May 2007](#)

Recommendation:

That item 3.1 Minutes of the Ordinary Meeting of Council held on [15 May 2007 \(Attachment 1\)](#), be confirmed, as required under Section 93 (2) of the Local Government Act 1989.

Moved the Officer's Recommendation.

***Moved: Cr Janine Booth
Seconded: Cr Bill McClenaghan
Carried.***

4. PETITIONS AND PUBLIC QUESTION TIME

This part of the Council Meeting allows 30 minutes for:

- tabling of petitions by Councillors and Officers;
- questions to be asked by members of the public on general matters or on specific items appearing elsewhere in this Agenda.

Where you have more than one question or questions are lengthy or complex it would assist if you could provide a written copy so that we can accurately record it and respond. If you have more than one question please indicate this. In the interests of fairness and equity, one opportunity is normally provided for any person during this part of the Meeting.

Questions may be taken on notice and responded to later. Separate forums and Council processes are provided for deputations or for making submissions to Council.

If you have questions about specific items in this Agenda, Council encourages you to attend the Agenda Meeting held a week before the Council Meeting. This allows reasonable time for us to consider your question or comment before making the decision at the Council Meeting.

1. W.M. Fix - Ground Water issue.

Read to written submission opposing Notice of Motion. Submission follows:

4. PETITIONS AND PUBLIC QUESTION TIME

*Tabled at
Council Meeting
19 June 2007.*

W.M. Fix

211 Wheelers Hill Road
Musk via Daylesford 3461

17/06/07

Response to notice of motion:

Bore Water Licence Musk to be tabled 19.6.07 from Councillor Mutimer.

According to Cr. Mutimer the local Musk/Bullarto community is 'outraged' about the transfer / conversion to commercial of part of our irrigation bore licence. In my opinion 'outraged' in this case is a misused term. If the 'concerned local community' were so concerned why is it we didn't hear from them ourselves? If they were so 'outraged' about someone acting properly according to their right and the law as is in this case, how come no one came to us for clarification? 'Outrage' is and should be used to convey a feeling of being falsely accused, as I believe we have been by this councillor. I would like to meet some of these 'outraged' members of the community to hear their complaints not get them second hand and therefore manipulated to the councillor's own opinion.

The situation was explained to the councillor when she rang us but she has chosen not to listen to the facts or to get her report accurate especially in regards to the selling of our back block and who has bought it. This particular block I might add is not part of the subdivision and has always been on a free title of 51 acres and within the regulated size required.

It seems there are still sour grape feelings about the VCAT ruling to allow these subdivisions. Council obviously did not and probably still does not understand economic viability of rural properties that have good growing soil and good irrigation water. If they did they would have come to the same conclusion as VCAT. We have complied with every condition and every possible obstacle council and planning could make up or find to prevent us from moving forward.

After about 18 months of council induced frustration at huge expense for both Council and us one of these blocks has now been sold to a small water bottling company.

We would have preferred to sell these blocks to people engaged in horticultural production. Council objected purely because they have no vision.

4. PETITIONS AND PUBLIC QUESTION TIME

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It is my opinion that objections about water usage is a political endeavour rather than a community concern and would not have been mentioned except that it is now foremost in peoples' minds because of the drought and the severe water restrictions that almost happened in the shire recently. As if it were our 'fault' that we have water available where some others may not.

Do I have to remind the councillor that people have to eat and drink and the water has to come from somewhere? Would councillor also object on behalf of the 'concerned local community' if vegetables were again grown on the property instead of having a few cattle or sheep grazing on good growing land?

It is totally untrue that another Water Company has bought another block. We did have an offer from such a company. We refused this offer simply because we did not believe this company had the best interests of the area and the neighbours at heart.

Recently we have had the most severe drought ever in Victoria. Just about all stream flows have been the lowest ever. All reservoirs have been at their lowest level ever.

These facts make many people anxious about water and its usage however, to imply that the extraction of water for bottling, rather than water used for irrigation would affect the flow of nearby creeks is scare mongering not researched proof and must be dismissed as rubbish.

The unsubstantiated statement circulating about the extraction of water last summer from our new neighbour's bore impacted on local springs in the area would be laughable if it wasn't such a serious accusation.

Water from bores in volcanic structures is mainly located in porous volcanic rock often deeper then surface springs. The cause of low or no flow is mainly due to the drought through lack of rainfall not the use of aquifers.

Additional trees planted during the last decade or so in the Wallaby Creek area would also contribute to reduced flow.

We pumped less than a quarter of our allocation from our bores this summer and most of the water used was from our stored catchment dams and not from the bores.

Local residents who have never seen the creeks so low have never seen such a severe drought either.

To state that the extraction of water for bottling instead of extracting for irrigation is going to have a different impact on other users of water in the area, in my opinion, implies lack of proper research by the councillor. To state that some irrigation water will

4. PETITIONS AND PUBLIC QUESTION TIME

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end up back in the catchment is totally wrong. This lack of proper research can only be excused as ignorance of understanding irrigation as a whole.

No irrigator has that much water to waste. Irrigation mainly takes place during the driest months of the year so how much water will actually return to the waterways?

It is presumably OK to use water to irrigate crops and pastures to produce vegetables meat and milk etc but for people to drink water that is naturally filtered through volcanic rock totally pure and unadulterated instead the chemical cocktail supplied by some water authorities is not. It defies reason!

Let me state some real statistics:

To produce one litre of milk it takes about 1200 litres of water.

One kg of potato chips requires at least 200 litres of water to grow plus processing water.

To grow one HA of potatoes in this area will need at least 5 mega litres =5,000,000 litres.

This is equivalent to about 180 semi tanker loads of water carrying 27,000 litres per load.

As to the statement 'that extracting water for bottling gives nothing back to the local community' is the same as saying family farming gives nothing back to the local community.

The new owners of Lot 2 Wheelers Hill Rd are planning to build a home and live on the property. The property will still be farmed and farmed in an environmentally friendly way to protect the water on this property. There will be no soil or environmental degradation. Land and water will be preserved for future generations. The people living here will shop and live locally to the same extent as other people in the community.

To state, that there is no benefit to the local community is the same as stating that there are no benefits to the local shire and community from rural pursuits. Not many economic benefits from farming activities do percolating through to local business as most of the farm inputs are sourced outside the shire and most agricultural products have to be transported out of the shire for sale.

To say that a water company in the Yarra Ranges will only pay \$2.40 per mega litre when farmers pay \$45 per mg is stretching the truth a long way. Farmers, bottling companies and other water users with bores are paying perhaps even more. These people had to, as we had to, pay for their own bore construction, pump and supply lines, which can run into many tens of thousands of dollars. Ongoing costs are the energy needed for pumping and equipment maintenance costs as well as the licence fees. Farmers that pay \$45 claimed by this councillor have no such expenses and

4. PETITIONS AND PUBLIC QUESTION TIME

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their water delivered to their properties via channels or pipes. Farmers extracting from bores pay a little less than the \$2.40 but have to pay for all of the above costs as well.

If Goulbourn Murray wants to monitor bore levels it can, most irrigation bores have been installed with airlines to monitor water levels. Meters are now required for all irrigation and commercial bores so there is no excess use of water rights so what is the councillor's problem?

I don't know what it is with some people. Whenever there is a development different from their ideas or lack of the 'concern' word comes out of the woodwork. In my opinion 'concern' often equals irrational, ill-conceived, jealous interference in someone else's affairs. Progress and development of new rural industries does not mean the destruction of traditional rural pursuits it means expansion and diversification of what we already have.

This councillor's proposal to lobby the government about all sorts of water issues in my view is just another case of interference this shire is famous for. Water doesn't stop or start at the shire boundaries. Therefore it is inappropriate for council to interfere in areas of which they know nothing.

As for quoting certain 'Experts' to support this councillor's argument, in my opinion has no relevance at all. One can find plenty so-called experts to support any argument on any subject true or false. In particular it always concerns me when people from other countries come here to lecture us about our own country and our own affairs.

Surface irrigation water has been deregulated so it can be sold either as a seasonal or permanent transfer. However in our case the water is a permanent part of the land and cannot be transferred permanently. This will mean that the production capacity of this land is preserved for the future.

As a closing observation I'm also 'outraged' meaning extremely annoyed having to defend perfectly proper and legal activities. I'm extremely disappointed at this councillor meddling in to areas of which she has obviously no jurisdiction, understanding and has not researched at all.

Sincerely

Mike Fix

4. PETITIONS AND PUBLIC QUESTION TIME

2. **Ian Esmore – Tabled the Notice that follows.** Claims that CHW has declared additional catchment area for Daylesford Water Supply. Seeking deferral for more analysis

*Tabled at Council
Meeting 19 June 2007.*

Community Mineral Water Group Inc.

Ian Esmore, public officer. presentation time 10 minutes.

Subject: Council Meeting Daylesford 19th June

Sent: Monday, 18 June 2007 10:27 PM

To: Victor Szwed

Cc: David Smith

Item 4 Petitions and Public Question time

This email is notice of my intention to address council re the matter of item 5.1 Notice of Motion - Bore water licence/Musk (Cr H Mutimer)

I will be requesting that any report to council on this matter be postponed until further investigation is undertaken by council.

appendix

Copy of map Wallaby Creek Catchment, MUSK

Bibliography of Reports on Mineral Water in Council library to 1996

Document listing Hydrogeological references and Bibliography.

Copy of Objection to an advertised Bore Licence application which is located near Hepburn reservoir Catchment and possible recharge zone ESO1 and ESO2 for Bath house reserve.

4. PETITIONS AND PUBLIC QUESTION TIME

3. **Unknown** - **Concern out of issues.**
Eg Stock & Domestic; Bores in town areas allowed, shouldn't etc.
4. **Rob Kirby** - **Australian Constitution**
Opposed to commercial extraction eg bottling is illegal
5. **Unknown** - **Water rights** go with land eg bottling.
6. **Unknown** - **Licence** in question was an irrigation licence not commercial bottling.

5. COUNCILLORS REPORTS /CONGRATULATIONS

5. COUNCILLORS REPORTS /CONGRATULATIONS

5.1 NOTICE OF MOTION - BORE WATER LICENCE / MUSK

(A/O Cr. Heather Mutimer)

Synopsis

The transfer of a bore license at Musk which will allow 40 mega litres of water annually to be extracted for commercial bottling has outraged the local Musk/Bullarto community. This issue has highlighted the need to seriously question legislation relating to the issuing of water bore licences, the transferring of licences and the definitions applied for the use of the water.

There are in excess of 74,000 bores in Victoria extracting more than a quarter of a million megalitres of water each year. One in ten people use/rely on ground water. Metering and hydrological monitoring is minimal. It is my understanding that bores for 'stock & domestic' use are not required to have an extraction license.

Report

In 2005 Council refused the subdivision of a Wheelers Hill/ Musk farm because of the potential impact on the future use of this highly productive agricultural land. The applicant was successful at VCAT and Council's decision was over ruled. Since then the subdivided allotments have been put on the real estate market with their accompanying water bore licenses.

Concerned local residents began to contact me when talk of a bottling company purchasing some of this land began to spread around the area. Sightings of a water tanker at the site escalated their concerns.

Phone calls to Richard Carter from Goulburn-Murray Water in early April 2007 confirmed that the licence was in the process of being transferred. The owners of the land openly advised me that the owners of a Melbourne bottling/extracting company were the purchasers (already extracting from the area?). It is also believed that another of the allotments has been sold to a different bottling company for overseas export.

I am advised from Goulburn/Murray Water that current legislation allows this transfer without the requirement to advertise to third parties because it is from a "pre-existing and current licence" -. Even though, the use is changing from **irrigation** to **commercial**. A new license would require advertising. As long as the annual/daily volume or rate does not change it is permissible. If this was to change then there would be a need to advertise.

I was also advised that the amount of water taken from this bore would **now** be monitored by a meter to be read during and at the end of each season. But there would be no hydrology monitoring as this type of monitoring was not undertaken on private bores except in designated "water catchment protection areas" The nearest of such monitoring bores is at the 'Springhill' catchment area in the vicinity of Blampied/Mollonghip.

During the current drought when this particular bore was being pumped for irrigation of pasture locals noticed with concern the impact on the Wallaby Creek and spring fed dams.

Long time residents have stated this was the first time they have seen the Wallaby Creek run dry. Of course it can not be proved that the pumping from this one bore was totally responsible. But farmers and others rely on their dams and bores also, for domestic purposes and they now fear a worse impact if the water from this bore or others will now be used for a commercial use such as 'bottling.' At least, with an agricultural use, such as irrigation, much of the water seeps back into the ground and the local waterways. **It could be argued that the extraction of water for bottling gives nothing back**

5. COUNCILLORS REPORTS /CONGRATULATIONS

environmentally or economically to the local area – especially if the bottling process is undertaken outside the local area.

Locals are rightly asking how the Government can allow this when they have identified the water crisis as the state's biggest challenge. How can our precious resource be so easily and cheaply sold for a use such as bottling. As a letter from a constituent states; **“Do we know the size of the aquifer, how and where is it recharged and do we know the geology of the land so as to foresee the long term impact?”**

A leading and respected Hydrologist Dr.Richard Evans explains in a report titled “ The impact of Groundwater use on Australian Rivers” ...” **The interconnectivity between ground water and surface water may not be realised due to the sometimes long lag between pumping ground water and possible reductions in stream flows. However that means that water resources across Australia may have been ‘double counted’ in some cases doubled allocated.**

To address the problem we need to take a wholistic approach to water management considering the whole catchment water balances. In many catchments above ground and below ground are part of the same system linked in a poorly understood and complex manner. Yet access to surface and ground water is allocated as they were independent of each other and without consideration of downstream impacts – particularly the effects of pumping ground water...”

At a Landcare Conference in Melbourne last year International water campaigner Maude Barlow was a key speaker and made the following statements in her address:...”**Your governments are busy handing out massive bottled water licences to companies big and small for a pittance so they can put your precious water in plastic bottles and sell it back to you at exorbitant rates, all for shareholder profits ...”** She summed up her speech by saying: **“There is a historic and profound shift taking place in water policy in Australia just as the same time it is becoming clear that you have a severe water problem. Until recently, your water was considered a common heritage and governments had the constitutional responsibility to manage it in your collective name. Now your governments have decided that water is a commodity like running shoes, and has set out to sell it to those with the deepest pockets. This is a tragedy”**

The Yarra Ranges community and the council are also in outrage that a water bottling company has been given permission to take **150 million litres of water a year for the next nine years. They will pay only \$2.40 per million litres of water extracted. Farmers pay \$45 for the same quantity of irrigation water.**

In reply to the ABC when asked if he would be happy for it to go ahead if they were paying more for the water The Mayor of Yarra Ranges, Tim Heenan is quoted as saying: **“No I don’t even think we can do that any more. The whole situation has changed in Australia, there’s more focus on the environmental values that we need to have so we’re setting up a system where our children and our children’s children are going to have a good environment to live in”**

For a million litres (1 megalitre) of bore water controlled by Goulburn/Murray - the water authority responsible for the Wheelers Hill/Musk bore and many of the other bores in the Hepburn Shire the annual extraction cost is currently only **\$2.02 cents!**

This local bore issue has highlighted a series of concerns relating to bore licenses. An application for 2 ‘new bores’ to extract 90 megalitres of water for commercial use by ‘Clear Water Resort’ in the Musk area has also raised fears and concerns. What will this water be used for? And more importantly what will the impact be on the aquifer and the Wombat Reservoir Catchment?

5. COUNCILLORS REPORTS /CONGRATULATIONS

Hepburn Shires' identity is so synonymous with water - we are called "The Spa Capital of Australia" We have the highest concentration of mineral springs in Australia. The proliferation of non mineral water springs are also vitally important to environmental and economic well being of the Shire. How can we have confidence that their sustainability is guaranteed if current practises continue and are sanctioned by the Government without rigorous scientific investigation and monitoring.

As a Council we have a role of stewardship - I believe it imperative that we advocate on behalf of our community and precious environment.

Relevant Policies / Council Plan Objectives

Vision: Hepburn Shire will be a vibrant, creative Shire with strong and healthy connected communities. Our Council will govern with integrity and inclusiveness. *Our natural environment, rich agricultural land and rich heritage will remain valued and protected as assets for residents and visitors to appreciate and enjoy.*

Objective Five: 5.1 Promote & practise environmental management and sustainability

Community / Engagement / Communication / Consultation:

Written correspondence to and from members of Musk/Bullarto community. Also, phonecalls and personal deputations.

Financial & Resource Implications Initial & Ongoing

Nil

MOTION:

That Council:

1. Write to the relevant government Minister requesting that the current legislation ("Water Act 1989") be amended to ensure:
 - a. that all ground water bores in the State of Victoria are metered and monitored.
 - b. that all groundwater bores be subject to an extraction license.
 - c. that all transfers of a ground water licence be subject to the same regulations and process's as a new license.
 - d. that categories for different uses of a 'commercial' licence be instigated eg. bottling.
 - e. That the government instigate scientific research into all ground water and the impact of its extraction and sustainability.
2. Write to the relevant water authorities that cover the Hepburn Shire to ascertain the extent and results of Hydrological ground water monitoring and research data undertaken to date for the Hepburn Shire area.
3. That the matter be referred to the 'Victorian Mineral Water Committee'.

5. COUNCILLORS REPORTS /CONGRATULATIONS

Moved the Motion:

Moved: Cr Heather Mutimer
Seconded: Cr Bill McClenaghan

Cr Tim Hayes foreshadowed the he proposed an amendment to the Motion.
“That the matter be deferred to a Forward Planning Agenda for further consideration.”

Motion moved at Meeting:

Cr Mutimer amended the motion to :

“That the matter be deferred to a Forward Planning Agenda for further consideration.”

Moved: Cr Heather Mutimer
Seconded: Cr Bill McClenaghan
Carried.

5.2 COUNCILLORS REPORTS / CONGRATULATIONS TO BE PRESENTED AT COUNCIL MEETING.

Cr Bill McClenaghan Holcombe Ward

Cr McClenaghan concentrated on two immediate problems detailed in his report below :

1. Glenlyon Progress Association report
2. VCAT Hearing on Leonard Hill Wind turbines. Sustainability Victoria involvement. Leonards Hill Community unrepresented and fighting for its sweet life.

Report in its entirety:

This month, my Councillor report will again deviate away from reporting the recurrent monthly activities in which I have participated and concentrate on two rather immediate problem situations that do arise on Council from time to time.

The first of these relates to a report I made to the Glenlyon Progress Association at its most recent meeting nearly months ago. As it was Budget time when Council was formulating the 2007/2008 Budget from funding recurrent expenditure on retaining the usual Council services within the Shire to project bids from us five Councillors and the proposals put forward by the various communities around the Shire. Naturally, not everyone's idea gets funded and many miss out. That's just the way it goes when the funds are limited and we need to spend no more than we think we'll receive in income from the various sources.

Since becoming a Councillor in November 2005, I have found that many residents and ratepayers have quite high expectations of Council and think that we should be doing this or doing that and if we are not, why aren't we? Fair points, most of them & the variety of questions we routinely get asked have answers although they aren't often the answers that people expect to questions such as;

- why has it taken nine months to fix this pothole ? or
- why is there yet another big rate hike again this year?

