

# **HEPBURN SHIRE COUNCIL**

## **ORDINARY MEETING MINUTES**

7pm Tuesday 17 June 2008  
& RESUMED MEETING OF  
Tuesday 24 June 2008  
Senior Citizens Room  
Rear Daylesford Town Hall  
Vincent Street 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 WILL BE HELD AT  
SENIOR CITIZENS ROOM, DAYLESFORD TOWN HALL ON 17 JUNE 2008,  
COMMENCING AT 7 PM  
& RESUMED MEETING HELD ON  
24 JUNE 2008, COMMENCING AT 6PM.**

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**AGENDA**

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**CLOSE OF MEETING:**

## ATTACHMENTS

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**Cr Tim Hayes - Mayor**  
**25 JUNE 2008.**

## **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

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

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

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

**IN ATTENDANCE:** Chief Executive Officer, Philip Shanahan; Acting Director Corporate & Community Services, Martin Walmsley; Acting Director Infrastructure & Development, Andrew Bourke; Manager Finance, John Traill; Manager Tourism, Economic Development & Recreation, Geoff Ryan; 25 Gallery and no Press.

The Mayor opened the meeting with a reading of the Council prayer.

### **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 CONFLICTS OF INTEREST:** Nil
  
3. **CONFIRMATION OF MINUTES:**

#### **3.1 ORDINARY MEETING OF 20 May 2008**

##### **Recommendation:**

*That item 3.1 Minutes of the Ordinary Meeting of Council held on 20 May 2008 (Attachment 1), be confirmed, as required under Section 93 (2) of the Local Government Act 1989.*

***Moved the Officer's Recommendation.***

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

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.

Nil Petitions received.

***The Meeting was adjourned to a date and time to be fixed at 7.26pm.***

**RESUMED MEETING - TUESDAY 24 JUNE COMMENCING 6PM**  
**DAYLESFORD SENIOR CITIZENS ROOM.**

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

**IN ATTENDANCE:** Chief Executive Officer, Philip Shanahan; Acting Director Corporate & Community Services, Martin Walmsley; Acting Director Infrastructure & Development, Andrew Bourke; Manager Tourism, Economic Development & Recreation, Geoff Ryan; 40 gallery and 4 Press.

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**4. PETITIONS AND PUBLIC QUESTION TIME**

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1. **APOLOGIES:** Nil

2. **DECLARATION OF CONFLICTS OF INTEREST:** Nil

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.1 ELECTION PERIOD CARETAKER PROCEDURES

(A/O – Chief Executive Officer)

File Ref: 26/04/07

#### Synopsis

The “caretaker period” in respect of the 2008 Hepburn Shire Council general election will be from Friday 3 October to 6pm on Saturday 29 November 2008.

It is important for Council to have a clear policy in relation to matters which arise during the caretaker period. This policy will guide Councillors and employees to ensure they comply with the provisions of the Local Government Act. (**Refer Attachment No. 2**)

#### Report

The Hepburn Shire Council Caretaker Statement establishes procedures:

- (a) consistent with Section 93A of the Local Government Act to ensure that inappropriate decisions are not made during an election period (prior to a general election).
- (b) Consistent with Section 55D of the Act, to ensure the Council does not inappropriately publish or distribute electoral matter during an election period.
- (c) To ensure the resources of the Council are not inappropriately applied during an election period.

I will ensure all Council employees understand and comply with these procedures.

#### Relevant Policies / Council Plan implications:

Council’s Vision includes reference to governing “with integrity” and the Council’s Mission refers to accountable governance. These Caretaker Procedures assist Council achieve its Vision and Mission

#### Community / Engagement / Communication / Consultation:

- Local Government Act
- Shire of Hepburn Councillor Code of Conduct

#### Financial & Resource Implications Initial & Ongoing

Within Budget.

#### Recommendation:

5.1.1 *That the Election Period Caretaker Procedures be adopted for the 2008 Municipal Election.*

**Moved:** Cr David Smith  
**Seconded:** Cr Janine Booth  
**Carried.**



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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.2 ACCESS FOR ALL (A/O Chief Executive Officer)

File Ref: 44/06/04

#### Synopsis

This report outlines the need for a review of Council's Policy for goods and trading on Council streets to ensure compliance with the Disability Discrimination Act 1992. The report recommends a process to undertake that review and suggests the establishment of an appropriate Reference Group to guide the work.

#### Report

The busy shopping areas of Hepburn Shire's towns welcome many tourists. Accordingly, street trading is very popular.

#### NUMBER OF FOOTPATH PERMITS ISSUED IN LAST 12 MONTHS

*NOTE; This applies to CBD areas only.*

|            | <b>A Frame</b> | <b>Goods</b> | <b>Tables</b> |
|------------|----------------|--------------|---------------|
| Daylesford | 60             | 10           | 65            |
| Creswick   | 18             | 7            | 13            |
| Trentham   | 8              | 3            | 6             |
| Clunes     | 5              | 2            | 6             |
| Hepburn    | 6              | 4            | 1             |

At the same time, the shopping areas need to provide convenient access for all street users, including of course, people with a disability and people whose mobility is impaired. Hepburn Shire has larger than average numbers of people who may fall into this category.

17.54% of Hepburn Shire's population is aged from 65 to 100 years and over, compared with Victorian state average of 15.97% for the same age groups.  
(ABS 2006)

5.53% of Hepburn Shire's population requires assistance, compared with Victorian state average of 4.79% for the same group.  
(ABS 2006)

This Disability Discrimination Act 1992 places obligations on Council to ensure that people of all abilities can access shopping precincts. At the present time, Council regulates street trading through a Local Law and a complementary Council Policy (Policy no. 19) which addresses the placing of signs, tables and chairs, and goods for display on footpaths. This Policy should now be reviewed in order that Council can meet its obligations under the Disability Discrimination Act 1992.

The process for reviewing the Policy needs to be an inclusive one because there are many interests, sometimes competing interests, that need to be understood, and, if possible, met. The interests of street users of all abilities, tourists, business proprietors and so on.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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The policy also needs to take into account other activities which impact on our capacity to provide a safe and convenient thoroughfare, particularly in busy times. Issues like companion animals and bicycles need addressing.

### **Proposal:**

To undertake a review of Local Law No. 6 and the accompanying Council Policy No. 19 and the wider issues which impact on street activity, I propose that Council establish an appropriate reference group which will include representatives from business, tourism, rural access and elderly persons.

The Reference Group will provide guidance to the Compliance Officer to achieve:

- a) A review of Council's Policy No. 19 to achieve compliance with the Disability Discrimination Act 1992;
- b) Outcomes which can meet the needs of all street users, including visitors, businesses and people of all abilities;
- c) An education and implementation programme aimed at achieving significant ownership and compliance by those affected.

In the first instance, this work will be undertaken in the Daylesford Town Centre. The learning and outcomes can then be extended to our other towns, with similar, if modified, processes.

### **Relevant Policies / Council Plan implications:**

Disability Discrimination Act 1992

Local Law and Council's Policy No. 19

In accordance with key objectives as outlined in the Council Plan 2006-2011, in particular:

- Strengthening Communities
- Service Delivery
- Asset & Resource Management
- Heritage and Environment

### **Community / Engagement / Communication / Consultation:**

A recent meeting between the CEO and the Rural Access Worker, Fiona Strahan  
Establishment of a Reference Group

Financial & Resource Implications Initial & Ongoing

Within Council's Budget constraints

### **Recommendation:**

That Council :

- 5.2.1 Establish a Reference Group from the Daylesford / Hepburn Community to guide a review of Council's Policy No. 19 – "Signs and Goods on Roads" to ensure compliance with the Disability Discrimination Act 1992, in so far as it applies to the Daylesford & Hepburn townships.
- 5.2.2 That subsequent reviews be carried out across the balance of the Shire, based upon learnings from, and the processes undertaken for, Daylesford.