5. COUNCILLORS REPORTS /CONGRATULATIONS

I have found that many people simply do not understand how Council works as an organisation and what a Councillor's role actually involves. It's a bit of a mystery to them but if explained properly you can get people to accept why things happen the way they do even if they don't necessarily like the reason why.

So I thought that I would use the opportunity to explain things to the members of the Glenlyon community at their Progress Association meeting. I began by describing Council as not one homogeneous organisation but two. One aspect of Council is made up of five elected Councillors, maybe to become seven if the Victorian Electoral Commission gets its way. We are elected by residents & ratepayers and ultimately responsible to them and personally accountable for our actions. The other aspect of Council is the staff and management team headed by a CEO. Whilst there is good teamwork and interaction between staff & Councillors, there is a clear division in function between the two groups. Councillors can not instruct staff members, control staff members and should not directly approach staff members without going through a chain of command. This is the corporate governance model now widely used in many organisations and local government.

I explained this to the Glenlyon folk and quoted numerous examples, some good and others not so good concerning how Council actually works as a body. I explained that the role of an individual Councillor is quite limited and the power of the Council to achieve anything is all together in a Council Meeting, like this one.

Another way of saying all of this is to describe Councillors as the Policy makers, whereas the staff carry out the day to day functions of Council and implement the policies of the Council of the day. A simple model is; we do the steering, the staff do the rowing. Problems arise when, for example, an individual Councillor tries to give an instruction to a staff member or may actually assume the hands-on staff role. I'm a real problem with this latter issue as I have a practical, get it fixed approach. I have run into a few difficulties trying to sort out some issues the way Councillors aren't supposed to.

I thought that this would be a good opportunity to tell the Glenlyon people what I had been up to and what I had learned on their behalf as their elected representative. I mentioned the good and the bad, the highs and the lows. But I didn't name anyone and spoke in fairly general terms. Most people seemed to appreciate an open disclosure. I don't think that they had heard it said like that before.

Unfortunately, news got back that I had been very critical of the shire officers, "bagging them" and making statements like "the Shire is broke" or "in financial trouble". The Shire isn't broke & isn't in financial trouble. That's just not true; debt is down and cash at bank is up. See the current Ten Year Financial Review document for details. However, how we spend the money, our ratepayer's money, is sometimes not for the best. There is room for improvement and in this year's Budget we have identified many areas where expenses can be cut and funds freed up for more worthwhile projects.

I believe that the answer to many wrong perceptions about Council is to demystify things and tell more people more often more information about what is really happening. If this means sweeping a bit of dust out from under the carpet & dealing with issues differently then so be it. Council is, or should be a service driven organisation. Our role is to serve the people in this Shire; all of us, Councillors and staff. In that role there is no differentiation.

I will seek to clarify things with the Glenlyon community at the Progress Association next week. I certainly believe that the processes of Council should be explained where misunderstood and that local government should truly serve the people, engage them and take them along with us in a partnership for mutual benefit.

5. COUNCILLORS REPORTS /CONGRATULATIONS

A second matter I feel the need to report is the events of this week in Melbourne. I refer not to the shoot-up in the city but the current VCAT hearing into Council's decision to grant a permit for a two turbine wind farm on Leonards Hill. It may be a four day hearing in total with VCAT likely to do a site visit tomorrow. I have maintained a watching brief on this issue.

On one side is Council defending its decision. A consultant has been hired and has presented a detailed submission. In support is the permit applicant, represented by the small project company that has prepared the application. They have also hired a barrister. Also, in support of the applicant is Sustainability Victoria (S.V.), represented by a senior bureaucrat who is largely responsible for all of the pro-wind farm advertising we've been seeing in the papers recently. Their CEO has turned up both days to check on progress as S.V. is providing "capital support" of almost one million dollars to the now nine million dollar Leonards Hill project. SV is keen however to point out that they don't subsidise wind farms and do not normally interfere in the establishment of renewable energy technologies or the placements thereof. However, S.V. says that wind power is their preferred form of renewable energy as it is cheap to build, available and likely to increase power bills by only 0.1% or \$0.15 per KWhour. S.V. claims that wind power currently supplies about 1% of the state's energy demand. The S.V. officer then stated that the individual outputs of the various wind farms are not known by S.V.

On the other side, seeking a review of the planning decision is the small rural community of Leonards Hill, unrepresented and fighting for it's sweet life. They appear to be delivering a very powerful case against the decision to approve the wind farm. In time, we will know whether we've done a good thing or a not-so-good thing. I commend the VCAT report on this application when it becomes available as absolutely essential reading for everyone interested in renewable energy and this decision of Council.

Cr Tim Hayes – Cameron Ward

Cr Hayes delivered a verbal report on two matters.

1. Booktown – extended thanks to Geoff Ryan, Manager Tourism, Economic Development & Recreation; David Poole and Compliance / Local Laws for their invaluable support.
2. Central Highlands Regional Library Corp Meeting.

Cr Heather Mutimer – Coliban Ward

Cr Mutimer gave a verbal report on various matters. Clunes Booktown; VCAT Windfarm; Women's Charter Workshops; Daylesford Community Park.

Cr Janine Booth – Creswick Ward

Cr Booth spoke to written report on various items, including Budget Bus Trip; Jon Stephens; Leadership Program; CBC and other Ward Meetings; Recreation Advisory Committee and \$150,000 of State Grants recently approved.

5. COUNCILLORS REPORTS /CONGRATULATIONS

Cr David Smith- Birch Ward

Cr Smith spoke to written report on various matters. Report follows:

- Attended Victorian Electoral Commission information session in Daylesford regarding number of councillors for next election period.
- Attended BBQ at Clunes Showgrounds on the Saturday evening prior to the Booktown for a Day in Clunes. Congratulations must go to the community of Clunes for this wonderful event.
- Budget Bus trip touring the Shire.
- Bendigo Bank Opening in Creswick .
- Represented Council at the funeral of the Late Ray Newman (husband of former councilor Cr. Lou Newman)
- Launch of the Community Transport Project at Daylesford Town Hall.
- Attended the opening of the Photo Exhibition at Daylesford Town Hall.
- Six Citizenships
- Attended the Municipal Visit (Vic Roads) in Ballarat
- Attended the Mayor's & C.E.O.'s meeting at Bannackburn
- Attended many on-site meetings in Birch Ward.

Recommendation:

That Council:

5.1 *Receive and note the reports of Councillors.*

Moved the Officer's Recommendation.

Moved:

Cr Janine Booth

Seconded:

Cr Heather Mutimer

Carried.

5. COUNCILLORS REPORTS /CONGRATULATIONS

6.1 COMMUNITY GRANTS APPLICATIONS

(A/O – CEO)

File Ref:30/14/03

Synopsis

At the May Council Meeting a number of Community Grants were approved by Council. It was also noted that two applications were being further investigated and that once additional information was obtained then they would be reported back to Council. This report addresses those two applications from the Hepburn Springs Swiss Italian Festa and the ChillOut Festival.

Report

The Hepburn Springs Swiss Italian Festa Committee applied for \$2,400 to create a new initiative relating to providing access to Visual Arts Studios for visitors as part of the Swiss Italian Festa. The Festa had already established a vibrant visual arts program including the Swiss Italian Landscape Art prize and exhibition held in Glenlyon which has been highly successful. This application was held over to clarify some aspects.

A copy of the application and supporting material has been emailed to Councillors. The Festa advise that many artists have their studios located within the Hepburn Shire and that this new initiative would provide visitors with access to local studios during the Festa thereby enriching the visual arts experience.

Currently the Festa resources are insufficient to be able to implement this on top of the many other activities that have increased in recent years. They propose to engage a part-time coordinator for three months to organise this. Council's former CCALO was strongly supportive of the application recommending that it be supported as he had been working on a similar project that was not advancing well and bringing it under an already existing organisation would provide a much better outcome.

Further discussion with our new Community Arts Officer has assisted to clarify this project and it is recommended that this positive new initiative be supported with \$1,400 to come out of the Community Arts Projects and Grants budget and \$1,000 from the Community Grants Budget. While there is a proposal to include funding in next year's budget for facilitation assistance to festivals and events, as this application is current and funding is available in this year's budget, it is recommended that it be resolved now.

The Chill Out application for \$2,940 was also for a new initiative under the name of "Welcome Back". Chill Out did not occur this year however a new re-invigorated, Committee has formed and is investing considerable effort into the planning for next year. This new initiative is part of that "re-invigoration" of ChillOut.

The ChillOut event has had major benefits for local businesses and accommodation and the "Welcome Back" initiative will work more closely with local businesses as well as distributing a new printed program in January, two months ahead of next years event. This will maximise promotion and also assist many businesses to better gear up for the event. We are all familiar with events whereby many businesses missed out on financial opportunities because they were not geared up for the particular event and could not meet the customer needs in volumes of goods or the range of goods and services.

5. COUNCILLORS REPORTS /CONGRATULATIONS

The "Welcome Back" initiative will assist more businesses to be prepared and gain better financial rewards. In turn this should improve customer satisfaction. A copy of their further information has been emailed to Councillors.

A key reason that this application was held over for further information revolved around ChillOut providing grants to community groups out of profits such as to the ARC project and Hepburn Health Services. This also occurs with a number of other community based events and festivals which generate funds back into their local communities. It is intended that this issue be incorporated into the community grants review so that events and festivals which are ongoing are asked to clarify what they do with surplus funds to check that they do maintain an appropriate reserve for the next event or festival.

ChillOut confirm that they raise around \$80,000 to \$95,000 each year to run their festival and that they do plan their finances beyond any single event. The "Welcome Back" initiative is an additional activity on top of the usual and quite significant activities.

Relevant Policies / Council Plan implications:

These relate to the 2006-2011 Council Plan including:

1. Strengthening Communities
2. Service Delivery

Community / Engagement / Communication / Consultation:

Round 2 of Community Grants was extensively advertised.

Financial & Resource Implications Initial & Ongoing

Following the allocations in May, the Community Grants Budget (A/C No. 1250 039) has \$3,050 uncommitted and the Community Arts Budget (A/C No. 4300 090) has \$5,000 unallocated.

Recommendation:

That Council:

- 6.1.1 *Approve the request from the Hepburn Springs Swiss Italian Festa Committee of a \$2,400 grant for the Visual Arts Studios initiative to be funded \$1,400 from the Community Arts Budget and \$1,000 from Community Grants.*
- 6.1.2 *Approve a grant of \$2,000 towards the ChillOut "Welcome Back" initiative.*
- 6.1.3 *As part of the Community Grants review take into consideration issues around ongoing events and festivals planning for their ongoing financial success as mentioned in this report.*

Moved the Officer's Recommendation.

Moved: Cr Tim Hayes
Seconded: Cr Bill McClenaghan
Carried.

5. COUNCILLORS REPORTS /CONGRATULATIONS

6.2 MONTHLY FINANCIAL REPORT 01/07/2006– 31/05/2007

(A/O – Director Corporate Services)

File Ref: 30/08/14

Synopsis

A summary report on the Council's financial performance for the period ending 31 May 2007 is provided for information.

Report

The report shows the March Forecast and year to date actuals with a percentage calculation based on the actual expenditure or income to the end of the reporting period. This should be viewed against the percentage of year completed which is shown in the report heading of 92%.

**Hepburn Shire Council
Monthly Financial Report May 2007
Percentage of year complete 92%**

	March Forecast 000's	Actual May 07 000's	Percentage of Budget
1. Administration			
Expenditure	4,738	4,016	85%
Income	(10,867)	(10,766)	99%
1. Administration	(6,129)	(6,750)	
2. Human And Community Services			
Expenditure	2,260	1,923	85%
Income	(1,602)	(1,478)	92%
2. Human And Community Services	658	445	
3. Regional Development/promotion			
Expenditure	1,892	1,726	91%
Income	(550)	(504)	92%
3. Regional Development/promotion	1,342	1,222	
4. Public Safety			
Expenditure	579	489	85%
Income	(280)	(290)	103%
4. Public Safety	299	200	
5. Recreation			
Expenditure	1,142	1,048	92%
Income	(123)	(124)	101%
5. Recreation	1,019	924	
6. Infrastructure Development			
Expenditure	4,479	4,391	98%
Income	(3,152)	(3,109)	99%

5. COUNCILLORS REPORTS /CONGRATULATIONS

6. Infrastructure Development	1,327	1,282
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**Hepburn Shire Council
Monthly Financial Report May 2007
Percentage of year complete 92%**

	March Forecast 000's	Actual May 07 000's	Percentage of Budget
7. Waste & Environment			
Expenditure	1,347	1,125	83%
Income	(1,438)	(1,437)	100%
7. Waste & Environment	(91)	(313)	
8. Unclassified			
Expenditure	92	6	6%
Income	(258)	0	0%
8. Unclassified	(166)	6	
9. Capital Works And Projects			
Expenditure	6,201	4,048	65%
Income	(4,567)	(1,837)	40%
9. Capital Works And Projects	1,634	2,212	
Report Total	(107)	(772)	

The report has been produced at a summary level to provide Council with a snap shot as at the end of May 2007. There are a number of areas where the percentage varies from the year completed percentage they are:-

Administration – Expenditure. Expenditure down for the following reasons, community grants not yet taken up, councillor travel claims are very low, and five loan repayments due in June.

Administration – Income. This relates to the recognition of all the rate income being included in the July figures which is when it is raised.

Human and Community Services – Expenditure. Some of this work is provided under contract with contract payments traditionally a month behind, e.g. the May account is normally paid in June.

Public Safety – Expenditure. Environmental officer commenced later than planned in Jan 07.

Public Safety – Income. Animal Registrations and Health Regulation fees have now been received for the full year.

5. COUNCILLORS REPORTS /CONGRATULATIONS

Infrastructure Development - Expenditure. Major works completed, crews working on some capital projects. Will be closely monitored.

Infrastructure Development – Income. All major grants received.

Waste & Environment – Expenditure. The majority of this work is provided under contract with contract payments traditionally a month behind, e.g. the May account is normally paid in June.

Waste & Environment – Income. This relates to the recognition of all the income for the Waste Management Charge, Garbage Charge and Recycling charge being included in the July figures which is when they are raised.

Unclassified –Expenditure & Income. Transfers to and from reserves are carried out at the end of year.

Capital & Projects – Expenditure & Income. Projects in this area are traditionally lumpy as such were reported on separately at the March quarterly review.

While the budget is tracking well, if the sale of the block of land on north street does not eventuate by the 30 June 2007 this will have a \$100,000 negative effect of our projected surplus for the year end.

Relevant Policies / Council Plan Objectives

The Management of Council financials is in line with objective 3.3 of the adopted Council Plan 2006 – 2011.

Community / Engagement / Communication / Consultation:

N/A

Financial & Resource Implications Initial & Ongoing

Nil.

Recommendation:

That Council:

6.2.1 *Receive and note the May 2007 finance report.*

Moved the Officer's Recommendation

Moved: Cr Bill McClenaghan

Seconded: Cr Janine Booth

Carried.

5. COUNCILLORS REPORTS /CONGRATULATIONS

6.3 BUDGET FOR THE FINANCIAL YEAR 2007/ 2008

(A/O – Director Corporate Services)

File Ref: 30/08/16

Synopsis

For the past few months Councillors and Council Officers have been working toward compiling a draft budget that will meet the needs of our community. The approach that was taken last year in moving the community consultation to the very start of the budget timetable was continued with this years budget. This allowed a substantial amount of public consultation prior to the preparation of the budget with public meetings being held at Creswick, Clunes, Daylesford, Glenlyon, Trentham and Yandoit. It is now appropriate to advertise the draft budget formally seeking submissions on its content. The formal process requires Council to resolve to publicly display the budget for a period of fourteen days. The information for public display covers the raising of rates and charges, prescribed information concerning the Council's borrowings for the year ahead, as well as a summary of the proposed recurrent and capital budget.

Report

There have been six public meetings held to get a better appreciation of the desires of the community on the Council Plan and budget. Over 70 members of the public took the opportunity to be involved and provide views regarding Council's priorities, which far exceeds the community participation from previous years.

Net expenditure on capital and projects of \$2.14 million is proposed after allowing for external contributions to capital projects. The draft budget also makes provision for a loan of \$1,200,000 for the Bathhouse redevelopment to be taken out during 2007/08.

Some of the initiatives included in this budget are:-

- Improved public convenience access at Clunes Town Hall (\$25,000)
- Implementation of Domestic Wastewater management plan (\$30,000)
- Construction of footpaths (\$250,000)
- Connection of natural gas to Creswick Kindergarten, Museum and Senior Citizens (\$15,000)
- Construction of pedestrian crossing in Vincent St Daylesford (\$55,000)
- Increase in Town Planning Resources (\$108,000)
- Real increase (i.e. above inflation) in infrastructure maintenance (\$257,000)

The budget papers which will be circulated separately to this report contain details of the operational budget and the capital works and projects to be undertaken in 2007/2008.

The budget papers recommended for approval for display will be presented in two formats for 2007/2008. A detailed rate determination statement for 2007/2008 will be prepared, as well as an operating statement and balance sheet format for five years. A reconciliation between the two formats will be provided at the end of the operating statement. The budget has been formulated to present a balanced budget in rate determination format. When

5. COUNCILLORS REPORTS /CONGRATULATIONS

this is converted to an operating statement with the inclusion of depreciation, this balanced budget will show a deficit relating to the depreciation.

Following an extensive consultation process, the 2007/2008 budget has been prepared on the basis of an overall 7.9% increase in rates and charges. This budget continues the existing practice of applying rate differentials. The figures to be applied for 2007/08 will generally be in accordance with the Council decision made in May 2005 after considering the Rate Review Committees recommendations. The two principal recommendations adopted were the phasing out of the Municipal Charge over 5 years and the reduction of the Farmland differential from 90% to 80% of the General Rate over the same time frame.

However Council has decided to bring the farm differential to 80% this year and also introduce a 50% differential for trust for nature properties.

The Rate Differentials and Municipal Charge that will be applied are as follows:-

	2006/07	2007/08
Rate Differentials		
General	1.00	1.00
Commercial	1.10	1.10
Farmland	0.86	0.80
Industrial	1.10	1.10
Mixed Use	1.10	1.10
Recreational Land	0.50	0.50
Trust for Nature	0.86	0.50
Vacant Land	1.10	1.10
Municipal Charge	\$66	\$44

The budget proposes to raise \$8.67million from rates and municipal charges. The waste management charge on all properties will remain at the same level as last year of \$78.00. The garbage collection and disposal charge will also remain at the same level as last year of \$73.00 and the recycling charge will increase from \$54.00 to \$59.00. These charges will raise a total of \$1.37 million.

These increases will still leave Hepburn Shire as generating one of the lower levels of income from rates and charges in the State.

Community / Engagement / Communication / Consultation

The Draft Budget will be publicly advertised in the local newspapers seeking submissions from interested parties.

Relevant Policies / Council Plan Objectives

5. COUNCILLORS REPORTS /CONGRATULATIONS

Local Government Act 1989 - Council has a statutory responsibility to prepare a budget and advertise it for public comment.

Financial & Resource Implications Initial & Ongoing

The budget setting process is necessary to ensure that funds are set aside to achieve the most important objectives as prioritised by Council after consulting the community.