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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

**5. GOVERNANCE AND STRATEGIC MATTERS**

**5.3 AGRICULTURE IN THE HEPBURN SHIRE**

(A/O – Manager Tourism, Economic Development and Recreation) File Ref:

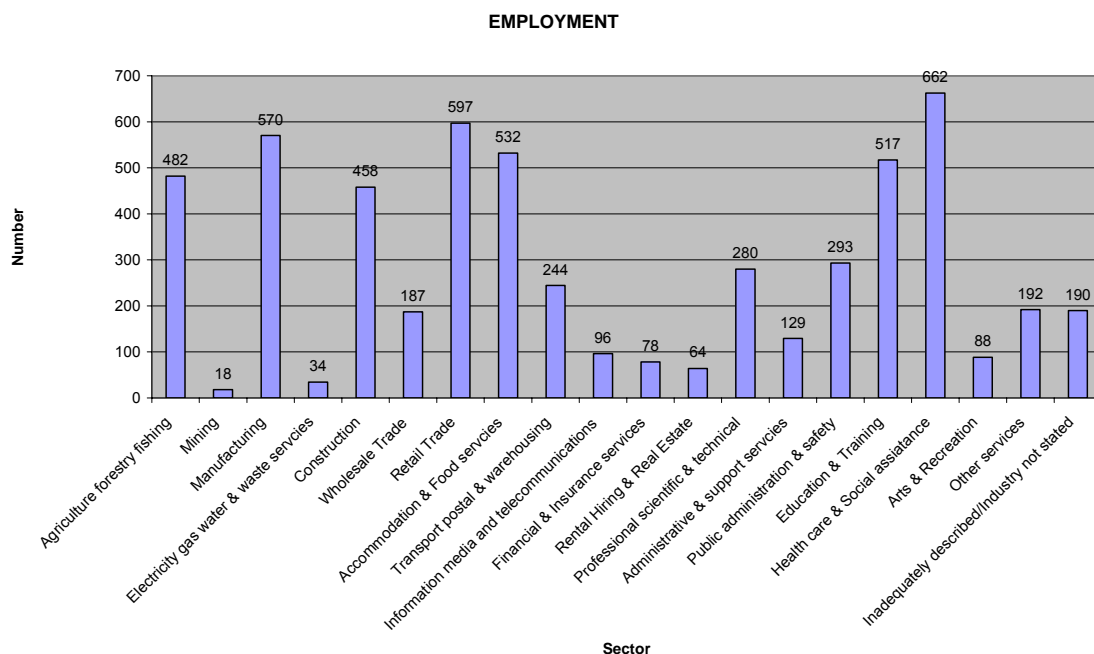
**Synopsis**

Agriculture is one of the most important industries in Hepburn Shire from an economic, cultural and community point of view. This report proposes terms of reference for an agriculture advisory committee to Council and also proposes that Council participates in an agricultural network within the Municipal Association of Victoria.

**Report**

Council, at its meeting on the 18<sup>th</sup> December 2007, resolved to establish an Agriculture Advisory Committee to provide advice to Council on agricultural matters which could include genetically modified crops, transport, pricing, climate change, sustainability, pollution, water, drought, potatoes, and farm gate production.

Agriculture involves over 287 business producing \$48,006,138 annual value to the Shire’s economy. Most agricultural activities occur in the western side of the Shire.



The agriculture industry affects most industry groups. It is also integral to community values and the communities’ sense of place. Both members of the community and visitors enjoy the attraction of agricultural land throughout the Shire.

People involved in agricultural communities have had to face considerable hardship over recent years particularly with drought and also fluctuations in the price of produce and materials. This has resulted in less employment in the industry during the last ten years.

Council in response to the drought established a drought committee who initiated a range of activities including a forum for farmers at Newlyn attended by over 250 people, a bus trip attended by 42, and providing “relief” brief holidays for stressed farmers. (Accommodation donated by members of the tourism industry)

Council through Cr. Smith is involved in the Central Highlands Agribusiness Forum (CHAF). CHAF are working to manage and develop agriculture and agribusiness growth in the region.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### Terms of Reference

The attached terms of reference (*Refer Attachment No. 3*) propose that the Agriculture Advisory Committee will include:

- Up to two Councillors
- Five Agriculture representatives

The committee will be supported by the Tourism Economic Development and Recreation unit for preparation of agendas and minutes.

The committee would meet at least twice per year and may hold community forums on matters of interest to the industry and the general community. The committee's role is to provide Council with advice about agriculture including transport, pricing, climate change, sustainability, pollution, water, drought, potatoes, farm gate production and genetically modified crops. Council may then choose to advocate on the industry's behalf, facilitate appropriate industry development, or address industry needs in its development of policy and strategic plans.

### Agricultural Community Network

Hepburn Shire along with all other Councils in Victoria is also being invited to join an "agricultural community's network" within the Municipal Association of Victoria.

The network would be established on a similar structure to the Timber Towns Victoria. This could involve an elected and non elected representative from the Council. General meetings would be held bi monthly.

The purpose of the network would be to provide a forum for advocacy, education and information sharing on issues affecting agriculture across Victoria. Proposed areas of interest which could benefit from a strategic local government approach could include

- Transport Infrastructure
- Planning
- Water Resources
- Carbon Trading
- Energy Industry
- Climate Change Policy

The establishment of the network is supported by the Victorian Farmers Federation.

### Relevant Policies / Council Plan implications:

Council resolution 18 December 2007

Council Plan 4.3 Encourage and support diversity of economic activity and employment.

!.1.2 Enhance community connectedness, capacity building and leadership.

### Community / Engagement / Communication / Consultation:

Establishment of an Agricultural Advisory Committee to enhance and strengthen Councils ability to consider issues which affect the Agriculture Industry.

Involvement in the network would allow Council to represent the needs of the agriculture industry to be considered through the Municipal Association of Victoria.

### Financial & Resource Implications Initial & Ongoing

Nil

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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**Recommendation:**

*That Council::*

- 5.3.1 Acknowledge the importance of Agriculture to the community and to economy
- 5.3.2 Continue to provide support where possible to those businesses and employees involved in agriculture.
- 5.3.3 Adopt the Terms of Reference for the Agriculture Advisory Committee of the Hepburn Shire.
- 5.3.4 Call for nominations for the Agriculture Advisory Committee
- 5.3.5 Indicate its willingness to be involved in the agriculture network being established in Victoria.

***Moved the Officer's Recommendation.***

***Moved:***                    ***Cr David Smith***  
***Seconded:***            ***Cr Janine Booth***  
***Carried.***

**5. GOVERNANCE AND STRATEGIC MATTERS**

**5.4 MONTHLY FINANCIAL REPORT 1/7/07 – 31/05/08**

(A/O – Director Corporate Services)

File Ref: 30/08/16

**Synopsis**

A summary report on the Council's financial performance for the financial year to the 31 May 2008 is provided for information.

**Report**

The report shows the annual budget 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 2008  
Percentage of year complete 92%**

|  | Budget/<br>Forecast<br>000's | Actual<br>May-08<br>000's | Percentage<br>Of<br>Budget |
|--|------------------------------|---------------------------|----------------------------|
| <b>1. Administration</b>                 |                              |                           |                            |
| Expenditure                              | 5180                         | 4563                      | 88%                        |
| Income                                   | (11,924)                     | (11,715)                  | 98%                        |
| <b>1. Administration</b>                 | <b>(6,744)</b>               | <b>(7152)</b>             |                            |
| <b>2. Human And Community Services</b>   |                              |                           |                            |
| Expenditure                              | 2,652                        | 2292                      | 86%                        |
| Income                                   | (1,881)                      | (1,858)                   | 99%                        |
| <b>2. Human And Community Services</b>   | <b>771</b>                   | <b>434</b>                |                            |
| <b>3. Regional Development/promotion</b> |                              |                           |                            |
| Expenditure                              | 1827                         | 1,643                     | 90%                        |
| Income                                   | (471)                        | (434)                     | 92%                        |
| <b>3. Regional Development/promotion</b> | <b>1356</b>                  | <b>1209</b>               |                            |
| <b>4. Public Safety</b>                  |                              |                           |                            |
| Expenditure                              | 609                          | 570                       | 94%                        |
| Income                                   | (264)                        | (275)                     | 104%                       |
| <b>4. Public Safety</b>                  | <b>345</b>                   | <b>295</b>                |                            |
| <b>5. Recreation</b>                     |                              |                           |                            |
| Expenditure                              | 1341                         | 1178                      | 88%                        |
| Income                                   | (19)                         | (19)                      | 100%                       |
| <b>5. Recreation</b>                     | <b>1322</b>                  | <b>1159</b>               |                            |
| <b>6. Infrastructure Development</b>     |                              |                           |                            |
| Expenditure                              | 4,897                        | 4,709                     | 96%                        |
| Income                                   | (3,230)                      | (3,283)                   | 102%                       |
| <b>6. Infrastructure Development</b>     | <b>1,667</b>                 | <b>1,426</b>              |                            |

**5. GOVERNANCE AND STRATEGIC MATTERS**

**Hepburn Shire Council  
Monthly Financial Report May 2008  
Percentage of year complete 92%**

|                                      | Budget/<br>Forecast<br>000's | Actual<br>May-08<br>000's | Percentage<br>Of<br>Budget |
|--------------------------------------|------------------------------|---------------------------|----------------------------|
| <b>7. Waste &amp; Environment</b>    |                              |                           |                            |
| Expenditure                          | 1,377                        | 1,152                     | 84%                        |
| Income                               | (1,465)                      | (1,461)                   | 100%                       |
| <b>7. Waste &amp; Environment</b>    | <b>(88)</b>                  | <b>(309)</b>              |                            |
| <b>8. Unclassified</b>               |                              |                           |                            |
| Expenditure                          | 20                           | 1                         | 5%                         |
| Income                               | (538)                        | (9)                       | 2%                         |
| <b>8. Unclassified</b>               | <b>(518)</b>                 | <b>(8)</b>                |                            |
| <b>9. Capital Works And Projects</b> |                              |                           |                            |
| Expenditure                          | 4,112                        | 3,517                     | 86%                        |
| Income                               | (2716)                       | (1,465)                   | 54%                        |
| <b>9. Capital Works And Projects</b> | <b>1396</b>                  | <b>2052</b>               |                            |
| <b>Report Total</b>                  | <b>(493)</b>                 | <b>(894)</b>              |                            |

The report has been produced at a summary level to provide Council with a snap shot as at the end of May 2008. The forecast surplus should be viewed with caution as it represents a number of projects it is anticipated will be carried forward to 2008/09, the underlying result is a surplus of \$10k. For those areas where the percentage varies significantly from the year completed percentage the following comments are provided.

Administration – Expenditure. Reflects expenditure that will be incurred at the end of June; eg audit fees, a number of half yearly loan repayments falling due and accrued bank fees.

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 – Income. Additional revenue received from fire hazard infringements and removal fees.

Recreation – Expenditure. Seasonal Expenditure in Parks & Reserves mainly mowing.

Infrastructure Development - Income. Additional grant funds received from local roads and roads to recovery.

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.



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## 5. GOVERNANCE AND STRATEGIC MATTERS

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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.

### **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:**

### **Financial & Resource Implications Initial & Ongoing**

Nil.

### **Recommendation:**

5.4.1            *That the May 2008 finance report be received and noted.*

### ***Moved the Officer's Recommendation.***

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

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.5 APPROVAL OF VALUATION 2008

(A/O –Manager Finance)

File Ref: 52/08/02

#### Synopsis

Council has previously been given a preliminary briefing relating to the progress and outcomes of the 2008 revaluation. The contracted valuer, Rating Valuation Services have officially returned the final revaluation data for use in the 2008/2009 and 2009/2010 rating periods. In order for Council to complete the 2008/09 budget process, Council must first adopt the 2008 General Revaluation of all rateable properties within the municipality.

#### Report

Attached (**Refer Attachment No. 4**) is a statistical analysis of the 2008 valuation for all rateable properties. The information considers the valuation change for each classification of valuation and then considers the change in valuation for each riding.

The major features of the statistical analysis are:

- Overall, valuations for rateable properties within the Hepburn Shire Council have increased by 14.90%
- The increase in Residential properties were spread as follows:
  - Clunes 11.28%
  - Creswick 12.88%
  - Daylesford 7.44%
  - Hepburn 10.29%
  - Trentham 11.19%
  - Shire Average 11.78%
- Valuation types increased as follows:
  - General 11.67%
  - Commercial 16.38%
  - Farm 25.37%
  - Recreation 18.23%
  - Industrial 19.89%
  - Mixed Use 9.73%
  - Vacant Land 18.25%
  - Trust for Nature 23.52%
- Geographically the increases were spread as follows:
  - Birch Ward 10.86%
  - Cameron Ward 16.74%
  - Coliban Ward 16.54%
  - Creswick Ward 18.66%
  - Holcombe Ward 15.97%

The geographical figures are based on the new Ward Boundaries that will apply for the Council election due in November 2008.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.5 APPROVAL OF VALUATION 2008 CONT'D.

If any ratepayer feels their property has been incorrectly valued, objections can be lodged in the two months after the issue of the rate notice. Initial objections will be considered by the contract valuer with further avenues of appeal to VCAT if the matter remains unresolved. As Councillors would be aware, a general revaluation in itself does not impact in any way on the total amount of rates that will be raised. Instead of affecting the total amount of rates raised, it will impact on the relative amounts that different property owners are likely to pay.

Council determines the total amount of money that needs to be raised from general rates. We then divide that amount by the total shire valuation. This produces the 'rate in the \$' that needs to be applied against all valuations to raise that required amount. An increase in one property relative to another will result in the person with the high value property paying a greater amount relative to the person with the lower value property, but it will not lead to any increased income by the Shire.

Council's draft budget has been prepared with the intention of raising overall rates and charges income by 8.3%. However, since the overall valuation has risen by 14.9%, the rate in the \$ will actually reduce. The extent of the reduction will not be determined until the new valuations are loaded into the rates base and the rate modeling completed.

#### **Relevant Policies / Council Plan implications:**

The revaluation of properties every two years is a legal requirement. The general revaluation of all rateable properties has been completed in accordance with section 13DC(3) of the Valuation of Land Act 1960.

#### **Community / Engagement / Communication / Consultation:**

It is proposed that an article be included in the Council's information page in the Advocate advising of the revaluation and providing a brief explanation of how the revaluation process works.

#### **Financial Implications**

The cost of the general revaluation is provided for in the Budget.

#### **Recommendation:**

*That Council:*

5.5.1 *Accept the return of the revaluation from Rating Valuation Services Pty Ltd.*

5.5.2 *That the Valuations so returned be used for those purposes set out in the Valuation of Land Act and Local Government Act subject to any subsequent amendment to the valuation permissible under the said Acts.*

#### **Moved the Officer's Recommendation.**

**Moved:** Cr Janine Booth

**Seconded:** Cr David Smith

**Carried.**

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.6 10 YEAR FINANCIAL PLAN

(A/O – Manager Finance)

File Ref: 30/08/16

#### Synopsis

The revised 10 year financial plan was recently placed on public exhibition. A small number of submissions were received and considered by Council on the 3 June 2008.