Recommendation

That Council:

6.3.1 *Place a notice in the local newspapers advising that the draft 2007 – 2012 budget comprising:*

- *Statutory information;*
- *2007 - 2008 budget in rate determination format;*
- *Five year operating statement of financial position with reconciliation to rate determination statement for 2007/2012;*
- *07-08 fees and charges*
- *Commentary on budget;*

is on public display for a period of at least fourteen days and inviting submissions relating to this draft budget by 13 July 2007 so that they may be considered before Council formally adopts the Budget..

Moved the Officer's Recommendation.

Moved: Cr Tim Hayes

Seconded: Cr Janine Booth

Carried.

5. COUNCILLORS REPORTS /CONGRATULATIONS

6.4 SALE OF LAND TO RECOVER UNPAID RATES AND CHARGES

(A/O – Director Corporate Services)

File Ref: 52/04/01

Synopsis

Council is able to sell land where any rates and charges have remained unpaid for at least 3 years. Section 181, Local Government Act 1989 makes this provision and prescribes the legal process to be followed. The process is exhaustive and complex, necessarily so as the Council is dealing statutorily with property of individuals in the exercise of recovering money it claims has been levied or debt incurred and to which it is entitled. Obtaining a Magistrates Court Order for payment is an initial step along with giving the prescribed public notice and how the proceeds of any sale are distributed.

Report

Ongoing examination of outstanding rate debtors occurs. As part of ensuring procedural fairness and equity it is necessary to attempt to contact 'owners/occupiers' and physically check each property prior to commencing proceedings. While this can be time consuming it can bring to light new addresses for owners and then payments and payment arrangements can be put in place. This all takes place after initial service of rate notices, attempted debt collection through normal means and writing to owners.

If a sale does take place, Council is able to recover all costs associated with the sale (subject to adequate sale price which cannot be less than a current statutory valuation of the property) and any balance must then be paid to the owner or other person having a proven interest in the land. Advice from Council's Solicitors is that persons with an interest in the land may claim surplus funds up to 6 years after the sale is settled. If no one can be located after reasonable efforts to trace them, excess amount can be taken into Council's general revenue.

The following is a listing of properties which meet the criteria for sale under S181.

Prop#	Description	Status	Period Outstanding/ Last receipt	Amount
14489	CA 6A Sec F 524 Blackwood Rd Newbury	Vac land CIV \$46,000	1998/ 1999	\$2,894.66
101119	Lots 81, 82 & 83 LP 12123 12 Spring Ave Sailors Falls	Vac land CIV \$30,000	2003/ 2003	\$4,969.25#
103155	CP 173821 6225 Midland Hwy F'linford	Vac land CIV \$54,000	2001/ 2002	\$2,022.44
13334	Pt CA 5 Sec 10 14 Bath St Clunes	Vac land CIV \$26,000	1996/ 1997	\$2,236.34
104301	CA 36 Sec 12 Powell Connection Rd F'ford	Vac land CIV \$14,000	2000/ 2000	\$2,622.25
104439	Lot 1 LP 125638 Werona Rd Werona	Vac land CIV \$70,000	2004/ 2004*	\$3,168.55

5. COUNCILLORS REPORTS /CONGRATULATIONS

100359	CA 5, 6 & 9 S38; CA 1 S39 26 Leggat St Daylesford	Vac land CIV \$156,000	2004/ 2004	\$2,533.90
13596	Pt CA 30 Sec 6 65 Pickfords Rd Clunes	Vac land CIV \$68,000	2001/ 2001	\$6,060.43#

* The last payment received from the owner of this property was on 5 Aug 2004. Rates and charges will be outstanding for more than 3 years after 30 June 2007. Subject to action on and under this Report and unless further payments are received and an arrangement entered into, any formal S181 action beyond this Report will not commence until after 5 Aug 2007.

Includes VCAT Order amount.

Relevant Policies / Council Plan implications

Council's Revenue Policy # 6 Part 8 specifically allows for Section 181 provisions of the Local Government Act 1989 to be used in the circumstances where other attempts to collect amounts have been exhausted; the 3 year period has expired; and the owner does not live permanently on the property.

Council Plan 2006 – 2011 Key objective 3 on Asset and Resource Management calls for a strategy of responsible Financial Management. Collection of outstanding revenue by appropriate means equates to responsible financial management.

Community / Engagement / Communication / Consultation

There is no need for direct community consultation in these instances. However, there are statutory requirements to be followed regarding contact with owners or persons who may have an interest in the property, public notice of any sale as well as notice periods where signs are erected on properties.

Financial Implications

Collection of outstanding rates and charges assists cash flow. In some instances excess amount can be brought into revenue where no claims for the funds are received. For the properties subject to this report there are perhaps two that fall into the category where claims for excess may not be received.

Recommendation:

That Council:

- 6.4.1 Approve and authorise action to be taken by the Chief Executive Officer pursuant to S181 of the Local Government Act 1989 for the sale of the properties listed in the above Report for the recovery and collection of outstanding rates and charges.

Moved the Officer's Recommendation.

5. COUNCILLORS REPORTS /CONGRATULATIONS

Moved: *Cr Tim Hayes*
Seconded: *Cr Janine Booth*
Carried.

5. COUNCILLORS REPORTS /CONGRATULATIONS

6.5 PURCHASING POLICY

(A/O – Director Corporate Services)

File Ref: 16/22/03

Synopsis

In the Management Letter for the year ended 30th June 2006 Councils Auditor, Hall Chadwick included in their report key audit observation number 8, *“The Council does not have an update policies and procedures manual covering all areas of financial operations.”* Work has commenced in this area and will be continued progressively over time. The Purchasing Policy is presented in line with this recommendation.

Report

A Purchasing Policy has been drafted and referred to the Management Group for comment. All comments were considered and the final draft is attached for Councils consideration.

The Policy covers the following topics:

- Open and Fair Competition
- Professional Integrity and Probity
- Service Area Guidance
- Management of Safety and Risks
- Accountability
- Simplicity
- Participation in Eco Buy Program
- Value of Money
- Buy Local
- Locally Made

This policy incorporates policy number 29 (Buy Recycled Purchasing & Waste Minimisation) which it will replace upon adoption.

Other policies taken into consideration when drafting this purchasing policy are:

- Hepburn Shire Council Best Value Principles Policy
- Hepburn Shire Council Occupational Health & Safety Code for the provision of Goods & Services
- Hepburn Shire Council Financial Delegations

A copy of the policy is attached for Councils information as attachment number ??

Relevant Policies / Council Plan implications:

This policy is in line with Objective 3 of the Council Plan 2006 – 2011 Asset and resource management. Strategy - 3.3 Responsible Financial Management.

Community / Engagement / Communication / Consultation:

Nil

Financial & Resource Implications Initial & Ongoing

5. COUNCILLORS REPORTS /CONGRATULATIONS

Nil

5. COUNCILLORS REPORTS /CONGRATULATIONS

Recommendation:

That Council:

6.5 .1 Adopt the draft Purchasing Policy which incorporates and therefore
Replaces policy number 29 - Buy Recycled Purchasing & Waste
Minimisation policy.

Moved the Officer's Recommendation:

Moved: Cr Bill McClenaghan

Seconded: Cr Tim Hayes

Carried.

5. COUNCILLORS REPORTS /CONGRATULATIONS

6.6 HOME AND COMMUNITY CARE NATIONAL STANDARDS ASSESSMENT

(A/O – Manager Community Services)

File Ref: 34/12/02

Synopsis

The Department of Human Services (DHS) is currently undertaking a national assessment of all Home and Community Care (HACC) funded programs to ensure that the HACC National Standards are being met by all service providers.

The 27 HACC National Standards include 7 objectives, which are:

- Access to Services
- Information and Consultation
- Efficient and Effective Management
- Co-ordinated, Planned and Reliable Service Delivery
- Privacy, Confidentiality and Access to Personal Information
- Complaints and Disputes
- Advocacy.

Council's HACC Services were assessed on Friday 4th May, 2007.

Report

Council's Aged and Disability Services – Planned Activity Groups were assessed as being of a very high standard (19.20 of a possible 20.00). This 96% is an excellent outcome and demonstrates the commitment of all staff in the Aged and Disability Services area.

The assessment also identified areas where improvement could be made.

For each of the seven HACC Objectives, which comprise the Standards, the assessment results were as follows (a maximum score of 2.00 could have been achieved for each objective):

Objective	Result
Access to services	2.00
Information and Consultation	2.00
Efficient and Effective Management	1.00
Co-ordinated, Planned and Reliable Service Delivery	2.00
Privacy, Confidentiality and Access to Personal Information	2.00

5. COUNCILLORS REPORTS /CONGRATULATIONS

Complaints and Disputes	2.00
Advocacy	2.00

The assessment outcomes were based upon the Independent Assessor's observation of Council's HACCC Policies, procedures and documentation and the results of an Independent Client survey.

The only area identified as needing improvement was that of volunteer management policies and processes. This is an area that requires work across Council services, where volunteers are utilised.

A Continuous Improvement Plan is currently being developed to address volunteer management policies and processes.

Relevant Policies / Council Plan Objectives

Home & Community Care policies

Council Plan – Objective 2, Service Delivery
Council will deliver responsive services to our community within available resources.

Financial Implications

N/A

Recommendation

That Council:

6.6.1 *Formally acknowledge the excellent outcome of the HACCC National Standards Assessment and congratulate the Aged & Disability Services staff for their efforts.*

Moved the Officer's Recommendation.

Moved: Cr Heather Mutimer
Seconded: Cr Janine Booth
Carried.

5. COUNCILLORS REPORTS /CONGRATULATIONS

6.7 CONTRACT H182 – 2007 PROVISION OF MATERNAL & CHILD HEALTH SERVICES

(A/O – Manager Community Services)

File Ref: H182 – 2007 / 50 18 01

Synopsis

The purpose of this report is for Council to consider tenders for the provision of the Maternal & Child Health Service.

Report

Maternal and Child Health Services were first introduced state wide in Victoria in 1926 by local government in partnership with the state government. At the time, known as the Infant Welfare Service, the emphasis was on addressing high infant mortality and morbidity rates that resulted from infectious diseases and poor nutrition. The service has changed over the years to respond to new understandings and approaches relevant to maternal and child health.

The Maternal and Child Health Service is a free universal primary health care service for all families in Victoria with children from birth to school age. The service is provided in partnership with the Department of Human Services and local government to promote healthy outcomes for children and their families. The service provides a comprehensive and focused approach for the promotion, early detection and intervention of physical, emotional and social factors that may affect young children and their families in our communities.

There are currently 3 main components to the service:

1. Universal Service
This service is available to all Victorian children and families and provides ten key “age and stage” consultations from birth to 3.5 years, including an initial home visit and consultations at 2 weeks, 4 weeks, 8 weeks, 4 months, 7-8 months, 12 months, 18 months, 2 years and 3.5 years of age.
2. Flexible Service Capacity
This service enables the Maternal and Child Health Service to provide additional activities that are relevant to local needs and priorities. In Hepburn Shire, services have included additional one-on-one consultations and group consultations, community strengthening activities such as health promotion, assertive outreach and the annual Children’s Fiesta.

The Universal and Flexible Service Capacity Services are jointly funded by the State and Local Government.

3. Enhanced Maternal and Child Health Service
The Enhanced Home Visiting Service was introduced in Victoria in 2000/01 and is targeted at children and families at risk of poor outcomes, particularly children for whom there are multiple risk factors or indications of a significant level of risk. The Enhanced Maternal and Child Health Service provides a more intensive level of in-home family support than is available through the universal service, including short term case management. This Service is fully funded by the State Government.

5. COUNCILLORS REPORTS /CONGRATULATIONS

Council's Maternal and Child health Service was first tendered in 1996/97 in accordance with Compulsory Competitive Tendering requirements. The contract was awarded to Hepburn Health Services and this arrangement has been renewed on a number of occasions through a tender process. The current contract concludes 30 June 2007.

Tenders have been called for the provision of Maternal & Child Health Services. Tenders closed 30 May 2007. Tenders are currently being evaluated against the selection criteria.

A detailed report will be circulated prior to the Council Meeting.

Recommendation:

That Council:

- 6.7.1 *Consider this report together with further information and recommendation so that the Maternal & Child Health Services Tender can be determined.*

That Council defer this item to the end of the meeting

***Moved: Cr Janine Booth
Seconded: Cr Heather Mutimer
Carried.***

6. GOVERNANCE & STRATEGIC MATTERS

6. GOVERNANCE & STRATEGIC MATTERS

6.8 ARC – MONTHLY REPORT

(A/O – Director Infrastructure & Development)

File Ref: H164

Synopsis

Monthly report on the ARC project.

Report

Works are progressing as per program on-site.

S J Weir , the building contractor appointed for this project has completed:

- Gymnasium renovations;
- Canteen works;
- School change room renovations;
- Sewer & stormwater works;
- Structural steel frame, roof and wall cladding for 2 court stadium.
- Stumps and bearers for flooring 2 court stadium.
- Theatre lighting and sound equipment.

Works in progress:

- Joists for flooring 2 court stadium; and
- Stumps for amenities area of new building.

The internal renovation works (school component) have been completed and handed back to School. The new building (Council component) hand-over is still planned for October/November 2007 at the latest.

Relevant Policies / Council Plan implications:

Council Plan – Service Delivery

Community / Engagement / Communication / Consultation:

Extensive community consultation and engagement has occurred with this project.

6. GOVERNANCE & STRATEGIC MATTERS

Financial & Resource Implications Initial & Ongoing

As at 30 May 2007:

ARC - DAYLESFORD REC CENTRE BUDGET	REVISED BUDGET	ACTUALS 2002/2003	ACTUALS 2003/2004	ACTUALS 2004/2005	ACTUALS 2005/2006	ACTUALS 2006/2007	TOTAL ACTUAL 30-May-07	PROJECTIONS 30-May-07
EXPENDITURE - 9550 815	Dec-06					30-Apr-07		
Architect & Sub consultants	\$ 124,500			19,400	101,100	3,083	\$123,583	\$ 124,500
Contract Admin	\$ 5,500					4,954	\$4,954	\$ 7,500
Building 2 courts, entry, kiosk & amenities	\$ 1,529,228					600,376	\$600,376	\$ 1,529,228
Variations 2 courts, entry, kiosk, etc	\$ 75,000						\$0	\$ 75,000
Building School refurbishment	\$ 302,730					302,730	\$302,730	\$ 302,730
Variations School building refurbishment	\$ 257,270					190,060	\$190,060	\$ 260,000
Legals	\$ 1,500						\$0	\$ -
Planning Permit	\$ 2,100			96	1,975		\$2,071	\$ 2,100
Tender costs	\$ 1,500					676	\$676	\$ 700
Opening function & marketing	\$ 5,000				183	315	\$498	\$ 5,000
Fitout - equipment & furniture	\$ 25,000						\$0	\$ 25,000
Fundraising Committee	\$ 12,094	120	11,974				\$12,094	\$ 12,100
Carparking	\$ -						\$0	\$ -
Drainage & Authority Headworks Charges	\$ 70,000					66,646	\$66,646	\$ 66,700
Contingencies	\$ 30,578					237	\$237	\$ 31,442
TOTAL EXPENDITURE	\$ 2,442,000	\$ 120	\$ 11,974	\$ 19,496	\$ 169,904	\$ 1,102,431	\$1,303,924	\$ 2,442,000
								\$ -
INCOME - 9550948								
SRV - (DVC)	\$ 500,000				100,035	274,965	\$375,000	\$ 500,000
COUNCIL	\$ 300,000		5,000		295,000		\$300,000	\$ 300,000
FEDERAL GRANT	\$ 120,000	-	-		26,620	69,380	\$96,000	\$ 120,000
COM FACILITIES GRANT (DET)	\$ 1,222,000		-		-	538,368	\$538,368	\$ 1,222,000
COMMUNITY FUNDRAISING	\$ 300,000		7,000				\$7,000	\$ 300,000
TOTAL INCOME	\$ 2,442,000	\$ -	\$ 12,000	\$ -	\$ 421,655	\$ 882,713	\$ 1,316,368	\$ 2,442,000

Progress payments to builder \$1,083,106
Claims to be processed \$nil

Approved variations to date:
School component of the building works \$190,929
Council component of the building works \$ 6,824

Recommendation:

That Council:
6.8 .1 Note & receive the ARC monthly report.

Moved the Officer's Recommendation.

Moved: Cr Tim Hayes
Seconded: Cr Bill McClenaghan
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.9 CLOSURE OF ROAD RESERVE – CRESWICK RESERVED FOREST

(A/O- Director Infrastructure & Development)

File Ref: 58/02/04

Synopsis

This report provides information on a request from the Department of Sustainability and Environment for the closure of two road reserves accessing a Reserved Forest in Creswick.

Report

Council has received a request from the Department of Sustainability and Environment for the closure of two roads that service a Reserved Forest, in Creswick as shown below marked in broken line.



These roads are not required for public access and therefore Council should support the closure.

Relevant Policies / Council Plan implications:

Council Plan Objective 3

Asset and Resource management- improve the management of assets through rationalisation and closure of assets

Community / Engagement / Communication / Consultation:

Communication with the Department of Sustainability and Environment, State Government agency responsible for the crown road reserve

Financial Implications

Nil

6. GOVERNANCE & STRATEGIC MATTERS

Recommendation:

That Council:

- 6.9 .1 *Concur to the closure of the Government Road between allotments 19A & 19B Section A township of Creswick & Government road through allotment 5K Section S Parish of Creswick pursuant to Section 349 of the Land Act 1958.*
- 6.9.2 *Sign and seal the Consent to Closing of Road form.*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth
Seconded: Cr Tim Hayes
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.10 COMPLIANCE OFFICER AUTHORISATION – GORDON CHAPMAN

(A/O – Compliance Coordinator)

File Ref: Personnel file

Synopsis

Gordon Chapman has been appointed to the position of casual after hours Compliance Officer.

This report has been prepared to enable Council to formally delegate to Gordon Chapman the powers, discretions, functions and duties of an authorized officer under certain Acts & Regulations.

Report

Gordon Chapman has been appointed as a casual after hours Compliance Officer and will need to be an authorised officer under certain Acts & Regulations to carry out the duties of a Compliance Officer and accordingly a formal resolution of Council is required to enable this authorisation.

Relevant Policies / Council Plan implications:

Delegations
Local Law No.6

Financial & Resource Implications Initial & Ongoing

The casual position is accommodated within the budget.

Recommendation:

That Council:

6.10.1 *Delegate to Gordon Chapman the powers, discretions, functions and duties of an authorised officer under the following Acts & Regulations.*

*Local Government Act 1989;
Domestic (feral & nuisance) Animals Act 1994;
Local Laws and
Impounding of Livestock Act 1994.*

6.10.2 *Sign and seal the instrument of delegation to Gordon Chapman as presented to this meeting.*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth
Seconded: Cr Tim Hayes
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.11 COMPLIANCE OFFICER AUTHORISATION – VANESSA LONG

(A/O – Compliance Coordinator)

File Ref: Personnel file

Synopsis

Vanessa Long has been appointed to the position of casual Compliance Officer.

This report has been prepared to enable Council to formally delegate to Vanessa Long the powers, discretions, functions and duties of an authorized officer under certain Acts & Regulations.