As a result of the submissions received some changes to the narrative under the heading of “Assumptions” on pages 17 & 18 of the plan have been made. This report recommends the plan be adopted in its revised form. (**Refer attachment No. 5**)

#### Report

Following the April 2008 Council meeting the plan was placed on public exhibition until close of business on the 23 May 2008.

An item was included in the Council’s advocate page seeking community comment on the plan and offering an open invitation to a briefing session that was held on Monday the 19 May 2008.

A copy was sent to those who had previously provided comments from the earlier public exhibition period along with an invitation to attend a public information session.

There were nine attendees at the information session and five written submissions received, copies of the written submissions are attached. At the information session there were no issues raised that have not been covered in the written submissions.

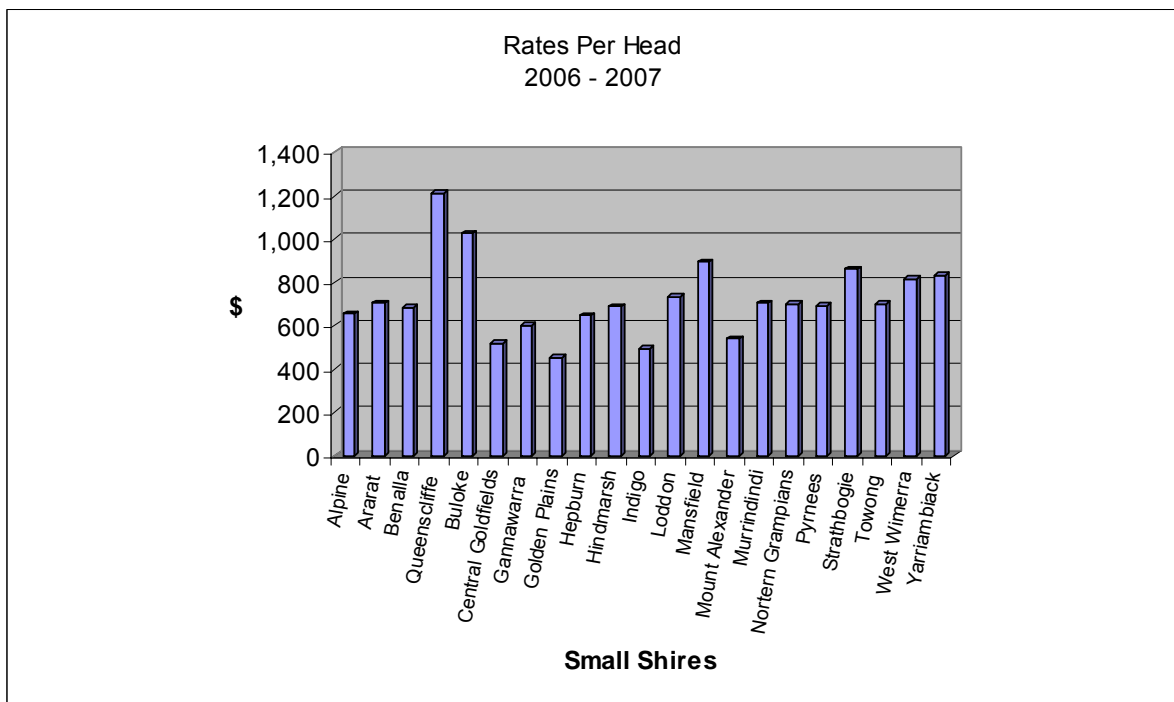
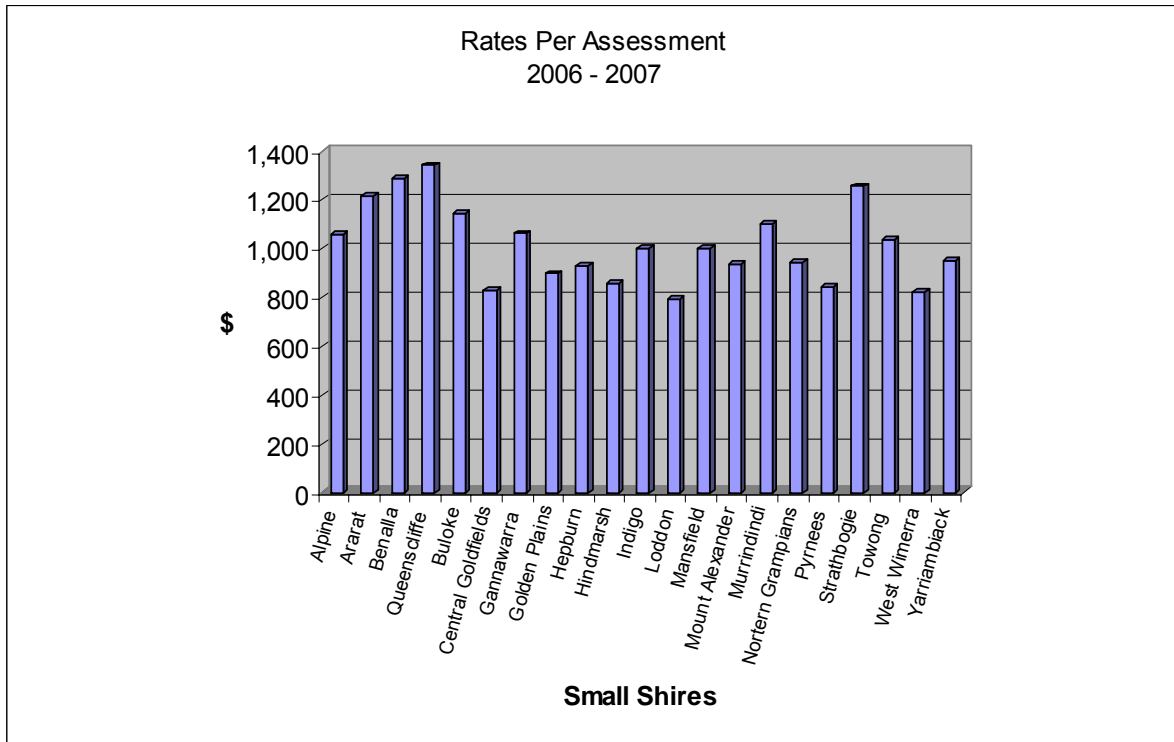
There are two main concerns that have been raised the issue of new office accommodation/civic centre, which depending on which term you use conjures up different views of what this will entail and the ongoing effect of above inflation rate increases.

With respect to the issue of office accommodation it is something that the Council will have to address in the future and it has already been spelt out in the plan that the inclusion of this item in the planning process does not commit the Council to anything at this stage. The plan at no point states that a new office is a given, the plan examines capacity, not willingness and indicates that Capital projects need to undergo the normal needs analysis etc.

Clearly there is an element of “Chicken and Egg” here. In the draft 2008/09 budget a provision has been made of \$20,000 for a feasibility study and needs analysis into Council’s office requirements. This study will produce information which might enable Council to make some informal decisions about office accommodation requirements in 2009/10. To articulate this more clearly some changes to the narrative under the heading of “Assumptions” on pages 17 & 18 of the plan have been made.

**5. GOVERNANCE AND STRATEGIC MATTERS**

The issue of rate increases is one that has to be looked at in the light of the issues facing the Council into the future and the Councils level of rating at present. Below are two graphs that show Councils current rating levels within the Small Shires Category in respect to Rates per assessment and Rates per head of population for the 2006/07 financial year. Council's level of rating is below the average in both cases, it should also be noted that we have a higher number of absentee landholders than virtually all the other Councils in the small shires category this increases the calculation for rates per head and shows the Council in a worse light when compared to other small councils.