Report

Vanessa Long has been appointed as a casual Compliance Officer and will need to be an authorised officer under certain Acts & Regulations to carry out the duties of a Compliance Officer and accordingly a formal resolution of Council is required to enable this authorisation.

Relevant Policies / Council Plan implications:

Delegations
Local Law No.6

Financial & Resource Implications Initial & Ongoing

The casual position is accommodated within the budget.

Recommendation:

That Council:

6.11 .1 *Delegate to Vanessa Long the powers, discretions, functions and duties of an authorised officer under the following Acts & Regulations.*

*Local Government Act 1989;
Domestic (feral & nuisance) Animals Act 1994;
Local Laws;
Impounding of Livestock Act 1994;
Summary Offences Act 1966;
Environmental Protection Act 1970 and
Road Safety Act 1986.*

6.11.2 *Sign and seal the instrument of delegation to Vanessa Long as presented to this meeting.*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth
Seconded: Cr Tim Hayes
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.12 HIGHLANDS REGIONAL WASTE MANAGEMENT GROUP BUDGET

(A/O – Director Infrastructure & Development)

File Ref: 68/08/01

Synopsis

The Highlands Regional Waste Management Group has prepared its Draft 2007/2008 budget and seeks Council comment on the draft.

Report

The Highlands Regional Waste Management Group (HRWMG) has prepared its Draft 2007/2008 budget and in accordance with its constitution advises Council of the preparation of the draft budget and if any Council wishes to comment.

HRWMG Indicative Summary 3 Year Budget (ex GST)

Item	2007/2008	2008/2009	2009/2010
EXPENDITURE			
<u>E.F.T</u>	1.5	1.5	1.5
Employment and Administration: Includes executive support contract, education officer employment, administration, office rental, furniture and equipment, specialist consultancy, insurances, sitting fees and meeting expenses, power, telephone/ internet, advertising, production of all reports and information brochures.	\$199,158	\$205,098	\$211,220
Waste Management Study	\$5,000	\$2,500	\$2,500
Education Facilities	\$8,873	\$8,770	\$8,974
Education Trailer Operating	\$4,800	\$4,944	\$5,092
Litter Prevention Community Projects	\$22,500	\$0	\$0
Development of Brochures / Literature	\$0	\$0	\$0
Community Surveys and Investigations	\$19,000	\$19,570	\$20,157
Transfer Station Gates Maintenance Program	\$12,000	\$12,360	\$12,731
SV Administered Grants	\$0	\$0	\$0
Business Plan Major Project	\$40,000	\$0	\$0
Assets and Equipment	\$0	\$0	\$0
TOTAL EXPENDITURE	\$309,029	\$251,242	\$258,674
INCOME			
Other Income	\$0	\$0	\$0
Landfill Levy Return	(\$176,000)	(\$181,280)	(\$186,718)
Landfill Levy Return - Education	(\$60,000)	(\$60,000)	(\$60,000)
Bank Interest	(\$8,400)	(\$8,400)	(\$8,400)
Council Contributions	\$0	\$0	\$0
SV Gap Funding	\$0	\$0	\$0
Sustainability Victoria Grants / Contributions:			
Litter Prevention	\$17,500	\$0	\$0
Transfer Station OH&S	\$0	\$0	\$0
Asset and Equipment Grants	\$0	\$0	\$0
Member Council Contributions:			
Transfer Station Gates Maintenance Program	\$0	\$0	(\$4,000)
Education Programs	\$0	\$0	\$0
Major Projects	\$0	\$0	\$0
TOTAL INCOME	(\$226,900)	(\$249,680)	(\$259,118)
OPERATING (SURPLUS) / DEFICIT	\$82,129	\$1,562	(\$445)
Transfer (to) / from Reserve	\$82,129	\$1,562	(\$445)
NET OPERATING (SURPLUS) / DEFICIT	\$0	\$0	\$0
Cash at Bank	\$130,393	\$128,831	\$130,838

The draft 2007/8 HRWMG budget has been prepared on the basis that no financial contribution is required by member Councils for this position or any other ongoing operational aspects.

6. GOVERNANCE & STRATEGIC MATTERS

The HRWMG has been able to establish a sound financial position over the past few years and now does not require each member Council to contribute to the normal operations of the HRWMG.

The HRWMG wishes to finalise the budget at its Annual General Meeting on the 25 June 2007

It is recommended that Council advise HRWMG that it has no objection to the budget submitted for 2007/2008

Relevant Policies / Council Plan implications:

Council Plan - Objective 5 – Heritage and Environment.

Community / Engagement / Communication / Consultation:

The HRWG will be advised of Council's comments.

Financial Implications

Nil.

Recommendation:

That Council:

6.12 .1 *Advise the Highlands Regional Waste Management Group that it has no objection to the proposed 2007/2008 budget for the group.*

Moved the Officer's Recommendation.

Moved: ***Cr Tim Hayes***
Seconded: ***Cr Janine Booth***
Carried.

Note: Cr Bill McClenaghan is a Director of the HRWMG wish to declare and fully disclose his dual role.

6. GOVERNANCE & STRATEGIC MATTERS

6.13 LOAN FOR CONSTRUCTION OF PUBLIC TOILET AT CRESWICK

(A/O – Director of Corporate Services)

File Ref: 30/16/29

Synopsis

Council resolved to borrow \$250,000 for the construction of Public Toilets in Creswick when adopting the 2006/2007 Budget. The loan will need to be taken up prior to the end of the financial year.

Report

The Council's 2006/2007 budget provided for a loan of \$250,000 to be taken out during the financial year to fund the construction of new Public Toilet facilities in Creswick.

For comparison purposes quotes are sought for provision of the loan at a set time on a specified day. The quotes are generally only open for a short period of time for this reason past practice has been to authorise the CEO to accept the most advantageous quote.

To further facilitate the process it is requested that the Council move a resolution authorising the CEO to sign and seal the Mortgage Document when it is available so that the loan can be drawn down as soon as possible.

Relevant Policies / Council Plan implications:

This action is in line with Council Plan 2006-2011 Objective three dealing with Asset and Resource Management – Strategy 3.3 Responsible financial management.

Community / Engagement / Communication / Consultation:

Not applicable.

Financial & Resource Implications Initial & Ongoing

The loan funds have been provided for in the 2006/07 budget.

Recommendation:

That Council:

6.13.1 *Authorise the CEO to accept the most advantageous quote and sign and seal the mortgage documents for a loan of \$250,000 for the construction of Public Toilet facilities in Creswick.*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth
Seconded: Cr Tim Hayes
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.14 PUBLIC HALLS BUILDING MAINTENANCE GRANTS

(A/O – Director Infrastructure & Development)

File Ref: 06/06/01 &
3/3155/01450

Synopsis

The Yandoit Mechanics Institute & Free Library (YMI) as Committee of Management for the Yandoit Public Hall has made application to Council for a grant towards public hall maintenance works.

Report

The Yandoit Mechanics Institute & Free Library (YMI) has obtained quotations for fine sanding and polishing of hall stage and kitchen \$3400.00 including GST and various works to provide a 3300 galvanised water tank installed to the hall for \$3470.40 including GST.

The YMI has some funds for this work and seeks a grant from Council on a \$ per \$ basis. As Council's policy provides a maximum grant of \$3,000 this has been discussed with YMI who would be grateful for any amount of grant that Council may approve.

Relevant Policies / Council Plan implications:

Council Policy - No 42 - Public Buildings and Maintenance Grants.

Community / Engagement / Communication / Consultation:

Public Hall Committee were invited to apply for a grant as per Council's Policy No. 42. This grant application is in response to the invitation.

Financial Implications

Council has allocated \$25,000 in the 2006/2007 budget for Public Buildings Maintenance. A/c No. 4060 109

Expenditure to date and committed expenditure amounts to \$19,000

Sufficient funds are available should Council wish to approve a \$3,000 grant.

Recommendation:

That Council

6.14 .1 *Approve a \$3,000 grant to the Yandoit Mechanics Institute & Free Library Hall Committee as the Crown Land Committee of Management for maintenance works to the Yandoit Hall.*

Moved the Officer's Recommendation.

Moved: **Cr Heather Mutimer**
Seconded: **Cr Bill McClenaghan**
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.15 SWIMMING POOLS – END OF SEASON REPORT

(Director of Infrastructure & Development)

File Ref: 56/02/01

Synopsis

Annual report for the swimming pool season 2006/07 and swimming pool refurbishment works funded by Council.

Report

This season was the third and final year of a three year contract awarded to the Ballarat YMCA for the operation and management of the Clunes and Daylesford Pools while the Trentham Pool was operated and managed by the YMCA under the same specifications as the Clunes and Daylesford Pools. Calembreen Park toddlers pool was managed by the Operators of the Caravan Park with the use of the Diving Tower being supervised by the YMCA.

The pool season commenced on Saturday 2nd December 2006 and closed on Monday 12th March (Labour day weekend). The summer season was similar to last seasons and this was reflected in attendances being -0.75% below last years , however the ebb and flow of attendances is difficult to predict as temperature and a consistent run of hot days will increase attendances.

The significant addition to this year's pool supervision was the provision of site supervisors to operate the Dive Tower at Calembreen Park Lake. To facilitate this supervision a security fence was constructed that allowed use of the tower only when supervisors were present.

Pool Attendances								
Pool	Total	Total	Total	Total	Total	Total	Total	8 Year Average from 99/2000
	2000/01	2001/02	2002/03	2003/04	2004/05	2005/6	2006/7	
Clunes	10087	2590	3333	4550	3195	4069	4522	5654
Daylesford	13089	8084	8508	13710	9536	12851	11927	12584
Trentham	2666	880	2394	2119	890	1572	1904	2093
TOTALS	25842	11554	14235	20379	13621	18492	18353	20332

Table 1

Pool	Daily Attendances	Percentage Increase/decrease over 2005/06 attendances
Clunes	45	11.13%
Daylesford	118	-7.19%
Trentham	19	21.12%
TOTALS	182	-0.75%

6. GOVERNANCE & STRATEGIC MATTERS

Table 2

Operational and Capital Costs for 2006/07 Season						
		For Clunes, Creswick, Daylesford & Trentham		For Clunes, Daylesford & Trentham Pools only		
Pool	Visits per Season 2006/07	Pool Operating Costs excluding Management Costs	Contract Management Component	Average Operating Cost per visit for all pools 2006/07	Capital Cost per estimated visit on 8 year average	Total cost per visit for 2006/07
Creswick	Not Recorded	\$22,388	\$16,712			
Clunes	4522	\$13,757	\$37,123	\$11.25	\$1.21	\$12.46
Daylesford	11927	\$32,800	\$39,700	\$6.08	\$0.80	\$6.88
Trentham	1904	\$8,800	\$24,000	\$17.23	\$0.73	\$17.95
Average & Total Costs for 2006-07 Season		\$77,745	\$117,535	\$8.51	\$1.34*	\$9.85

Table 3

* Using 8 year average attendances and capital expenditure from 2002 to present amortized over 25 years

Clunes, Daylesford and Trentham Pools

The general approach by YMCA throughout the season was to encourage young people to enjoy the facilities. A number of programs were run this year and these met with success.

Daylesford staged events were Australia Day Pool Party, School swimming carnivals, Birthday Parties and a number of football training nights.

Clunes provided an aqua aerobic fitness program which appealed to many and proved very successful. The Clunes pool operated a lap swimming competition and this should be extended to all pools next year. Other activities included a Family Fun Day, Pool Party, school carnivals and school groups.

All pools had new managers this season. This entailed a steep learning curve in understanding the functions and intricacies of each pool and its operation of the pump and plant.

There were four illegal entry and break-ins by cutting the wire in the fences, two at Daylesford and two at Clunes. All incidents were notified to the Police who investigated the incidents. Minor items like chips were stolen and no significant damage or loss occurred.

Calembeen Park

The dive tower was supervised this year in response to the continuing issue of the unauthorised use of the 10 metre platform, which does not have public liability for the use of the 10 metre tower. To facilitate this supervision a security fence was installed which then allowed for supervision at designated opening times.

6. GOVERNANCE & STRATEGIC MATTERS

The supervision of the dive tower was a new venture for the Ballarat YMCA and the YMCA entered into this arrangement with some nervousness with the potential for challenging behaviour at the tower. However the acceptance by the general public of the fence as well as the calming influence of supervision resulted in a successful season. The staff of the YMCA put significant effort into the supervision of the tower, with a public meeting in December and two family fun days when the YMCA brought out additional equipment for the day, eg kayaks and inflatables along with a sausage sizzle. The second fun day was combined with a FREEZA event. Both these days help reinforce that the park is a family friendly park to use and consideration should be to ensuring that these fun days are repeated next year. The only issue of potential irresponsible use of the tower was when the supervisors are not present. However there was less vandalism this year compared to previous years.

The main water body/lake which is not treated and again was tested over the summer season for microbial characteristics. The microbial characteristic ecoli readings were generally below the 50 to 100 ppm range. The threshold warning level for ecoli is 150 ppm which would prohibit its use as a recreational water facility. The testing results confirmed that the microbial load at the time of sampling was well below the threshold warning values for microbial indicators.

Toddlers pool Calembreen Park – Creswick

The toddlers pool which is chlorinated was maintained by the Creswick Caravan Park Operator and used water from the lake in response to the water restrictions. The toddlers pool was well managed and used extensively during the summer.

Capital Maintenance Program

The significant item for the capital program for 2006-07 was the re-painting of the Daylesford Pool and is required every three to four years. Leak detection work was undertaken at Daylesford pool and this reduced the water loss this year. The next year's capital works program is for leak reduction works at Clunes pool, solar heating panel repairs to Daylesford, repainting of the Clunes and Trentham pools.

The tower at Calembreen Park Lake is to be reconstructed with a 7.5 metre and 5 metre platforms and the 10 metre tower will not be included. This reconstruction will require a planning permit from Heritage Victoria as Calembreen Park is about to be listed on the Victorian Heritage Register as a "Heritage Place".

The ten year capital maintenance replacement program that covers pool painting, solar pool blankets and solar heating collectors and replacement of Trentham filters has an annual year average capital maintenance requirement of \$45,000 per annum.

New Contract

The current contract for the Operation and Management of Council pools was completed this year. A new contract is to be tendered and this will be for the Operation and Management of the Clunes, Daylesford, Trentham Swimming Pools and the Supervision of the operation of the Calembreen Park lake Dive Tower

Relevant Policies / Council Plan Objectives

Objective Four –

- *Plan, provide, enable, source and advocate on the range of services for the benefit of our community*

6. GOVERNANCE & STRATEGIC MATTERS

Financial & Resource Implications Initial & Ongoing

The Operation and Management of the Swimming Pools maintained expenditure in line with expectations.

Recommendation

That Council:

- 6.15.1 *Receive and notes the 2006/2007 report on swimming pools.*
- 6.15.2 *Notes that tendering for the Operation and Management of the Clunes, Daylesford and Trentham Pools and the Supervision of Operation of the Calembeen Park Dive Tower is proceeding.*

Moved the Officer's Recommendation.

Moved: Cr Tim Hayes
Seconded: Cr Heather Mutimer
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.16 DRAFT SUSTAINABLE WATER USE PLAN

(A/O – Environment Officer)

File Ref: 46/22/01

Synopsis

This report provides details of Council's Draft Sustainable Water Use Plan, and describes the importance of the plan in relation to water use and the management of water for Council. The plan requires a commitment to reduce water use by 25% by 2009. The plan also outlines specific water savings options and objectives for both Council and the community.

Council is asked to consider placing this draft plan on public exhibition to enable community comment prior to finalising the plan for adoption.

Report

Council received funding and assistance from Department of Sustainability and Environment (DSE) in 2006 to complete a Sustainable Water Use Plan for Hepburn Shire Council. This plan has recently been completed to draft form by Council's Environment Officer.

The plan has been driven by Council's commitment to water saving options for Council's operations and community benefit and the need to conserve water as the result of the effects of climate change on water storages with in this region in recent years.

Council has reduced its water consumption by 18% from 2000/01 to 2004/05, which is positive. However a recent water audit of Council's water use, (results will be fully known in mid June) have shown there is room for improvement. This plan will provide that framework and guidance. The commitment of this plan is to achieve a 25% reduction in water use on 2000/01 figures, by 2009.

The Sustainable Water Use Plan provides water saving actions and objectives under four themes that consider economic, social, environmental, resource and policy implications for Council. The objective is for Council to lead by example, to demonstrate actual water savings by implementation of infrastructure as well as behavioural changes.

The plan is divided into a 3 year implementation and investigation plan. Some of the main outcomes for the plan are as follows:

- Installation of rain water tanks on all major Council buildings to capture water for the use on parks and reserves and flushing of toilets.
- Implement a retro fit program for all Council changing room pool facilities to install water saving devices.
- Install water saving devices such as flow restrictors in all Council buildings
- Investigate water saving grant opportunities for Council and the community
- Establish a comprehensive water management database for Council
- Establish a Stormwater Management Plan Implementation Team
- Implement an education and awareness program for community and business around water use, stormwater and waste water management

Relevant Policies / Council Plan implications:

The Sustainable Water Use Plan will support the aims and outcomes of Council's Council Plan 2006-2011, Inclusion and Action Plan 2005-2015, Healthy Communities Plan, Stormwater Management Plan and the Domestic Wastewater Management Plan.

6. GOVERNANCE & STRATEGIC MATTERS

Community / Engagement / Communication / Consultation:

This plan has been developed in consultation with staff from the areas of building, planning, environmental health, environment, compliance and the staff of Wombat Hill Botanic Gardens.

The draft plan will be placed on exhibition for comment at all Customer Service Centres and on the Shire Web for a period of three weeks. All comments will be considered for amendment to the final draft.

The final draft will be presented to Council later in 2007.

Financial & Resource Implications Initial & Ongoing

This plan will need to be funded for a period of three years commencing in the 2008/9 financial year. The provision of \$15,000 dollars is required to complete year 1 of the plan, with an ongoing provision of minimum of \$15,000 dollars each year after that.

The ultimate responsibility of the management of the Sustainable Water Use Plan is with the Director of Infrastructure and Development, with resource implications (listed in the plan under the area of "Responsibility") for the areas of Environment, Environmental Health, Engineering, Parks and Gardens, HACC Coordinator, and Planning.

Recommendation:

That Council:

6.16.1 *Adopt the recommended 25% reduction of water use by 2009.*

6.16.2 *Place the Draft Water Use Plan 2007 on public exhibition to enable community comment prior to finalising the plan.*

Moved the Officer's Recommendation.

Moved: ***Cr Heather Mutimer***
Seconded: ***Cr Bill McClenaghan***
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.17 APPOINTMENT OF CULTURE & ARTS ADVISORY COMMITTEE

(A/O – Culture & Arts Officer)

File Ref: 04/02/01

Synopsis

The purpose of this report is for Council to consider community nominations for appointment to the Hepburn Culture & Arts Advisory Committee (CAAC). Council is also requested to consider the appointment of a Councillor to Chair the Committee.

Report

Council adopted Terms of Reference for a Culture & Arts Advisory Committee (**Attachment 4**) in February 2007. Council also resolved to advertise for Expressions of Interest for community members to form the Committee.

Expressions of Interest for the Advisory Committee were advertised in the Advocate and Courier in March 2007.

The following 8 nominations have been received:

Liam Thomas
Georgina Meadows
Basil Eliades
Trevor Shard
Della Gogoll
Lyn Lea
Michael Despott
Sebastian Klein

All nominees meet the eligibility criteria as detailed in the Terms of Reference and offer a mix of community and skill based representation. It is anticipated that once the Advisory Committee is established, additional community members will join the Committee.

The Advisory Committee will have the power to co-opt expertise and knowledge and to establish working groups to manage specific priorities.

Relevant Policies/Council Plan Objectives

Council Plan: Objective 5 – Heritage and Environment

“respect and honour our unique historical and cultural attributes”

Cultural and Arts Policy and Action Plan

“Pursue a leadership and partnership role for Hepburn Shire Council in promoting the cultural life of all residents throughout the Shire...”

Financial/Resource Implications Initial & Ongoing

The Culture & Arts Officer will be responsible for resourcing the Advisory Committee. Funding through Arts Victoria has been secured until 31st March 2008. Council’s draft 2007/08 budget has allocated funds for an officer for the remaining 3 months in a half time capacity. Council will need to consider the resourcing of the Advisory Committee in its 2008/09 budget deliberations.

6. GOVERNANCE & STRATEGIC MATTERS

Recommendation

That Council:

- 6.17.1 *Appoint Liam Thomas, Georgina Meadows, Basil Eliades, Della Gogoll, Trevor Shard, Lyn Lea, Michael Despott and Sebastian Klein to the Hepburn Culture & Arts Advisory Committee for a period of two years,*
- 6.17.2 *Appoint Cr Tim Hayes and Cr Heather Mutimer as members of the Advisory Committee.*

Moved the Officer's Recommendation.

Moved: Cr Tim Hayes
Seconded: Cr Heather Mutimer
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.18 COMMUNITY PLANNING FRAMEWORK

(A/O – Manager Community Services)

File Ref: 34 02 01

Synopsis

Council has previously considered a draft Community Planning Framework. The attached final draft includes Councillor / Officer feedback.

Report

Previous feedback from Councillors / Officers suggested clarifying the role of Councillors and Officers in the Community Planning process.

Councillors are now asked to consider the final draft.

Relevant Policies / Council Plan Objectives

Council Plan

1. Strengthening Communities
 - 1.2 Enhance community connectedness, capacity building, and leadership.

Community / Engagement / Communication / Consultation:

N/A

Financial & Resource Implications Initial & Ongoing

\$20,000 has been allocated in the draft 2007/08 budget for Community Planning.

Recommendation:

That Council :

6.18.1 *Adopt the Community Planning Framework*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth
Seconded: Cr Heather Mutimer
Carried.

6. GOVERNANCE & STRATEGIC MATTERS

6.19 DRAFT 10 YEAR FINANCIAL PLAN 2007 - 2017

(A/O – Director Corporate Services)

File Ref: 30/08/16

Synopsis

As part of the planning process for the 07/08 financial year, Council has formulated draft 10 year financial plan. **(Refer Attachment 6).**

The Financial Plan is a significant part of our planning process and sits just below our Council Plan. It is an essential tool in delivery of our Council Plan and demonstrates Council's commitment to undertaking sound financial planning to ensure the future prosperity of our community.

Report

The key elements of Hepburn Shire's Strategic Planning Framework are our Council Plan, Financial Plan and the annual budget.

Council also has many other management plans which must be considered in conjunction with Council's key planning elements.

The Financial Plan as attached provides direction in future service planning and is a critical tool in identifying and managing Council's financial risks. The Plan informs Council decision making in areas such as service levels, infrastructure management, rating strategy and debt levels and then reflects the forecast future impact of those decisions. The Plan also provides the longer term, prudent and sustainable financial framework within which Council will develop, consider and adopt its annual budgets.

The key objective of the Financial Plan remains the achievement of financial sustainability in the medium to long term, whilst still achieving Council's broader Vision, Mission and Objectives as detailed within our Council Plan.

The Financial Plan is based on the following key objectives:

- To continue to deliver an acceptable level of services to the community
- To ensure that debt levels stay at an acceptable level
- To maintain a responsible and sustainable asset management program
- To achieve financial sustainability into the future.

In turn, specific financial goals have been established to support Council decision making, and to track progress against the above objectives.

These goals are:

- Maintain a balanced, or cash positive, annual 'cash' budget;
- Ensure that Debt Servicing Costs (Principal & Interest) as a % of Rates remains less than 7.5%
- Council set a target for its working capital ratio (current assets / current liabilities) of 140%
- Maintain an annual reduction in the infrastructure funding gap
- Generate on going surpluses from annual operations.

The Financial Plan is not a static document, but is reviewed annually as part of Council's strategic planning and budget process and is updated to reflect changing internal and external circumstances. It must be appreciated that whilst this document recommends new initiatives they will only proceed if approved through the annual budget process.

6. GOVERNANCE & STRATEGIC MATTERS

It is now appropriate that the draft 10 year financial plan be placed on public exhibition to seek public comment on its content. This will allow Council to consider the communities views prior to the formal adoption of 10 year financial plan 2007-2017.

Relevant Policies / Council Plan implications:

Council Plan 2006-11
3.3 Responsible Financial Management

Community / Engagement / Communication / Consultation:

In line with the VLGA Community Consultation Resource Guide Council will be undertaking a consultation process in order to gather information to make an informed decision.

- Comment will be sought from the Hepburn Shire Community via advertisements in the Daylesford Advocate, Ballarat Courier and Council's website.
- The advertisements will appear approximately one week after the Council meeting to adopt the draft document.
- The feed back period will be a minimum of 14 days.
- Councillors will be provided with an opportunity to consider any public comments prior to the adoption of the final document.

Financial & Resource Implications Initial & Ongoing

All financial implications of the proposed 10 year financial plan will be considered / funded via the annual budget process.

Recommendation:

That Council:

- 6.19.1 *Place the draft 10 year financial plan 2007 – 2017 on public exhibition seeking comment for a minimum 14 day period.*

Moved the Officer's Recommendation with the period being amended to: seeking comment for a 28 day period.

Moved: Cr Tim Hayes
Seconded: Cr Janine Booth
Carried.

7. COUNCIL AS COMMITTEE OF MANAGEMENT OF CROWN LAND

Nil reports

8. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

8.1 SECTION 86 COMMITTEE & ADVISORY COMMITTEE MINUTES

(A/O – Manager Administration)

File Ref: Various

Synopsis

Section 86 Committee and Advisory Committee minutes are tabled for noting.

Report

Please see listed below the minutes of various Section 86 and Advisory Committees for your information:

- Minutes of the Wombat Hill Botanic Gardens Advisory Committee meeting dated 3 May 2007. (File Ref. 5/1330/01950 & 56/08/04)
- Minutes of the Glenlyon Recreation Reserve Management Committee dated 4 April 2007. (File Ref. 5/6810/00800)
- Minutes of the Creswick Museum & Gold Battery Committee dated 2 April 2007. (File Ref. 2/7350/02046 & 2/6440/02296)

Relevant Policies / Council Plan implications:

2.2 – Improve internal and external communication.

Community / Engagement / Communication / Consultation:

Members of the community are represented on these committees.

Financial Implications

Nil.

Recommendation:

That Council

- 8.1.1 *Note the Minutes of the Wombat Hill Botanic Gardens Advisory Committee meeting held on 3 May 2007.*
- 8.1.2 *Note the Minutes of the Glenlyon Recreation Reserve Management Committee meeting held on 4 April 2007.*
- 8.1.3 *Note the Minutes of the Creswick Museum & Gold Battery Committee meeting held on 2 April 2007.*

Moved the Officer's Recommendation.

Moved the Officer's Recommendation.

Moved: Cr Bill McClenaghan

Seconded: Cr Heather Mutimer

Carried.

9. STATUTORY MATTERS

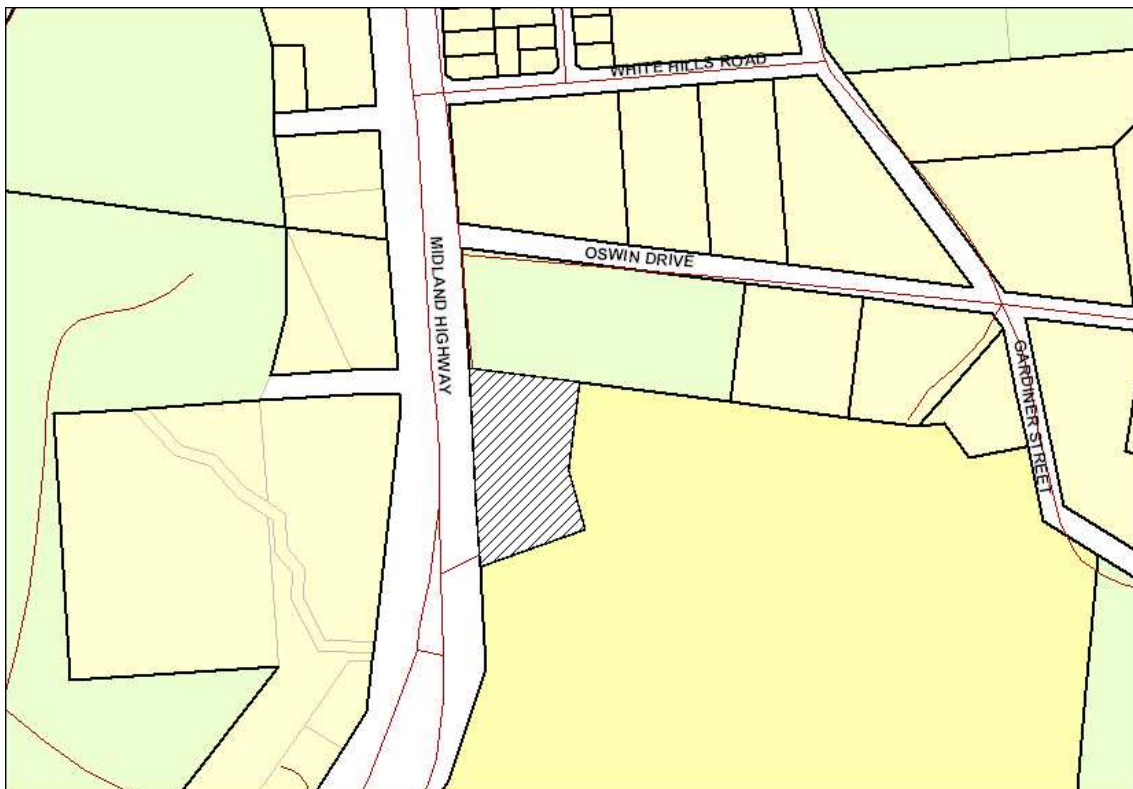
9.1 APPLICATION FOR AMENDMENT OF PERMIT NO 2005/8743: To amend the permit for REMOVAL OF CONDITIONS

(A/O – Manager Planning)

File Ref: 2/4630/01144/P

Synopsis

Applicant:	S Melotte, THA Landscape Architects (On behalf of M Shalles)
Location:	1550 Midland Highway, Creswick
Proposal:	Amend Planning Permit No 2005/8743 to delete condition no 7, 9, 10, 11, 12, and 13 of this permit.
Zoning:	Rural Living Zone (RLZ)
Overlay Controls:	Environmental Significance Overlay - Schedule 1 (ESO1)
No of Objections Received:	One (1)
Recommendation:	Defer the application to amend the permit for removal of conditions pending a trial use of sound limiter for a period of three months.



9. STATUTORY MATTERS

BACKGROUND

The proposal by the applicant THA Landscape Architects on behalf of Mark Shalless was to amend the Planning Permit No. 2005/8743 granted on 10 February 2006. The permit relates to the use of an existing restaurant (Tumblers Green) for a function and conference centre catering for 120 guests and expands the licensed area to include the gardens. No change in the hours of trading or a different license that was in force has been allowed. The application seeks to remove the following conditions of this permit:

Condition 7

Prior to use commencing, a high quality surveillance system and a program for periodic review and maintenance of that system, including maintenance by an experienced consultant must be installed, implemented and maintained to the satisfaction of the Responsible Authority.

Condition 9

Before the use begins, all the external glass windows/ doors must be double glazed in accordance with the standard AS 1288 – as per the Building Code of Australia. The design of the double glazing must be prepared in consultation with/ by a suitably qualified acoustic engineer. The details of the design and acoustic qualities of the glazing must be to the satisfaction of the Responsible Authority.

Condition 10

The garden area shall not be used for parties etc. after 11pm.

Condition 11

No music shall be played in the garden area.

Condition 12

When music is played in the restaurant/conference centre/function room, all doors and windows must be kept closed at all times.

Condition 13

No public address system shall be installed

Report

The proposal to delete the conditions was not supported at officer level in a report to the Council's Ordinary Meeting of 20 March 2007. The applicant subsequently requested that the application to amend the permit for removal of conditions be deferred pending discussions with the relevant statutory authority, in this the Victoria Police as the objector to the application to amend the permit.

Council resolved to defer this item at the applicant's request.

As over two months had passed since the motion by Council to defer the application to amend the permit for removal of conditions, the proprietor of Tumblers Green Mark Shalless was contacted for an update on this matter.

As a result of the correspondence sent to Mr Shalless on 28 May 2007, consultation has taken place between Mr Shalless, Bruce Thompson of Victoria Police and Mr & Mrs DiCesare, the affected neighbour by the issuance of Planning Permit No. 2005/8743.

It was agreed amongst all parties involved at the consultation to introduce a sound limiter trial at the Tumblers Green premises. Given that agreement, it is further

9. STATUTORY MATTERS

considered that a three month trial being made and results recorded for analysis by the Victoria Police. Following the trial, Victoria Police will provide Council with their comments in relation to the proposed amendment to planning permit to remove conditions.

Mr Shalless has provided the description of the sound limiter as follows:

SL2000 Noise Limiter £400.00 GBP

Noise pollution control system - sound limiter. Approved by UK environmental health departments. Successfully installed in 1000s of venues, this unit has been designed by installers to overcome the drawbacks of other products. The main control unit can be fitted at a convenient location out of sight. The remote indicator and remote sound pickup microphone are connected using low voltage cable for ease of installation. Simple to fit and operate, the SL2000 sound limiter offers the same features as more expensive systems and is local authority approved. With fully automatic operation, 30 Amp switching capability and built in fire alarm interface this unit offers straightforward installation and adjustment at a low price.

Plug and Play Noise Limiter £529.00 GBP

Plug and play SL2000 sound limiter - easy DIY installation or use as portable unit. Approved by Environmental Health Departments. No professional installation required. Supplied complete with sound pressure level meter and full instructions.

Inspector Thompson of Victoria Police has indicated his support of the use of this device on the proviso that Victoria Police and Mr De Cesares set the appropriate level for which the sound limiter will turn the power supply off the sound producing equipment/s.

Recommendation

That Council defer the application to amend planning permit for removal of conditions subject to the following:

- 9.1.1. *The sound limiter is installed at own cost by the proprietor of Tumblers Green to the satisfaction of Victoria Police and Responsible Authority within the next two months.*
- 9.1.2. *The sound limiter is set at a level to the satisfaction of Victoria Police and Mr & Mrs Di Cesare.*
- 9.1.3. *The set trial period for the installation and operation of the sound limiter is three months from the date of installation, and the Responsible Authority is to be informed in writing of such date and inspection with Victoria Police to be undertaken to ensure its proper installation.*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth
Seconded: Cr Tim Hayes
Carried.

9. STATUTORY MATTERS

9.2 PLANNING APPLICATION 2007/9317, RE-SUBDIVISION 29 SMOKEYTOWN ROAD, SPRINGMOUNT INTO 2 LOTS AND CONSTRUCT DWELLING AND SHED ON ONE OF THE LOTS

(A/O - Planning Officer 2)

File Ref: 1/6410/00980/P

Synopsis

Applicant	Rachael & Tyrone Mahoney c/- Jim Walsh, Surveyor
Location	29 Smokeytown Road, via Old Midland Highway, Springmount
Proposal	Re-subdivide 3 lots, total of 4.9ha, into 2 lots, and construct dwelling and shed on one of the lots
Zoning	Rural Conservation Zone RCZ, with Farming Zone FZ to east, and Rural Living Zone RLZ to south
Overlay Controls	Environmental Significance Schedule 1 ESO1, Erosion Management EMO, and Heritage HO689, avenue of conifers in highway
No of Objections received	Two from owner/occupiers of nearby properties, plus one from Central Highlands Water
Recommendation	Notice of Decision to Grant a Permit



9. STATUTORY MATTERS

INTRODUCTION

The property comprises four original crown allotments (CA's) which have a total area of 6.5ha, and currently contain:

- Modern dwelling on northern-most CA 1, of 1.6ha, not included in this application;
- 'Old homestead,' now a shed, on 2ha CA 2 'middle' lot, both of these lots having access from the old highway;
- Native forest on two 'western' CA's 3 & 4, which are currently land-locked, one having legal access only from un-made Smokeytown Rd, the other having no access of any kind.

The main site/locality characteristics are:

Undulations in CA's 1 & 2, with few trees; CA's 3 & 4 with forest, and some steep areas, hence the Erosion Management Overlay; in particular, the proposed dwelling site has a gentle slope, becoming steep toward the north-west, neighbours' dam beyond. Properties to the north are larger, up to 12ha, but are similar or smaller across the highway.

It is likely that the four CA's have always been farmed together, with single, original homestead in south-east corner, construction of Smokeytown Rd never completed; and the modern dwelling having been built prior to the early 90's, when septic system and garage were installed. A permit is required for a subdivision and construction of a dwelling on a lot less than 40ha in Rural Conservation Zone (RCZ), and removal of native vegetation.

PROPOSAL

Owner now wish to re-subdivide to effectively consolidate the two undeveloped bush lots, into 2.7ha, and construct a dwelling on the new lot so created, to gain access from the truncated old highway (the new one swinging out to the east) like the other two lots. This leaves a 2.2ha lot, with only the existing shed ('original homestead').

REFERRAL AUTHORITIES

Department of Sustainability and Environment - require a detailed native vegetation Offset Plan demonstrating net gain, with implementation tied to a Section 173 agreement, plus erosion controls and other native vegetation protection measures;

Goulburn-Murray Water - require three waste management conditions;

Country Fire Authority - require detailed conditions for fire prevention and fighting;

VicRoads - no objection provided the owners maintain the access;

Powercor - no concerns

Central Highlands Water - not a referral authority, land is just outside of its catchment, received Notice of Application as a party which may be affected, see below.

REFERRAL WITHIN COUNCIL

Engineering Services - no particular concerns;

Environmental Health - agree with GMW, requests some additional conditions.

ADVERTISING/NOTICE OF APPLICATION

The application has been advertised by sending notices to the owners and occupiers of adjoining land, and to Central Highlands Water, with the land on the edge of its Cosgrove Catchment.

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Council has received two private owner objections to date, from the owner/occupiers of two properties to the north, which include farm implement sales, and The Tangled Maze/Mistydowns Nursery.