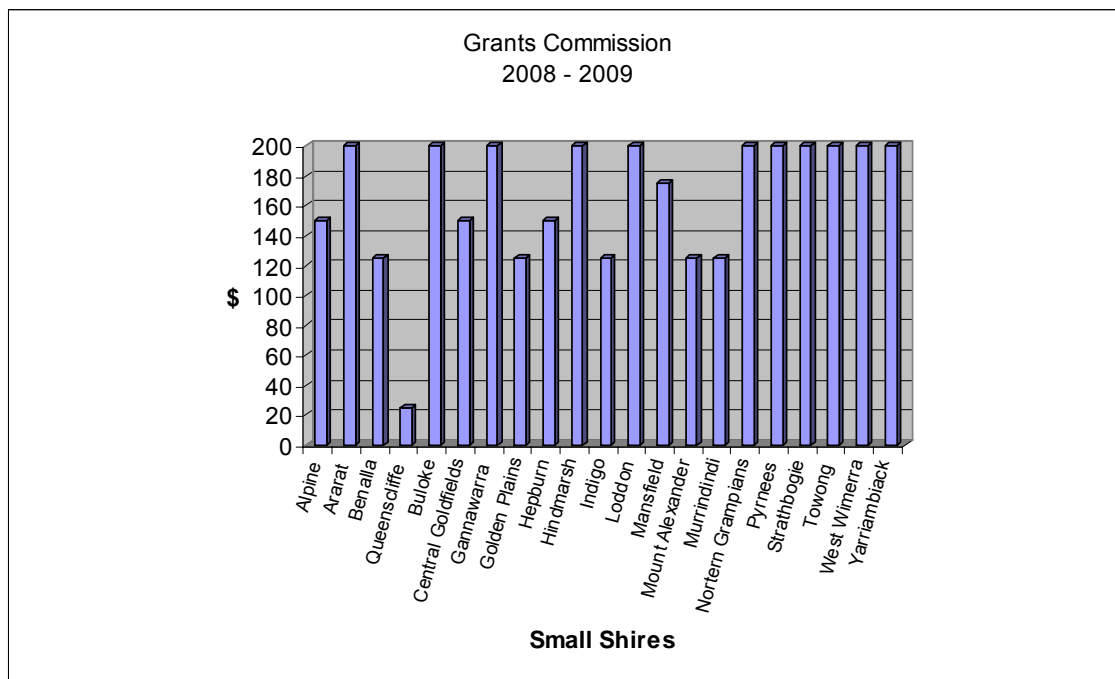
Included in one of the submissions was an inference that Hepburn is a high rating Council by way of quoting a statistic in a report produced by the Local Government

## 5. GOVERNANCE AND STRATEGIC MATTERS

Department. The report indicated that in regional and rural councils revenue patterns, rates represented 45% of income where in the plan we had predicted rates would represent 49%. As can be seen from the comparison of rating information this is not the case. It is interesting to note that the same report shows that Hepburn has the 11<sup>th</sup> lowest average rate per assessment of the 79 Victorian Councils and the 20<sup>th</sup> lowest rate per residential assessment.

However it should be noted that the rate increases are not locked in they are indicative only at this stage and are subject to the Annual Budget process where the actual increase is determined for the coming budget year.

With respect to the level of grants received below is a graph based on information supplied by the Victorian Grants Commission, which provides council's with a substantial part of their grant income. This information clearly shows that the vast majority of council's in the small shires group receive higher grants that Hepburn does.



Another significant factor with grant income is road grants if you consider the geographical size of Councils within the small shires group you will note that the vast majority are much larger in area and therefore road networks that attract funding through the grants commission and the Federal Roads to Recovery program.

### Relevant Policies / Council Plan implications

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

### Community / Engagement / Communication / Consultation

Substantial community consultation has taken place.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### **Financial & Resource Implications Initial & Ongoing**

It is important to note that while this plan sets out some key financial principals that the Council will use in developing future budgets it does not pre-empt what will be included in those budgets

### **Recommendation:**

*That Council:*

5.6.1 *That Council Adopt the revised 10 Year Financial Plan*

***Moved the Officer's Recommendation.***

***Moved: Cr Janine Booth***

***Seconded: Cr David Smith***

***Carried.***

***Cr Bill McClenaghan requested that his dissent be noted.***

**NOTE:** 10 Year Financial Plan – Page 18, paragraph 3 of the Plan amended as follows:

Delete “feasibility study and”

Delete the “in” from the word informal.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.7 INVESTMENT POLICY

(A/O – Manager Finance)

File Ref: 30/02/03

#### Synopsis

In the Management Letter for the year ended 30<sup>th</sup> June 2007 Councils Auditor, McLean Delmo Hall Chadwick included in their report key audit observation number 11 in respect to Policies and Procedures Manual, which acknowledged that Council are progressively developing a policy & procedures manual. Recommend that Council continue to allocate appropriate resources to the task of updating such a manual. A number of Policies and Procedures have been developed to date and work is continuing in this area. The Investment Policy is presented in line with this recommendation.

#### Report

Attached (**Refer attachment No. 6**) for Councillors information and consideration is a draft investment policy. The intent of this policy is to outline the approach that Council will take regarding the structured investment of surplus funds with an objective to maximise earnings, ensure the security of Council funds, while at all times considering the nature and risks associated with the investment.

This policy applies to the investment of all surplus funds held by Hepburn Shire Council. For the purpose of this policy, investments are defined as arrangements that are acquired or undertaken for the purpose of producing income.

The policy has been reviewed by the Council's Audit Committee who have recommended to Council that the attached Investment Policy be adopted

#### 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

Nil

#### Recommendation:

*That Council:*

5.7.1 *Adopt the draft Investment Policy*

#### **Moved the Officer's Recommendation.**

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



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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.8 BUDGET FOR THE FINANCIAL YEAR 2008/ 2009

(A/O – Manager Finance)

File Ref: 30/08/17

#### 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. 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 budget. Over 60 members of the public took the opportunity to be involved and provide views regarding Council's priorities.

The draft budget provides for an operating surplus for the first time with the assistance of some one off grants for capital projects. It has been particularly difficult for Council to achieve breakeven or surplus operating budgets over past years. The annual depreciation costs on roads, buildings, drains and other infrastructure has previously put even a breakeven result out of reach.

The draft budget proposes expenditure on capital projects of just over \$7 million and also makes provision for a loan of \$1,450,000 for the construction of a new Council Depot to be taken out during 2008/09.

Some of the initiatives included in this budget are:-

- Construction of Creswick Tourism Interpretative Centre (\$887,000)
- Implementation of Sustainable Water Use plan (\$30,000)
- Construction of footpaths (\$167,000)
- Construction of a new Council Depot (\$1,450,000)
- Replacement of the Clunes Museum Veranda (\$45,000)
- Playground equipment replacement. (\$20,000)
- real increase (i.e. above inflation) in infrastructure renewal (\$250,000)

The budget papers which will be circulated separately to this report have been prepared based on the "Victorian City Council Model Budget 2008/09" best practice guide and contain details of the operational budget and the capital works to be undertaken in 2008/2009.

Following an extensive consultation process, the 2008/2009 budget has been prepared on the basis of an overall 8.3% increase in rates and charges. This budget continues the existing practice of applying rate differentials. This year is the fourth year of a five year program to phase out the municipal charge which will see it reduce from \$44 in 2007/2008 to \$22 for 2008/2009.

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

## 5. GOVERNANCE AND STRATEGIC MATTERS

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|                           | 2007/08     | 2008/09     |
|---------------------------|-------------|-------------|
| <b>Rate Differentials</b> |             |             |
| General                   | 1.00        | 1.00        |
| Commercial                | 1.10        | 1.10        |
| Farmland                  | 0.80        | 0.80        |
| Industrial                | 1.10        | 1.10        |
| Mixed Use                 | 1.10        | 1.10        |
| Recreational Land         | 0.50        | 0.50        |
| Trust for Nature          | 0.50        | 0.50        |
| Vacant Land               | 1.10        | 1.10        |
| <b>Municipal Charge</b>   | <b>\$44</b> | <b>\$22</b> |

The budget proposes to raise \$9.65 million from rates and municipal charges. The waste management charge on all properties will increase to \$80.00. The garbage collection and disposal charge will remain at the same level as last year of \$73.00 and the recycling charge will also remain the same at \$59.00. These charges will raise a total of \$1.41 million.

This budget period is the first using the 2008 valuations. The Revaluation which is a State Government requirement values all properties in the Shire at a common date of 1 January 2008.

In determining the value of a property The Council's contract valuer takes into account such things as property sales, buildings and their conditions as well as other property improvements.

Stronger property values do not always mean rate increases for property owners because the Council does not need to collect more rate revenue just because property values have risen. Rates will simply be redistributed according to shifts in property values that have occurred in different parts of the Shire.

The Council's budget determines the amount of rates that the Council requires to provide and improve services throughout the shire. The money required from rates is then divided into the Capital Improved Value (CIV) of all rateable properties to determine a rate in the dollar; individual rates are then apportioned according to the value of your property. The effect of rising property values usually results in a lower rate in the dollar.

### **Community / Engagement / Communication / Consultation**

The Draft Budget will be publicly advertised in the local newspapers seeking submissions from interested parties and a community information evening will be run during the submission period.

### **Relevant Policies / Council Plan Objectives**

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.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### **Recommendation:**

*That Council:*

- 5.8 .1 *Place a notice in the local newspapers advising that the draft 2008 – 2013 budget is on public display for a period of at least fourteen days and inviting submissions relating to this draft budget by 8 July 2008 so that they may be considered before Council’s meeting on 15 July 2008.*
- 5.8.2 *Conduct a public information evening in early July 2008*

### **Recommendation moved at the Meeting:**

*That Council:*

- 5.8 .1 *Place a notice in the local newspapers advising that the draft 2008 – 2009 budget is on public display for a period of at least fourteen days and inviting submissions relating to this draft budget to be received by Council before 5pm on Friday 17 July 2008 so that they may be considered before a Special Meeting of Council commencing at 7pm on Tuesday 29 July 2008.*
- 5.8.2 *Conduct a public information evening on Monday 7 July 2008 commencing at 7pm in the Daylesford Senior Citizens room.*

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

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.9 ALTERATION OF BOUNDARIES OF BROOMFIELD, CLUNES, EGANSTOWN, NEWLYN, PORCUPINE RIDGE, ROCKLYN & SPRINGHILL.

(A/O – Manager Finance)

File Ref: 52/04/01

#### Synopsis

This report provides information on the implementation of a request from Australia Post calling for boundary alterations within certain localities within the Shire to assist with mail delivery to these properties.

#### Report

Hepburn Shire Council was approached by Australia Post requesting that certain locality boundaries be altered for mail delivery purposes.

The rationale for the boundary changes proposal is that Council has provided rural road numbers to rural occupied properties in the localities set by Council. "Australia Post are required to redesign the contract to suit the localities, this means "one contractor one locality". This will create a more efficient sorting system, and each locality will be listed in the Postcode book. Residents will now have a "road number, road name and identity name".

The boundary localities that will be affected are set out below:-

- The moving of four properties one in Coliban Road and three in Landers Road from the locality of Springhill to the locality of Trentham.
- The moving of one property from the locality of Rocklyn to the locality of Mollonghip.
- The moving of two properties from the locality of Porcupine Ridge to the locality of Mount Franklin.
- The moving of one property from the locality of Newlyn to the locality of Kingston.
- The moving of one property from the locality of Eganstown to the locality of Blampied.
- The moving of one property from the locality of Clunes to the locality of Lawrence.
- The moving of one property from the locality of Broomfield to the locality of Creswick North.

In each case Australia Post has obtained written consent of the property owners to the change however Council is the responsible authority and must not only give its approval for the change but undertake the process to effect the change. A community consultation process was undertaken during which a number of phone calls seeking clarification were received however at the end of the time allocated no submission or objections had been received.

It is therefore recommended that the changes requested by Australia post be adopted.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### Relevant Policies / Council Plan implications

#### Council Plan 2006-11

- 1.1 Community consultation, advocacy and engagement
- 2.1 Improve Service delivery.
- 3.5 Focussed, professional administration and

#### Community / Engagement / Communication / Consultation

An advertisement calling for public submissions on the affected properties was published in the Daylesford Advocate on Wednesday 12<sup>th</sup> March, 2008.

Letters were also sent to owners and occupiers of properties affected by the proposal as well all the relevant Emergency Services by Austpost on Council letterhead.

A report was also placed at the Town Hall reception area for perusal.

#### Financial & Resource Implications Initial & Ongoing

There are no financial implications.

#### Recommendation:

*That Council*

5.9.1 *Adopt the new boundary changes as requested by Austpost to make for a more efficient mail delivery service.*

***Moved the Officer's Recommendation.***

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

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.10 FILM LIAISON POLICY

(A/O – Manager Tourism, Economic Development and Recreation) File Ref: 22/10/01

#### Synopsis

Council previously adopted a Film Liaison Policy in 2002. This policy has been revised to be consistent with other Council Policies throughout the state and with the recommendations of Film Victoria. ( **Refer Attachment No. 7** )

#### Report

Council has adopted a Film Liaison Policy to help attract film making in Hepburn Shire, provide clear guidelines to “location scouts and protect the interests of the local community during the production of TV series, movies and TV commercials in public spaces. Council has previously had productions such as Mad Max, Ned Kelly, Queen Cat, Carmel and St Jude, Salem’s Lot, Loves Brother, Something in the Air, Ponderosa, The Man from Snowy River, Saddle Club and most recently Gerrycan, filmed at Clunes.

The economic impact of film productions is quite significant with Ponderosa filmed at Newbury having a budget of \$500,000 for catering, \$500.000 for props and 1.2 million for accommodation. The crew were paid \$40,000 per week for 6 months and the cast would have been paid considerably more. Most of this would have been spent in the Shire.

From a community point of view the Film Policy has ensured that community interested have been protected. In the case of Salem’s Lot this meant that shops affected by the two weeks of filming in Creswick were financially compensated.

The proposed new policy is very similar in content to the previous one, but is far more detailed. While the policy has been available for public comment no suggested changes have been received.

Council has a very good reputation within the Film Industry and with Film Victoria.

#### Relevant Policies / Council Plan implications

#### Community/Engagement/Communication/Consultation:

The Draft Policy has been on the Council website, two articles have been in the local media and local business groups have been advised of the proposed policy. Film Victoria has had considerable input into the proposed policy.

#### Financial & Resource Implications Initial & Ongoing

Council Film Liaison Officer costs approximately \$5000 per year.

#### Recommendation:

That Council:

5.10.1 *Continue to encourage film making in the shire*

5.10.2 *Adopt the new Policy.*

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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***Moved the Officer's Recommendation.***

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

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.11 RECREATION ADVISORY COMMITTEE APPOINTMENT OF NEW COMMITTEE MEMBERS

(A/O – Manager Tourism, Economic Development and Recreation) File Ref: 56/10/04

#### **Synopsis.**

It is proposed that Michael Clarke, Gale Orland, Georgie Patterson and Stephanie Goetze-Thies be appointed to the Recreation Advisory Committee for a period of two years.

#### **Report:**

The Recreation Advisory Committee provides strategic advice to Council on Recreation Development. It has been established since 1997 and is recognized as an industry leading example in community consultation and involvement in local government recreation planning. The Victorian State Government has acknowledged this through its previous Minister of Sport and Recreation.