The key issues that were raised in these two objections are:

- Concern that future lifestyle residents will complain about genuine farming operations;
- Risks from another septic system in the area;
- Possible adverse affects on views from The Tangled Maze

CHW expressed detailed concerns about proliferation of dwellings near its catchment boundaries, and OBJECTS to the granting of a permit as sought, noting that the land would be developed more like a Rural Living Zone than a Rural Conservation Zone, and that lots in a new subdivision should have an area of 40ha. CHW has also suggested conditions if Council decides to grant a permit, including a waste management condition (which is covered by GMW conditions), plus others that would result in a single lot, with the dwelling constructed in the cleared portion; its submission will be tabled.

Relevant Policies / Council Plan Implications:

STATE PLANNING POLICY FRAMEWORK (SPPF)

The proposal leaves the majority of the holding for farm purposes, while limiting the use of the forested, steeper area for one dwelling, on a site requiring minimal clearing for construction and access; in this way, it is seen to reasonably retain environmental values.

LOCAL PLANNING POLICY FRAMEWORK (LPPF)

Proposal similarly addresses local policies, particularly given the abundance of smaller, original crown allotments developed with a single dwelling in the immediate area; although most are in the Rural Living Zone to the south, some are in the Farming Zone to the east.

ZONE AND OVERLAY PROVISIONS

Rural Conservation Zone (RCZ) would not normally encourage creation of lots this size, as put forth by CHW, who also pointed out that the assessment of the proposal should take into account whether the development conserves and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.

The ownership parcel consists of original Crown allotments, of which there are several of similar size in this area. The new dwelling site is to be created by consolidating the two forested lots; on relatively level land, it already has a substantial clearing, accessible with little vegetation removal from the gate to the old highway.

VicRoads has no concerns about this access, plus, CFA and DSE are reasonably content that the siting of the dwelling should only require minimal further clearing. Although the site is within the Erosion Management Overlay, the dwelling site is not on steep land, and DSE are requiring details of measures to address erosion. The Land Capability Assessment has addressed the ESO1 issues to the satisfaction of Council's EHO and of GMW.

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ASSESSMENT

The size of the proposed lots are less than ideal for this zone, but are derived from original crown allotments, of which there are several of this size in the immediate area. Combining the two most forested lots into one, creating a single dwelling site where there may have been two, which meets the other policy criteria, is considered to be an acceptable outcome. Even CHW has suggested that it may concede one additional dwelling, but provided the future avenue for another one be obviated by eliminating the vacant Lot 2 as a separate entity. The applicants point out that they are not seeking a dwelling on this lot, in the knowledge that VCAT have discouraged conditions which attempt to eliminate future applications which may use discretionary clauses in the Scheme.

COMMUNITY / ENGAGEMENT / COMMUNICATION / CONSULTATION

There were discussions on-site and by telephone with the objectors. It appears that most of their concerns would be met by appropriate conditions, as required by GMW about the waste system and DSE about minimising tree clearing and off-set planting, plus a note which warns future dwellers that they are in a farming area, which is often characterised by operational impacts.

CHW has also discussed the proposal at length with the Council planner and the applicants, and the CHW position has been conveyed to the applicants and private objectors.

FINANCIAL & RESOURCE IMPLICATIONS INITIAL & ONGOING

Nil.

Recommendation

Notice of Decision to Grant a Permit

That Council having caused notice of Planning Application 2007/9317 to be given under Section 52 of the Planning and Environment Act 1987 decides to grant a Notice of Decision to Grant a Permit under the provisions of Clauses 35.06 RCZ, 42.01 ESO1 and 44.01 EMO of the Hepburn Planning Scheme re 29 Smokeytown Road, Springmount for the re-subdivision of 3 lots into 2 lots and construction of a dwelling and shed on proposed Lot 1, in accordance with the endorsed plans, subject to the following conditions:-

- 1 *Before the Plan of Subdivision can be certified, three (3) copies of amended plans must be submitted for assessment and approval by the Responsible Authority. These plans must be in accordance with the original plans submitted but must be amended to show the building envelope to include space for a shed at the eastern end of the proposed dwelling.*
- 2 *Before the use and development commences three (3) copies of amended layout plans must be submitted to and approved by the Responsible Authority. These plans must be in accordance with the original plans submitted but must be amended to show sketch plans and elevations of the shed.*
- 3 *The use of the premises, the layout of the site and the size, and internal*

9. STATUTORY MATTERS

layout of the buildings and works as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.

4 Council's Environmental Health Department:

4.1 *An application to install a septic tank system must be submitted prior to any works commencing.*

4.2 *An EPA approved Aerobic Wastewater Treatment System capable of achieving the 20/30 standard must be installed in accordance with the Septic Tanks Code of Practice.*

5 Goulburn-Murray Water:

5.1 *All wastewater from the proposed dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must be EPA approved and installed, operated and maintained in accordance with the relevant EPA Code of Practice and Certificate of Approval.*

5.2 *The wastewater disposal area must be located at least 100m from the nearest waterway (as measured from the bank or the normal high water mark if there is no bank).*

5.3 *The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.*

6 Country Fire Authority:

6.1 *Water Supply Requirements*

A static water supply, such as a tank, must be provided unless there is a hydrant connected to a reticulated water supply within 120 metres of the dwelling.

OR

- A static water supply must meet the following requirements:*
- A minimum of 10,000 litres on-site static storage must be provided on the lot and be maintained solely for fire fighting.*
- The water supply must be within 60 metres of the dwelling.*
- Fire brigade vehicles must be able to get to within four metres of the water outlet;*
- The water supply should be readily identifiable from the building or appropriate signage (see Appendix A: Figure 1) must point to water supply. All below-ground water pipelines must be installed to the following depths:*
 - subject to vehicle traffic : 300 mm*
 - under houses or concrete slabs : 75 mm*
 - all other locations : 225 mm*
- including water supply, must be constructed of non-corrosive and non-combustible materials or protected from the effects of*

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radiant heat and flame.

- *If the static water supply is above ground, the following additional standards apply:*
- *All above-ground static water supply must provide at least one 64 mm. 3 thread/25 mm x 50 mm nominal bore British Standard Pipe (BSP), round male coupling (see Appendix A : Figure 2).*
- *All pipework and valving between the water supply and the outlet must be no less than 50 mm nominal bore.*
- *If less than 20 metres from the building, each outlet must face away from the building to allow access during emergencies.*

6.2 Access Requirements

Access to the dwelling must be designed to allow emergency vehicles access. The minimum design requirements are as follows:

- curves in driveway must have a minimum radius of 10 metres; the average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more dips must have no more than a 1 in 8 (12.5%) (7.1 degrees) entry and exit angle.

If the driveway from the road to the dwelling and water supply, including gates, bridges and culverts, is greater than 30 m long, the driveway:

must be designed, constructed and maintained for a load limit of at least 15 tonnes, be all weather construction; and must provide a minimum trafficable width of four metres, and be clear of encroachments 4 metres vertically (see Appendix A: Figure 3).

If the driveway is longer than 100 metres, a turning area for fire fighting vehicles close to the dwelling must be provided by either: a turning circle with a minimum radius of 10 metres; or

*- by the driveway encircling the dwelling; or
- a "T" head or Y head with a minimum formed surface of each leg being 8 metres in length measured from the centre point of the head, and 4 metres trafficable width (see Appendix A : Figure 4).*

If the length of the driveway is greater than 200 metres, passing bays must be provided. Passing bays must be 20 metres long and must be provided every 200 metres, with a trafficable width of 6 metres (see Appendix A: Figure 5).

6.3 Vegetation Management Requirements

Inner zone:

A distance of 30 metres around the proposed dwelling or property boundary (whichever is the lesser) must be maintained to the following requirements during the declared "Fire Danger Period" to the satisfaction of the Responsible Authority:

- *Grass must be no more than 100 mm in height*
- *Leaf litter must be less than 10 mm deep*
- *There must be no elevated fuel on at least 50% of the area. On the remaining 50% the elevated fuel must be at most, sparse, with*

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very little dead material.

- *Dry native shrubs must be isolated in small clumps more than 10 m away from the dwelling.*
- *Trees must not overhang the roofline of the dwelling.*

NOTE: Non-flammable features such as tennis courts, swimming pools, dams, patios, driveways, or paths should be incorporated into the vegetation management plan, especially on the north and western sides of the proposed building.

Features with high flammability such as coir doormats and firewood stacks should not be located near the dwelling during the Fire Danger Period. Clumps of hedges and shrubs with low flammability and/or high moisture content may be retained to act as a barrier to embers and radiant heat.

Note for Category of Bushfire Attack

If the land is in a bushfire prone area designated under regulation 804 of the Building Regulations 2006, the planning permit conditions mean the building is located within 100 metres of vegetation with a medium fuel load, which corresponds to a medium category of bushfire attack under AS 3959.

7. *VicRoads:*

- 7.1 *Any ongoing maintenance to the Old Midland Highway is the developers' responsibility and costs.*
- 7.2 *Access from the Old Midland Highway to the development must be to Councils satisfaction.*
- 7.3 *No direct access to the Midland Highway is permitted.*

8. *Powercor Australia Ltd:*

- 8.1 *The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd (Powercor) in accordance with Section 8 of that Act.*
- 8.2 *The applicant shall:*
 - *Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd. that prospective purchasers will be so informed.*
 - *Where buildings or other installations existing on the land to be subdivided and are connected to electricity supply, they shall be brought into compliance with the Service and Installations Rules issued by the Victorian Electricity Supply Industry*
 - *Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other*

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than a pole mounted type) is required to service the subdivision.

- *Alternatively, at the discretion of Powercor Australia Ltd. A lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be approved. Such a lease shall be for a period for 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia will register such leases on the title by way of caveat prior to the registration of the plan of subdivision.*
- *Provide easements satisfactory to Powercor Australia Ltd. Where easements have not been otherwise provided, for all existing Powercor Australia Ltd. electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, to be located, on public roads set out on the plan. These easements shall be for the purpose of "Power Line" in favour of Powercor Australia Ltd.*
- *Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.*
- *Adjust the position of any existing easement(s) of powerlines to accord with the position of the line(s) as determined by survey.*
- *Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.*
- *Provide to Powercor Australia Ltd a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.*

9. Department of Sustainability and Environment:

9.1 *Prior to the certification of the plan of subdivision, a native vegetation net gain Offset Plan must be prepared by a suitably qualified ecological specialist and submitted to and approved by the Department of Sustainability and Environment (contact Nick Jaschenko on ph. 5336 6719). Once approved, the plan will be endorsed and will then form part of the permit. The Offset Plan must include the following:*

- *Quantification of native vegetation to be removed.*
- *Details of the proposed offsets which will achieve a net gain in quality and quantity of native vegetation, in accordance with relevant VPP Practice Notes and guidelines. Offsets must include the removal and continued management of environmental weeds in the form of *Pinus radiata* on lot 1.*
- *A plan which clearly shows the location of where offsets will be provided.*
- *Details of any revegetation including number of trees, shrubs and other plants, species mix and density (consistent with the characteristics of the relevant Ecological Vegetation Class).*
- *Methods of managing and restoring the vegetation, such as fencing, weed control, enhancement planting and other habitat*

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management actions.

- *Pest plant and animal control methods.*
- *A statement of the need to source local seed stock and options available for sourcing of local seed.*
- *A statement of the need for revegetation works to be carried out by a suitably qualified ecological specialist.*
- *Methods of permanent protection for any offsets on freehold land, such as the registration on title, of a covenant under the Victorian Conservation Trust Act 1972, or an agreement under section 173 of the Planning and Environment Act 1987 (requiring the site to be managed in accordance with the approved Offset Plan).*
- *Persons responsible for implementing and monitoring the offset plan.*
- *Time frame for implementing the offset plan. The Offset Plan must state that all initial works (eg. planting, fencing and initial weed control works) will be completed prior to a statement of compliance being issued for the subdivision under the Subdivision Act 1988.*

9.2 *Prior to a statement of compliance being issued under the Subdivision Act 1988:*

- *The building and effluent envelopes on lot 1 must be secured (at full cost to the applicant or owner) by means of either a 'restriction' on the certified plan of subdivision, or an agreement*
- *registered on title under section 173 of the Planning and Environment Act 1987. The envelopes must be located so as to avoid and minimise the need for removal of native vegetation, particularly large trees. Care will therefore need to be exercised to ensure that the building envelope is accurately located clear of large trees, preferably with a minimum setback of 5 metres from the tree canopy.*
- *All works specified in the endorsed Offset Plan, including measures to be implemented to improve the security of any offset works on freehold land (such as the registration on title of a covenant under the Victorian Conservation Trust Act 1972, or an agreement under section 173 of the Planning and Environment Act 1987), must be completed to the satisfaction of the Responsible Authority and the Department of Sustainability and Environment.*
- *The access driveway to lot 1 must be provided with an all-weather gravel surface suitable for emergency vehicles, to the satisfaction of the Responsible Authority.*

9.3 *To avoid damage to waterways, all silt from earthworks, batters and drains must be retained onsite during and after the construction stage of the project, to the satisfaction of the Responsible Authority. This must be achieved by:*

- *Establishing workable sediment traps.*
- *Table drains and cut-off drains must be designed and constructed in such a manner to reduce water velocity and subsequent soil erosion.*
- *Batters steeper than 3:1 (horizontal:vertical) must be avoided.*
- *Topsoil must be spread over batters 70 to 100 millimetres thick.*
- *All exposed areas of soil must be stabilised to prevent soil*

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erosion.

- *Vegetation comprising non-invasive species must be established as soon as possible upon completion of earthworks.*

9.4 *Temporary fencing or ribbon must be installed around areas of native vegetation to be retained. Such fencing or ribbon must be installed around the drip line* of native trees, in order to protect the root zone during construction works.*

9.5 *Construction activity must not cause damage to native vegetation stands to be retained. Vehicular access beneath large trees and habitat trees must be prevented.*

9.6 *Underground services must be located so as to minimise the need for removal of native vegetation. Wherever feasible, services must be bored within the drip line of trees.*

9.7 *An EPA approved aerobic waste water treatment system must be installed and all waste water must be disposed of within the boundaries of the allotment, in accordance with the Septic Tanks Code of Practice (EPA 2003).*

10. *This permit will expire if one of the following circumstances applies:*

- *the plan of subdivision is not certified within two (2) years of the issue date of this permit.*
- *the development is not completed within five (5) years of the certification of the plan of subdivision under the Subdivision Act 1988.*

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

NOTE: *Future dwellers on the subject land are advised that they are in a farming area, which is often characterised by farming operational impacts, including noises and smells.*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth

Seconded: Cr Tim Hayes

Carried.

9. STATUTORY MATTERS

9.3 PLANNING APPLICATION 2007/9345, DEVELOPMENT OF THREE SHOPS AT 10 VINCENT STREET, DAYLESFORD
(A/O – Planning Officer 2) File Ref: 5/7300/07400/P

Synopsis

Applicant	Daylesford Design Studio for Brenda Flannery
Location	10 Vincent Street, south of Raglan St, Daylesford
Proposal	Re-development of site for three shops (including demolition of existing dwelling, and reduction of parking provision)
Zoning	Business 1 Zone B1Z, as is surrounding land, with Residential Zone further north
Overlay Controls	Design & Development Overlay 1 DDO1, ESO1 & 2
No of Objections received	One from a neighbour
Recommendation	Approval with conditions



9. STATUTORY MATTERS

SOUTH ELEVATION 1:100

EAST ELEVATION (STREET VIEW) 1:100

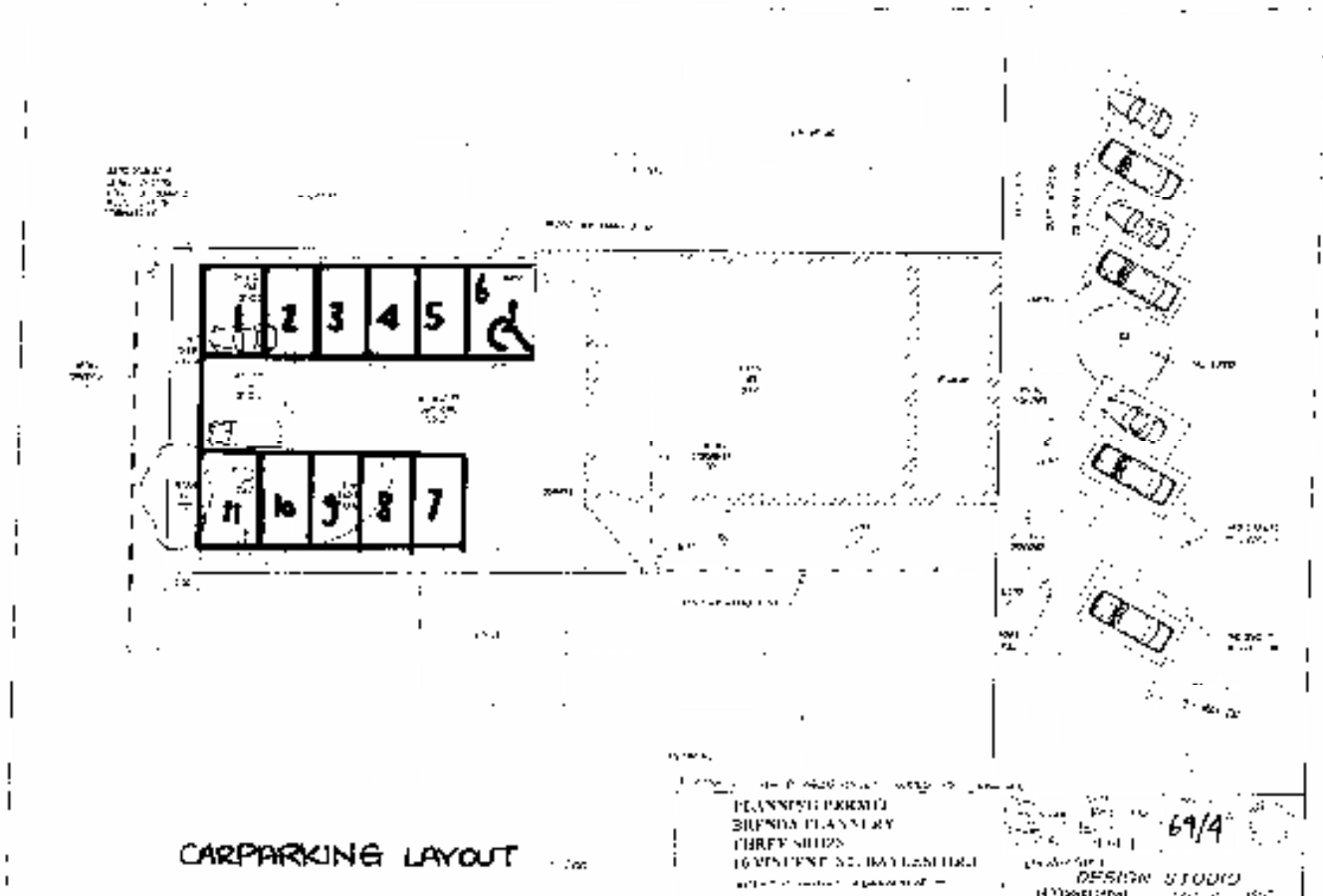
WEST ELEVATION 1:100

PLANNING PERMIT
 BRENDA FLANNERY
 THREE SHOWS
 14 VINCENT ST. DAYLESFORD

DESIGN STUDIO
 14 Vincent Street
 DAYLESFORD VIC 3610

DATE: 19/06/07
 TIME: 10:30 AM
 SCALE: 1:100

9. STATUTORY MATTERS



The carparking layout shown in bold above is a “suggested layout” which would provide for possibly 11 car spaces rather than the 6 spaces shown in the application. A detailed design of the carparking area is required but there is sufficient room on site to achieve a greater number of carparking spaces than what the applicant has shown.