During the last 10 years the Committee has helped attract over \$100,000 per year in grants for recreation projects. The process for considering applications has also been of great value as a means of community education in preparing applications. Consequently the quality of application is improving.

Only four nominations were received with Michael Clarke, Georgie Patterson and Stephanie Goetze-Thies all being existing members of the committee and each strongly meeting the selection criteria for the Committee. The other nominee Gale Orford has extensive community involvement and is the President of the Hepburn Golf Club. Gale is also professionally qualified in Recreation and has worked as a Lecturer in Recreation at Victoria University. Gale also meets the selection criteria which include involvement in clubs, a broad range of recreation interests, and an understanding of the concept of recreation. Gale certainly meets the selection criteria and would be a worthy member of the Committee.

Vic Dunne has chosen not to re nominate for the Committee.

The other members of the Committee who have one year to serve are Konrad Harts, Peter Hanrahan, Ray Jenner, Julia McGrath and Grey May. Consequently there will be still one vacancy on the committee of up to ten people.

Sharon Ruyg from Sport and Recreation Victoria and a representative of the Central Highlands Sports Assembly also can attend in a non voting capacity.

Cr Booth is Councils representative. Council is responsible to appoint the Chairperson of the Committee and it is proposed that Peter Hanrahan be appointed Chairperson of the Committee.

#### **Recreation Advisory committee Terms of Reference.**

The Committee provides a very strong link between Council decision making and the community.

#### **Financial & Resource Implications Initial & Ongoing**

Council will allocate over \$65,000 for recreation capital work in the 2208/2009 financial year which will be considered through the Recreation Advisory Committee



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**5. GOVERNANCE AND STRATEGIC MATTERS**

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**Recommendation:**

That Council:

- 5.11.1 *Thank the outgoing Committee member Mr Vic Dunn*
- 5.11.2 *Appoint Michael Clark, Gale Orford, Georgie Patterson and Stephanie Goetze-Thies to the Committee.*
- 5.11.3 *Appoint Mr Peter Hanrahan as Chair of the Committee.*

***Moved the Officer's Recommendation.***

***Moved: Cr David Smith***  
***Seconded: Cr Janine Booth***  
***Carried***

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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**5.12 CONFIDENTIAL ITEM**

(A/O Chief Executive Officer.

File Ref: 48/07/12

***(Refer Confidential Attachment No. 8)***

**Recommendation:**

That the Meeting be closed to members of the public to receive a report prepared by the Chief Executive Officer which contains information about legal issues.

***Motion Moved at the Meeting.***

***That this item be dealt with at the end of the meeting.***

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

***Motion Moved at the Meeting:***

***That the report be received and the information contained in this report remain confidential.***

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

**6. COUNCIL AS COMMITTEE OF MANAGEMENT OF CROWN LAND**

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Nil Reports

**7. COUNCIL SECTION 86 AND ADVISORY COMMITTEES**

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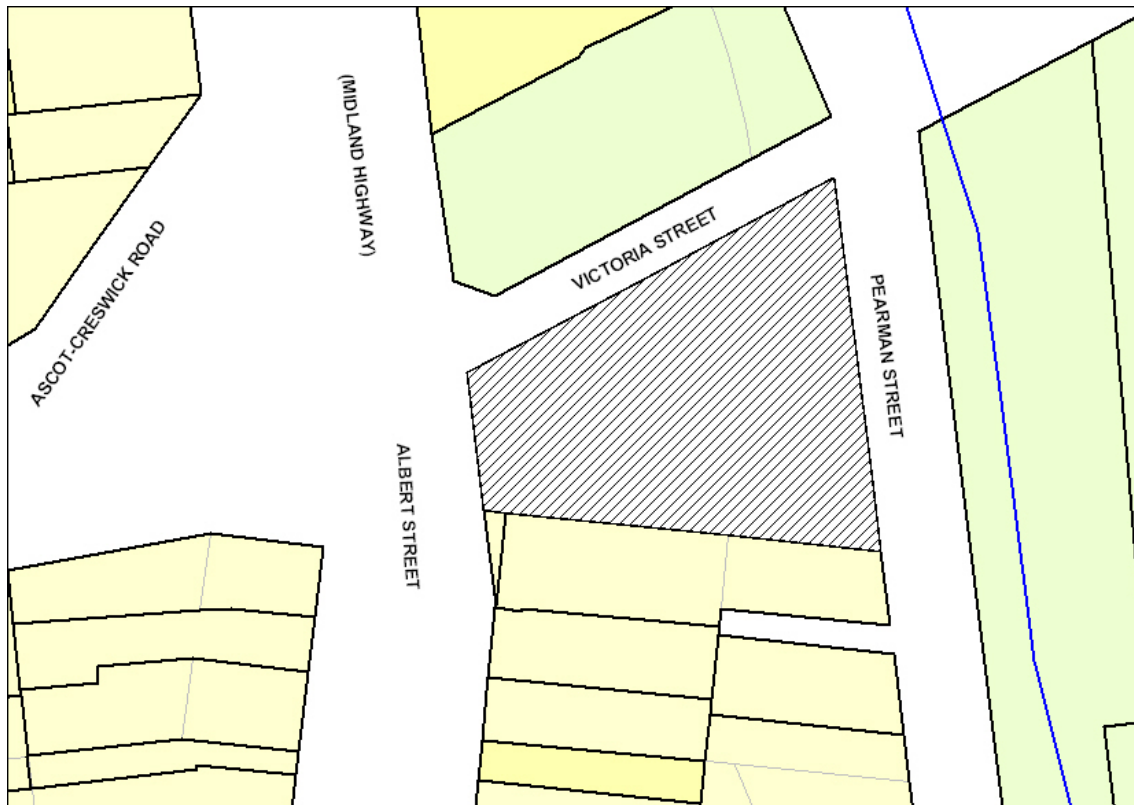
Nil Reports.