Report

INTRODUCTION

The land has an area of 1012m², 20.1m frontage, 50.3m depth, on the edge of the commercial area. To the south are dwellings on each of similar-sized lots at No’s 12 and 14, which have been adapted to commercial uses. No.14 recently received permission for a shop to the frontage, including verandah over the footpath; then the Masonic and RSL halls. To the north of the land are 3 dwellings, one in the B1Z, 2 in the Residential 1 Zone, then Raglan St, having mainly residential properties. Opposite Vincent St are a vacant lot on the corner of Raglan St, and Home Hardware.

The subject land contains an ageing timber dwelling, set back 2-4m from the frontage, area of about 120m², set onto the northern side boundary. There are 2 small sheds to the rear, and modest garden. There is a vehicle crossing in the centre of the frontage. The building style is considered to be unremarkable, and the Daylesford Heritage precinct finishes at the Masonic Hall, 2 properties south, the DDO1 commencing at this same point, then running north; the Neighbourhood Character Overlay commences 2 properties to the north.

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PROPOSAL

The existing buildings and vegetation are to be demolished, for which no planning permit is required. Permission is required for the buildings and works (in the B1Z and DDO1) to comprise a 15.76m wide x 20m deep building, set back from the frontage by 5m deep veranda; it is to be divided into three shops, 96m² each, with sink, 2 toilets and washbasins, all to share a toilet/washbasin at the rear for the mobility challenged. The existing vehicle entry would be relocated, and a 3.5m wide drive down the southern side leads to a rear parking and loading area, shown to hold 6 spaces, but up to 4 further spaces could be occupied by employees.

The building is to be under one roof, on one level, the slight slope resolved by accessing front doors via the veranda-covered setback. Shopfronts are to be glazed, and there is to be a small parapet above the veranda, with 'Colorbond'-clad low-pitched roof; decorative iron lacework is indicated on the veranda.

REFERRAL AUTHORITIES

Referrals was deemed necessary to VicRoads, who requested 4 access conditions; notice was given to four service authorities, who may have had an interest, and no particular comments arose, some standard conditions were requested.

REFERRAL WITHIN COUNCIL

Environmental Health Department - conditions applying to any food service occupants;

Engineering Department - conditions relating mainly to the access and rear parking area;

Building Department - have studied the plans, and have no particular difficulties with them, citing satisfactory access to the disabled with the one-level design; and

Council's Heritage Adviser - was asked for advice in relation to DDO1; the view is that this stretch of Vincent St is becoming a shopping precinct, and it would be more appropriate to set the shops directly onto the frontage, with each shop and entry at the footpath level, with separate roofs, stepping down the slope. Reference was made to the recent permit granted for No 14; plus, detailing should be more plain.

ADVERTISING/NOTICE OF APPLICATION

Notice was given to the neighbourhood by notice on the property, in the paper and to all surrounding property owners, including those with frontages to Vincent St between Albert St and Raglan St. There was a formal objection from the owner of two properties to the north, with dwelling (the subject of a current application for a tall front fence), who was mainly concerned that the shops would dominate the street. Disappointment was also expressed that the existing dwelling and all of the trees would be removed.

The proposal was also discussed with some of the neighbours, to gauge opinions about the proposed shops being set back from the frontage (see below).

Relevant Policies / Council Plan implications:

STATE PLANNING POLICY FRAMEWORK (SPPF)

The site is in a transitional area, a mix of commercial and residential, but within the B1Z, and should be regarded as part of the Daylesford Activity Centre. Its

9. STATUTORY MATTERS

development for three shops is consistent with activity centre objectives, with access onto the main shopping street.

LOCAL PLANNING POLICY FRAMEWORK (LPPF)

In principle, the proposal is consistent with corresponding local policies. The 5m front veranda setback is meant to be like a forecourt, to provide areas for displays, tables and chairs, without interfering with the existing footpath; it is also to respond to the setbacks of existing dwellings either side, to some extent, as well as to facilitate construction all on one level. However, shops normally address a retail street more directly, as submitted by Council's Heritage Adviser, and this proposed setback is discussed below.

ZONE AND OVERLAY PROVISIONS

The proposal is consistent with the objective of B1Z, to encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

The parking provisions of Clause 52.06 of the Scheme must be addressed. From the information provided, the leaseable floor area is to be 288m²; it should be served by up to 23 on-site spaces, according to the table in the Scheme, although permission may be granted to reduce or waive the number of spaces required by the table. Six spaces are shown in the large area at the rear, including a space for disabled persons. There is ample room for additional spaces on site and therefore it should be a requirement to fully utilise the rear of the site for car parking to achieve 11 on site spaces. It could be said that the site has a 'credit' of 2 spaces, as a detached dwelling site. This leaves a shortfall of ten spaces.

In exercising discretion over the requirement, Council may take into account several criteria, the most relevant being the availability of parking in the area, variation in times of peak parking demand by operation of various uses, and likelihood that the shops will be destinations in their own right.

Overlays of ESO1 & 2 are covered by connection to full services.

ASSESSMENT

The Daylesford central area has notable capacity for parking in the street, including four angled spaces on the kerb in front of the site, to be re-arranged, but not lessened for the access. These shops are not likely to be destinations, and some spaces used by residents would tend to be vacant during the day. In any case, the requirements in the Scheme tend to apply more to situations where there is nowhere else to park, for larger retailers, and the twenty-three space requirement may be considered as somewhat excessive. Plus, the recent permissions granted for the commercial dwelling conversions referred to above (No.12 and No.14) involved reductions in parking provisions.

In regard to the design, there should be a response to the Heritage Adviser's concerns. Since there are no particular prescriptions for commercial buildings in business zones in the Planning Scheme, this proposal should be looked at on its merits, in relation to what has been built and approved recently. No.14, to have a shop on the frontage with verandah over the footpath, is the result of providing a viably-sized shop between the existing building, thought to be worthy of retention, and the frontage. There are apparently no future plans to further develop the converted dwelling at No.12 or the

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dwelling at No.8, suggesting that the variety of streetscape elements is likely to be around for a long time. The imposition of an 'on-the frontage' rule seems hard to justify; and, in this context, the proposed forecourt treatment could be seen as a transition to the mostly-set-back residences further north. Plus, the 5m setback may be regarded as a positive response to the concerns expressed about the possible visual dominance of the shops on the streetscape.

Community / Engagement / Communication / Consultation:

The proposal was discussed at length with the applicants and Council's Heritage Adviser, in regard to visual influences the built form will have on the main road and nearby heritage precinct. It was also discussed briefly with some of the neighbours, the discussions tending to suggest a small preference for the proposal as submitted (as opposed to setting the shops on the frontage). One neighbour wondered whether the 2-hour time limit, which ends at the Masonic hall entry, may be extended north in future. She was advised that if this occurred, Council would consider parking stickers for residents.

Financial & Resource Implications Initial & Ongoing

Nil

Recommendation

That Council having caused notice of Planning Application No. 2007/9345 to be given under Section 52 of the Planning and Environment Act 1987 and the planning scheme, and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Grant a Permit under the provisions of 34.01, 43.02 & 52.06 of the Hepburn Planning Scheme in respect of the land known and described as 10 Vincent Street, Daylesford, for the development of the land for three shops and reduction in parking provision, in accordance with the endorsed plans, with the application dated 16/3/07, subject to the following conditions:

- 1 *Before the use and development commences three (3) copies of amended layout plans must be submitted to and approved by the Responsible Authority. These plans must be in accordance with the original plans submitted but must be amended to show:*
 - *A minimum of 11 car parking spaces on site of which at least one must be for disabled access.*
 - *Posts to be chamfered-square sections;, development,*
 - *Detailing to be neutral and plain; and*
 - *All materials, colours and finishes.*
- 2 *The layout of the site and the size and internal layout of the buildings and works as shown on the endorsed plan must not be altered or modified without the written consent of the Responsible Authority.*
3. *Council's Engineering Department:*
 - 3.1 Stormwater is to be directed to the legal point of discharge being the existing underground drainage system at the rear of the property.
 - 3.2 All underground or surface drainage works that are considered necessary by the Responsible Authority shall be constructed in

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accordance with professionally prepared plans and computations to be provided by the developer and approved by the Responsible Authority prior to commencement of construction. Such drainage works shall be designed and installed to transport run-off from the subject land and surrounding land or adjoining roads to the approved point of discharge and may require a stormwater detention system. No stormwater shall drain or discharge from the land to adjoining properties.

- 3.3 All easements deemed necessary by the Responsible Authority shall be provided by the applicant regardless of whether they are through the subject land or through other titles. Any drainage easements created are to be in favour of Hepburn Shire Council.
- 3.4 Vehicle access/crossing from Vincent Street to the allotment is to be located and constructed of material to the satisfaction of the Responsible Authority.
- 3.5 Where existing driveway is located reinstatement of the footpath, nature strip and kerb and channel must be completed to match the existing in line, level and material.
- 3.6 The car parking spaces lost for the installation of the new driveway must be reinstated to where the existing driveway is closed.
- 3.7 The areas shown as driveway and car parking spaces shall be constructed and sealed with an approved material for all weather use (asphalt or concrete) and completed prior to occupation to the satisfaction of the Responsible Authority. The works shall be constructed in accordance with plans and specifications provided by the developer and approved by the Responsible Authority.
- 3.8 Parking to comply with AS2890.1-2004 Parking Facility – Off Street Car Parking.
- 3.9 All vehicle entry and egress from the site shall be in a forward direction. Vehicle turn around access must be provided off street within the property.
- 3.10 All of the above conditions must be completed to the satisfaction of the Responsible Authority prior to the commencement of the use hereby approved.
- 3.11 All costs incurred in complying with the above conditions shall be borne by the applicant.

4. *Council's Environmental Health Department:*

- 4.1 The premises must be fitted out in accordance with the Food Act 1984 and the Food Standards Code.
- 4.2 The premises must be registered with Council under the Food Act 1984.
- 4.3 A proposed floor plan of the layout of the food preparation must be submitted to Council's Environmental Health Department for approval prior to works commencing.

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4.4 A food safety program must be submitted to Council for the premises along with the application for registration under the Food Act 1984 prior to the commencement of business operations.

4.5 A Food Safety Supervisor must be nominated, who has obtained necessary competencies, prior to the commencement of business operations.

5. *VicRoads:*

5.1 *There must be only one access point from the Hepburn Springs Road.*

5.2 *The proposed cross over and associated works must be completed prior to the development coming into use and to Councils' satisfaction.*

5.3 *Access must be designed so that all vehicles can be driven in a forward direction when entering or leaving the subject land.*

5.4 *All works must be at the developers cost.*

6. *Central Highlands Water Authority:*

The applicants shall provide reticulated water and sewer to each of the proposed shops to the satisfaction of Central Highlands Water. This will include the payment of contributions towards the sewer and water systems.

7. *Powercor Australia Ltd:*

7.1 *The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of the Act.*

7.2 *The applicant shall:-*

· Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.

· Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.

· Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.

Alternatively, at the discretion of Powercor Australia Ltd a lease(s)

9. STATUTORY MATTERS

of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.

- Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall be for the purpose of "Power Line" in favour of Powercor Australia Ltd.*
- Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.*
- Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.*
- Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.*
- Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.*

8. *This permit will expire if one of the following circumstances applies:*

- the development is not started within two (2) years of the date of this permit.*
- the development is not completed within four (4) years of the date of this permit.*

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Moved the Officer's Recommendation with the following amendment to the: first paragraph, line 4 of the Recommendation. ... "Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit"

***Moved: Cr Tim Hayes
Seconded: Cr Janine Booth
Carried.***

Cr Mutimer requested that her "against" be recorded.

9. STATUTORY MATTERS

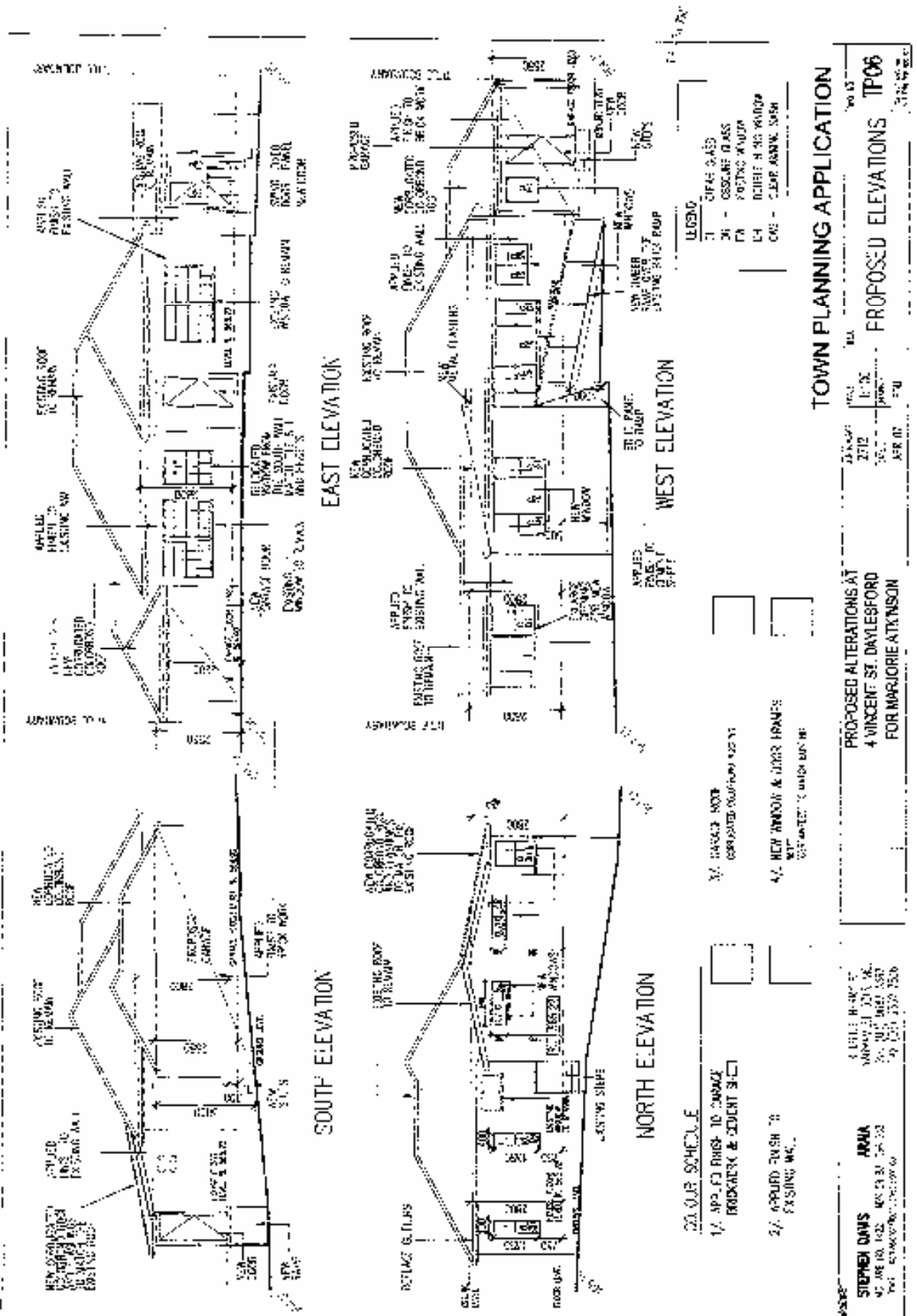
9.4 **PLANNING APPLICATION 2007/9357, GARAGE AND FRONT FENCE AT 4 VINCENT STREET, DAYLESFORD**
(A/O – Planning Officer 2) File Ref: 5/7300/07200

Synopsis

Applicant	Marjorie Atkinson
Location	4 Vincent Street, south of Raglan St, Daylesford
Proposal	Additions to existing dwelling, including garage, small rear addition and 1.8 metre high front fence and gates
Zoning	Residential 1 Zone R1Z, as is land to north, with Business 1 Zone B1Z to south
Overlay Controls	Design & Development Overlay 1 DDO1, ESO1 & 2, Neighbourhood Character Overlay 2, Precinct 9
No of Objections received	None
Recommendation	Conditional approval



9. STATUTORY MATTERS



9. STATUTORY MATTERS

Report

INTRODUCTION

The land has an area of 638m², 20.1m frontage, 31.7m depth, on the edge of the residential area. To the south are four dwellings on similar-sized lots, of which two have been adapted to commercial uses, one recently receiving permit for a shop to the frontage; then the Masonic and RSL halls. To the north of the land is one dwelling, then Raglan St, having mainly residential properties. Opposite Vincent St are a vacant lot on the corner of Raglan St and Home Hardware store.

The subject land contains a timber dwelling which was brick veneered years ago, with protruding front bedroom set back 5.6m from the frontage, mostly set back 7.9m to 11.3m, area of about 135.5m², set back 1.2m from the northern side boundary; there is a vehicle crossing and 4.3m wide drive on the southern boundary, descending rather steeply, and leading to a garage. There is a small shed to the rear, and modest gardens, behind a 700-800mm high brick fence on the frontage.

The building was originally a post-war timber cottage, with hipped roof, like the dwelling to the north, which has a minimum front setback of 8.1m. The dwelling to the south is of a similar scale, but Victorian, timber and taller, set back 5.9m-7m from the frontage, on the other side of a 2.7m wide laneway, which only appears to serve land at the rear. Both have wire-mesh front fences no higher than that of the subject property, ie 700mm. The Daylesford Heritage precinct finishes at the Masonic Hall, four properties south, which is where the DDO1 commences and runs north; the Neighbourhood Character Overlay commences with the subject property, thence to the north. Permission is required under all the controls indicated above.

PROPOSAL

The applicant states that she is planning to retire in the dwelling, and will need more convenient parking. The plan shows a new garage to be constructed between the dwelling and the south/lane boundary, the front to align with the protruding front bedroom. The existing, low brick front fence is leaning, and the plan shows it to be replaced with a 1.8m high timber-framed cement sheet fence, to provide for a 'walled garden' in the front setback. Steel mesh vehicle and pedestrian gates are to be the same height, of 1.8m. These two issues were discussed at length with the applicant and her architect. The applicant submits that she wishes a taller front fence for mainly security reasons; see in local policy below.

The 4m² addition on the rear is to increase the size of the rear room, with no issues.

REFERRAL AUTHORITIES

No referrals were considered necessary

REFERRAL WITHIN COUNCIL

Discussed at length amongst Council planners, in respect to consistency with NCO principles and objectives.

ADVERTISING/NOTICE OF APPLICATION

It was required that Notice be given to owners/occupiers of six surrounding properties, and notice posted on the frontage of the site. There were no objections.

9. STATUTORY MATTERS

Relevant Policies / Council Plan implications:

The objectives for Precinct 9 in the NCO2 provisions include:-

- new buildings do not dominate the streetscape; and
- buildings are offset from at least one boundary.

The proposed garage is to align with the most forward position of the existing dwelling, and to be built to the side boundary. It is considered that such positioning would be visually dominating to the streetscape, particularly when compared with mainly more recessive elements on adjacent dwellings.

Also, the proposed fencing will have difficulties with encouraging the use of timber, and low to average height, open style front fences. The predominant front fence height is identified as 1-1.2 metres high, and the provisions specify that new front fences should not exceed this height.

STATE PLANNING POLICY FRAMEWORK (SPPF)

It is considered that the proposal, as submitted, poses some problems for the Design and built form objectives, which include that Development must take into account the natural, cultural and strategic context of its location. In particular, the tall, solid front fence would deprive the street of the openness provided to the street by the existing low, mainly transparent fences in the immediate area.

LOCAL PLANNING POLICY FRAMEWORK (LPPF)

The most relevant local policies embodied in NCO2 are discussed above.

ZONE AND OVERLAY PROVISIONS

The proposal is consistent with the basic purposes of R1Z, but has difficulty with:
'To encourage development that respects the neighbourhood character.'

The most relevant overlay provisions, in NCO2, are discussed above. DDO1 Design and Development Overlay 1 objectives include *'to preserve and enhance the significant visual qualities of Main Road, its environs and the semi-urban link between Daylesford and Hepburn Springs.'* It also makes reference to the importance of NCO objectives. A high dominant front fence would be inconsistent with DDO1.

ASSESSMENT

Although no objections were lodged, it is considered important to be consistent in implementing the NCO2 & DDO1 provisions. The front fence should be no higher than 1.2m and mostly transparent, or *open style*, as stated in the provisions. The submission includes photos of a tall miners' cottage opposite Raglan St which is built on the frontage, together with its tall fence; however, this has historical integrity, apart from being some 50m distant, and less relevant than the dwellings adjacent to the subject one. The Home Hardware fence opposite Vincent St is also mentioned, but it screens a commercial activity; fence is about 1.5m high and partially transparent.

A permit should be granted, subject to the garage being set back another half-a-metre, bringing it even with the edge of the existing path from the front door to the garage; and the front fence should not exceed 1.2m, be no less than 1/3 transparent, with the steel mesh gates slightly lower, not to exceed 1.1m in height. The fence will still be more dominant than those on adjacent frontages, but will at least be visually 'broken-up' by the slightly lower and more transparent gates, and meet the NCO height requirements.

9. STATUTORY MATTERS

Community / Engagement / Communication / Consultation:

As alluded to above, there were communications with the applicant and architect, including a meeting with them. The garage location is driven by convenience, and there appeared to be a degree of agreement that this can still be achieved with a half-metre greater setback. The tall fence seems to stem mainly from security concerns. It has been suggested that the use of lower front fences and sensor lights is advocated for the best surveillance from the street, by the police and general public.

Financial & Resource Implications Initial & Ongoing

Nil

Recommendation

That Council having caused notice of Planning Application No. 2007/9357 to be given under Section 52 of the Planning and Environment Act 1987 and the Planning Scheme, and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Grant a Permit under the provisions of 32.01, 43.02 & 43.05 of the Hepburn Planning Scheme in respect of the land known and described as 4 Vincent Street, Daylesford, for the additions and alterations, including front fence and gates, in accordance with the endorsed plans, with the application dated 2/4/07, subject to the following conditions:

- 1 *Before the use and development commences three (3) copies of amended layout plans must be submitted to and approved by the Responsible Authority. These plans must be in accordance with the original plans submitted but must be amended to show:*
 - *the garage set back another 0.5 metre, bringing it even with the edge of the existing path from the front door to the garage;*
 - *the front fence not to exceed 1.2 metres in height above the footpath, to be no less than one third transparent, with the steel mesh gates slightly lower, not to exceed 1.1 metre in height above the footpath; and*
 - *all materials, colours and finishes.*

- 2 *The layout of the site and the size and internal layout of the buildings and works as shown on the endorsed plan must not be altered or modified without the written consent of the Responsible Authority.*

- 3 *This permit will expire if one of the following circumstances applies:*
 - *the development is not started within two (2) years of the date of this permit.*
 - *the development is not completed within four (4) years of the date of this permit.*

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Moved the Officer's Recommendation with the following amendment:

1. Second dot point :not to exceed 1.5.....

Moved: Cr Bill McClenaghan
Seconded: Cr Heather Mutimer
Carried.

9. STATUTORY MATTERS

9.5 SECTION 173 AGREEMENT BETWEEN HEPBURN SHIRE COUNCIL, ANDRE KERSTING AND KIRSTY PETA HENRY, PLANNING PERMIT NO 2005/8577

(A/O – Planning Administration Officer)

File Ref: 4/7113/00250/P

Synopsis

This report concerns a Section 173 Agreement that provides for no further dwelling(s) of any description to be sought for the newly created Lot 2 at CA Pt 12, No Section, Parish of Trentham, under Condition 5 of Planning Permit 2005/8444, issued for a two (2) lot subdivision to provide a site for the existing dwelling and the construction of a dwelling on the balance (newly created Lot 2).

Applicant: ANDRE KERSTING AND KIRSTY PETA HENRY

Property: 2209 TRENTHAM FALLS ROAD, TRENTHAM
CA PT 12, NO SECTION, PARISH OF TRENTHAM

Report

The land owner/applicant is to enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987, in accordance with the planning permit.

The agreement provides that no further dwelling(s) of any description shall be sought for the newly created Lot 2 at CA Pt 12, No Section, Parish of Trentham under Condition 5 of Planning Permit 2005/8444.

Relevant Policies / Council Plan implications:

Community / Engagement / Communication / Consultation:

Financial Implications

Nil

Recommendation:

That Council:

9.5.1 *Sign and seal the Section 173 Agreement between Hepburn Shire Council, and Andre Kersting and Kirsty Peta Henry, as detailed under item 9.5.*

Moved the Officer's Recommendation.

Moved: Cr Bill McClenaghan
Seconded: Cr Janine Booth
Carried.

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9.6 SECTION 173 AGREEMENT BETWEEN HEPBURN SHIRE COUNCIL, GOULBURN-MURRAY RURAL WATER AUTHORITY AND IVAN ECCLES, PLANNING PERMIT NO 2006/9078

(A/O – Planning Administration Officer)

File Ref: 5/2465/09200/P

Synopsis

This report concerns a Section 173 Agreement that provides the wastewater treatment and disposal facility be managed according to the conditions of Planning Permit 2006/9078; and restricts the dwelling to three bedrooms and one bathroom for the subject lot at CA 2, Section G, Parish of Spring Hill, under Condition 2, issued for the construction of a dwelling and outbuilding.

Applicant: IVAN DENNIS ECCLES

Property: 4 FORD STREET, GLENLYON
CA 2, SECTION 15, PARISH OF GLENLYON

Report

The land owner/applicant is to enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987, in accordance with the planning permit.

The agreement provides that the wastewater treatment and disposal facility be managed according to the conditions of Planning Permit 2006/9078; should a community effluent disposal system or reticulated sewerage become available, all wastewater must be disposed via this system and the on-site system decommissioned; the dwelling is not to exceed three bedrooms and one bathroom at the subject lot at CA 2, Section 15, Parish of Glenlyon, under Condition 2 of Planning Permit 2006/9078.

Relevant Policies / Council Plan implications:

Community / Engagement / Communication / Consultation:

Financial Implications

Nil

Recommendation:

That Council:

- 9.6.1 *Sign and seal the Section 173 Agreement between Hepburn Shire Council, Goulburn-Murray Rural Water Authority and Ivan Dennis Eccles as detailed under item 9.6.*

Moved the Officer's Recommendation.

Moved: Cr Bill McClenaghan
Seconded: Cr Janine Booth
Carried.

9. STATUTORY MATTERS

9.7 SECTION 173 AGREEMENT BETWEEN HEPBURN SHIRE COUNCIL, GOULBURN-MURRAY WATER AUTHORITY AND DJURO DRAKULA, PLANNING PERMIT NO 2004/8355

(A/O – Planning Administration Officer)

File Ref: 4/3140/00700/P

Synopsis

This report concerns a Section 173 Agreement that provides that wastewater from the dwelling must be disposed of using an on site treatment system unless a community effluent disposal system or reticulated sewerage becomes available for the subject lot at CA 6, Section 11, Parish of Lyonville, under Condition 16 of Planning Permit 2004/8355, issued for the construction of a dwelling.

Applicant: DJURO DRAKULA

Property: 16 HIGH STREET, LYONVILLE
CA 6, SECTION 11, PARISH OF LYONVILLE

Report

The land owner/applicant is to enter into an agreement with the Responsible Authority and Goulburn-Murray Water pursuant to Section 173 of the Planning and Environment Act 1987, in accordance with the planning permit.

The agreement provides that an approved onsite wastewater treatment and disposal system is to be used and maintained as per planning permit conditions. In the event a community effluent disposal system or reticulated sewerage system becomes available at CA 6, Section 11, Parish of Lyonville, under Condition 16 of Planning Permit 2005/8355.

Relevant Policies / Council Plan implications:

Community / Engagement / Communication / Consultation:

Financial Implications

Nil

Recommendation:

That Council:

9.7.1 *Sign and seal the Section 173 Agreement between Hepburn Shire Council, Goulburn-Murray Water and Djuro Drakula as detailed under item 9.7.*

Moved the Officer's Recommendation.

Moved: Cr Bill McClenaghan
Seconded: Cr Janine Booth
Carried.

9. STATUTORY MATTERS

9.8 SECTION 173 AGREEMENT BETWEEN HEPBURN SHIRE COUNCIL, AND VINCENT GERARD RICHARDS, PLANNING PERMIT NO 2006/9273

(A/O – Planning Administration Officer)

File Ref: 1/0650/03171/P

Synopsis

This report concerns a Section 173 Agreement that provides that the land may not be further subdivided so as to create a smaller lot for an existing dwelling on the subject lot at Pt CA 77, Section B, Parish of Bullarook, under Condition 5 of Planning Permit 2006/9273, issued for a two (2) lot subdivision.

Applicant: VINCENT GERARD RICHARDS

Property: 275 BLAMPIED-KOOROOOCHEANG ROAD, BLAMPIED
PT CA 77, SECTION B, PARISH OF BULAROOK

Report

The land owner/applicant is to enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987, in accordance with the planning permit.

The agreement provides that the land may not be further subdivided so as to create a smaller lot for an existing dwelling on the subject lot at Pt CA 77, Section B, Parish of Bullarook, under Condition 5 of Planning Permit 2006/9273.

Relevant Policies / Council Plan implications:

Community / Engagement / Communication / Consultation:

Financial Implications

Nil

Recommendation:

That Council:

9.8.1 *Sign and seal the Section 173 Agreement between Hepburn Shire Council, and Vincent Gerard Richards, as detailed under item 9.8.*

Moved the Officer's Recommendation.

Moved: Cr Bill McClenaghan
Seconded: Cr Janine Booth
Carried.

ITEM CARRIED OVER TO END OF MEETING

6.7 CONTRACT H182 – 2007 PROVISION OF MATERNAL & CHILD HEALTH SERVICES

(A/O – Manager Community Services)

File Ref: H182 – 2007 / 50 18 01

Synopsis

The purpose of this report is for Council to consider tenders for the provision of the Maternal & Child Health Service.

Report

Maternal and Child Health Services were first introduced state wide in Victoria in 1926 by local government in partnership with the state government. At the time, known as the Infant Welfare Service, the emphasis was on addressing high infant mortality and morbidity rates that resulted from infectious diseases and poor nutrition. The service has changed over the years to respond to new understandings and approaches relevant to maternal and child health.

The Maternal and Child Health Service is a free universal primary health care service for all families in Victoria with children from birth to school age. The service is provided in partnership with the Department of Human Services and local government to promote healthy outcomes for children and their families. The service provides a comprehensive and focused approach for the promotion, early detection and intervention of physical, emotional and social factors that may affect young children and their families in our communities.

There are currently 3 main components to the service:

4. Universal Service

This service is available to all Victorian children and families and provides ten key “age and stage” consultations from birth to 3.5 years, including an initial home visit and consultations at 2 weeks, 4 weeks, 8 weeks, 4 months, 7-8 months, 12 months, 18 months, 2 years and 3.5 years of age.

5. Flexible Service Capacity

This service enables the Maternal and Child Health Service to provide additional activities that are relevant to local needs and priorities. In Hepburn Shire, services have included additional one-on-one consultations and group consultations, community strengthening activities such as health promotion, assertive outreach and the annual Children’s Fiesta.

The Universal and Flexible Service Capacity Services are jointly funded by the state and local government.

6. Enhanced Maternal and Child Health Service

The Enhanced Home Visiting Service was introduced in Victoria in 2000/01 and is targeted at children and families at risk of poor outcomes, particularly children for whom there are multiple risk factors or indications of a significant level of risk. The Enhanced Maternal and Child Health Service provides a more intensive level of in-home family support than is available through the universal service, including short term case management. This Service is fully funded by the state government.

Council’s Maternal and Child Health Service was first tendered in 1996/97 in accordance with Compulsory Competitive Tendering requirements. The contract was awarded to Hepburn Health Services and this arrangement has been renewed on a number of occasions through a tender process. The current contract concludes 30th

June 2007. Service reviews and feedback from families have consistently confirmed the high level and quality of service provision.

In the current financial year, Hepburn Health Service has delivered the Maternal Child Health Service for the contract cost of \$169,000. The current level of staffing (EFT) is 1.5 positions. It should be noted that birth notifications within the shire have increased by around 21 per cent in the last year resulting in increased workloads and resourcing for Maternal and Child Health staff

Council Tender H182-2007 was advertised in the Age and Courier on the 5th May 2007 and closed on 30th May 2007. The Tender Specification sought a lump sum price for the provision of the Maternal and Child Health Service for three years commencing 1st July 2007. Council has the option of negotiating with the successful tenderer to extend the contract for a further two years (one year plus one year).

Tender documents were forwarded to 1 prospective tender and only 1 submission was received.

Council's Tender Box was opened in the presence of Rod Conway and Mary Dancuk on 30th May 2007.

Details of tender submission received:

Organisation	Year 1	Year 2	Year 3	TOTAL
Hepburn Health Service	\$283,200	\$282,300	\$292,000	\$857,500

All prices exclude GST.

The Tender Evaluation Panel consisted of Chris Cowley, Director Corporate Services, Martin Walmsley, Manager Community Services and Dianne Van Der Veer, Personal Assistant to the Manager Community Services.

The Selection Criteria for assessment included the following components:

- *Price and value for money.*
- *Capacity to provide the services throughout the contract at the level and quality required.*
- *Experience, skills and qualifications of staff.*
- *Demonstrated ability and willingness to:*
 - (a) *develop an ongoing collaborative relationship with Council;*
 - (b) *develop best practice within the sector;*
 - (c) *work cooperatively and effectively with other relevant areas of Council and to contribute to an integrated service system model;*
 - (d) *link service provision with other health services and programs to enhance the local health service system;*
 - (e) *provide a point of access to other relevant child and family services for clients; and*
 - (f) *improve service provision for Hepburn Shire families.*
- *Previous experience in delivering a similar service.*
- *Financial viability and organisational / program sustainability*
- *Any other issue considered relevant.*

Hepburn Health Service representatives were invited to meet with the Evaluation Panel to present their tender submission on the 6th June 2007.

In its proposed draft 07/08 budget, Council has allocated \$183,000 for the provision of the Maternal & Child Health Service. Hepburn Health Services tender submission is \$283,200 for 2007/08. The significant variation is based on Hepburn Health Service seeking funding for an additional 1.4 EFT positions (\$91,100) and additional funding for health promotion activities, service promotion and the introduction of an opportunistic

immunisation program (\$17,500). Hepburn Health Service considers this increase in resourcing is required to meet the service specification, increased birth rate within the shire, and workload requirements of staff based on state-wide benchmarks.

Following the meeting with the Evaluation Panel, a number of discussions have occurred with the Health Service to negotiate revised costings and service levels for the contract. Hepburn Health Service has agreed to the following reduced costings.

Organisation	Year 1	Year 2	Year 3	TOTAL
Hepburn Health Service	\$202,600	\$238,200	\$246,400	\$687,200

These revised figures have been negotiated on the basis that Hepburn Health Service continues with its current contract service levels of 1.5 EFT with indexation, and that there is a staged approach to additional resourcing over the years of the contract. This approach acknowledges that funding for the universal and flexible services has remained static despite a significant increase in births this financial year impacting on staff workloads.

Discussion:

Hepburn Health Service has had the contract for the provision of the Maternal and Child Health Service for the last ten years. They have been the only bidder on each occasion the service has gone to competitive tender, and on each occasion, their bid has been renegotiated down.

In view of this, in negotiations regarding the contract price and service specification, I have negotiated that Council will undertake an independent review of service benchmarks / workloads /resources in the first year of the contract. This would enable Council to make an informed decision and comparison on resource allocation in future years. The estimated cost of the review is \$15,000.

Relevant Policies / Council Plan Implications:

Council Plan – Objective 2, Service Delivery
 Council will deliver responsive services to our community within available resources.

Financial Implications:

In its proposed draft 2007/08 budget, Council has allocated \$183,000 for the provision of the Maternal & Child Health Service. Council anticipated income from the Department of Human Services of \$91,000 for 2007/08. Council has since been advised that the grant will increase to \$100,719, which is an increase of \$9,719.

Funding available for 2007/08 is therefore \$192,719 leaving a shortfall of \$9,881. For Years 2 and 3 of the contract, Council will need to allocate the amounts of \$238,200 and \$246,400 respectively, although these amounts are likely to be offset by increased grants, assuming current trends in increased births continue.

No provision has been made in Council’s draft 2007/08 budget for a review. Should Council accept the recommendations as listed below, this would result in expenditure of \$24,881 greater than currently allowed for in the proposed draft budget. To fund this amount, it is recommended that Council utilise the current budget surplus of \$16,200 and fund the balance from within the community services budget.

These actions would result in Council achieving a balanced budget for the 2007/08 financial year.

Recommendation:

That Council:

- 6.7.1 *Accept the tender for Contract H182 from Hepburn Health Service for the provision of Maternal and Child Health Services to the value of two hundred and two thousand, six hundred dollars (\$202,600) Year 1, two hundred and thirty-eight thousand, two hundred dollars (\$238,200) Year 2, and two hundred and forty-six thousand, four hundred dollars (\$246,200) Year 3.*
- 6.7.2 *Sign and seal the contract documents for H182.*
- 6.7.3 *Allocate \$15,000 in 2007/08 to undertake a review of the Maternal & Child Health program to reflect state-wide benchmarks for resourcing and trends.*

Report distributed to Councillors and Senior Officers. Report spoken to by Manager Community Services.

Moved the Officer's Recommendation in relation to item 6.7.1 and 6.7.2 and that item 6.7.3 be referred to Forward Planning for Councillor input.

Moved: Cr Tim Hayes
Seconded: Cr Heather Mutimer
Carried.

CLOSE OF MEETING

The meeting closed at 9.38pm.