## 8. STATUTORY MATTERS

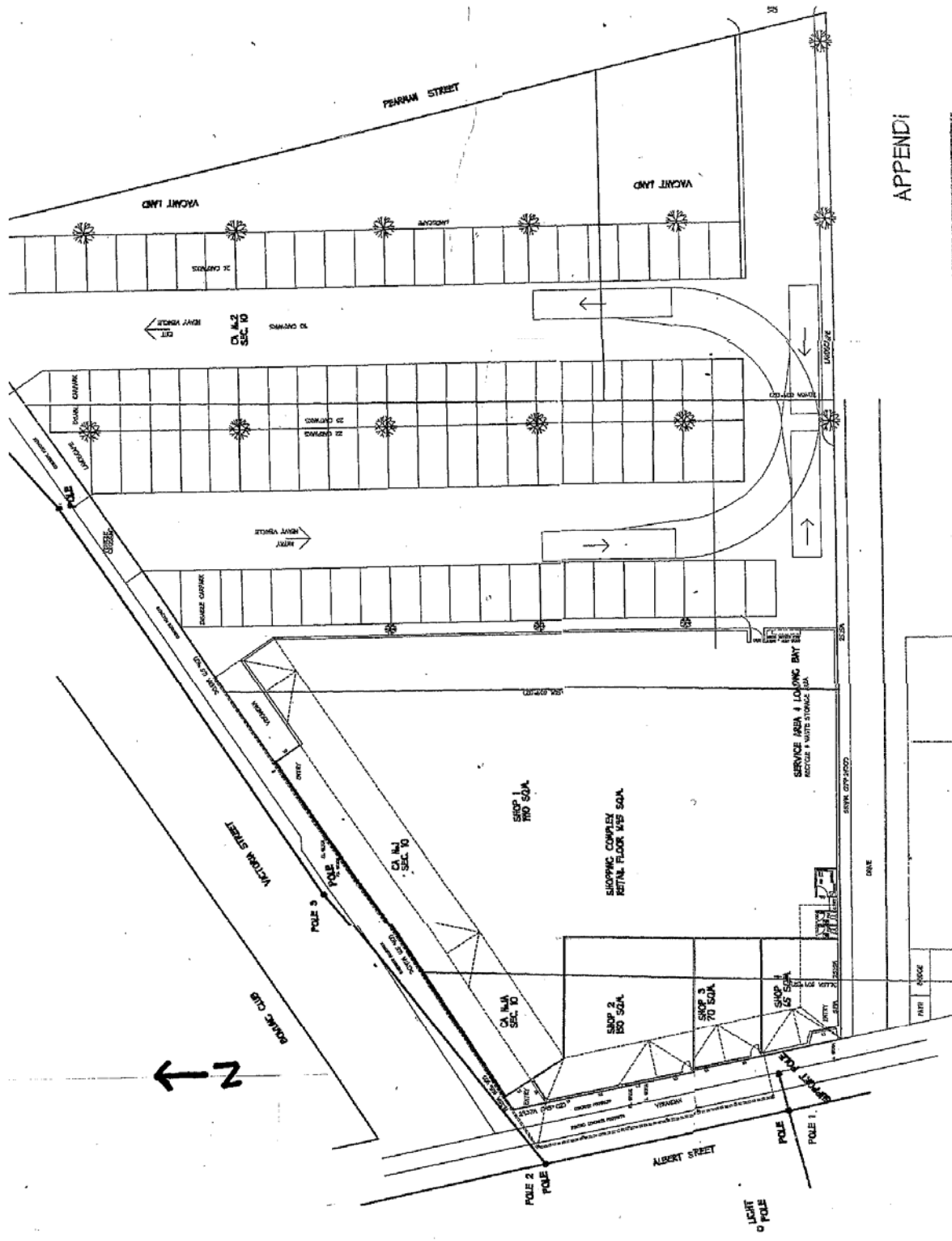
### 8.1 PLANNING APPLICATION 2007/9685 PROPOSED: BUILDINGS & WORKS ASSOCIATED WITH RETAILING AT 48 ALBERT STREET, CRESWICK (Team Leader - Planning) File Ref: 2/0050/01900/P

#### Synopsis

|                   |   |
|-------------------|---|
| Applicant:        | Ross Barnett Design   |
| Location:         | 48 Albert Street, Creswick<br>CA1,1A,2, .2A, 2B Sec 10 Township Creswick  |
| Proposal:         | Buildings & Works Associated with 1695 m <sup>2</sup> of Retailing Space & Associated Car Parking & Waiver of Car Parking |
| Zoning:           | Business 1 Zone BZ1   |
| Overlay Controls: | Environmental Significance Overlay ES01   |
| No. of Objections | Two (2)   |
| Recommendation:   | Notice of Decision to Grant a Permit  |



8. STATUTORY MATTERS



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## 8. STATUTORY MATTERS

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### Report

#### INTRODUCTION

On the 13<sup>th</sup> February 2008 Council received an application for retail shops. It has been determined that the use of the land for shops in the Business 1 Zone in the Hepburn Planning Scheme does not require a planning permit. The technical trigger for the planning permit is the buildings and works in association with the use. The subject land is parcelled over five titles covering 5100m<sup>2</sup>.

The subject site is located generally at the northern end of the township of Creswick adjacent to the Midland Highway, on the corner of the highway and Victoria Street. The site is adjacent to a creek corridor to the east, bowling club to the north and the CFA local headquarters to the south. There is a footpath along the street adjacent to the highway.

#### PROPOSAL

The proposal is to construct 1100m<sup>2</sup> of retail space with the balance of the area made up of storage, preparation areas, tenant administration, waste storage and staff conveniences and toilets and car parking. The proposed building has frontages to Albert Street and Victoria Street. It is single storey with verandahs on two sides. The roof has gable and parapet features.

It is proposed to access the site from Victoria Street and Pearman Street. The proposed car parking and loading areas are to be located at the rear and accessed from Victoria Street, 61 car spaces and two loading bays are proposed. The loading bays are located at the rear and are accessed from the car parking area.

#### REFERRAL AUTHORITIES

The site abuts the highway therefore Vic Roads were a Section 52 referral as an interested party.

#### REFERRAL WITHIN COUNCIL

Council's Engineering Department were consulted. The site is a prominent site at the entrance to the township with a visual connection to prominent heritage buildings therefore Council's Heritage Advisor was consulted for input into the building design.

#### ADVERTISING/NOTICE OF APPLICATION

##### **Exemption from notice and review**

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

The proposed construction is within 30 metres of land zoned residential. The application was notified by a sign. Two objections have been received:

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## 8. STATUTORY MATTERS

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The basis of the objection from the CFA is - Interrupted line of vision for the Fire Fighting Vehicles. This is a design issue which can be addressed through conditions for amended plans.

The basis of the second objection is traffic and safety

### **Relevant Policies / Council Plan implications:**

#### STATE PLANNING POLICY FRAMEWORK (SPPF)

##### **11.03-5 Economic well-being**

Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.

##### **17.02-1 Objective**

To encourage developments which meet community's needs for retail, entertainment, office and other commercial services and provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

##### **18.02 Car parking and public transport access to development**

###### **18.02-1 Objective**

To ensure access is provided to developments in accordance with forecast demand taking advantage of all available modes of transport and to minimise impact on existing transport networks and the amenity of surrounding areas.

###### **18.02-2 General implementation**

Consideration should be given to all modes of travel, including walking, cycling, public transport, taxis and private vehicles (passenger and freight) in providing for access to new developments. The integration of public transport services should be encouraged in new development.

Authorities should:

- Have regard to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.
- Encourage the efficient provision of car parking through the consolidation of car parking facilities.
- Planning and responsible authorities should prepare or require parking precinct plans for the design and location of local car parking to:
  - Protect the role and function of nearby roads, enable easy and efficient use and the movement and delivery of goods.
  - Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.
  - Create a safe environment for users, particularly at night.
  - Facilitate the use of public transport.

The amenity of residential precincts should be protected from the effects of road congestion created by on-street parking.



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## 8. STATUTORY MATTERS

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Adequate provision for taxi ranks should be planned as part of activity centres, transport interchanges and major commercial, retail and community facilities.

### LOCAL PLANNING POLICY FRAMEWORK (LPPF)

Hepburn Shire's Local Planning Policy Framework acknowledges that Shire's towns have a relationship to Melbourne and regional cities, in this case Ballarat. It indicates Creswick has a role in providing "district level" services and retailing to a growing population. The need to promote local employment particularly for young people is included as an important strategic goal for economic development.

Creswick's population in 2001 was 2,448. In 2006 it had decreased slightly to 2418, with growth occurring in the peripheral areas to 3066 (ABS).

### Municipal Strategic Statement

#### Objective 2

To improve the character of development in established urban areas.

#### Strategies

- Provide for residential infill opportunities, using the township structure plans.
- Promote innovative residential development and a range of lot sizes in existing urban areas.
- Promote residential development that acknowledges and enhances the valued character.
- Encourage tourism and other non-residential development that is sensitive to neighbourhood and town character in appropriate locations.
- Support the consolidation of development in urban areas where infrastructure capacity exists and where the character of the area is not prejudiced.

### Implementation

#### Planning Scheme

These strategies will be implemented by:

Using policy and the exercise of discretion.

- Using the Catchment and Land Protection Policy to require adequate regard for land and water quality throughout the Shire.
- Using the Settlement Policy to require adequate regard for urban development in rural settlements and villages.
- Requiring development to consider local environmental considerations including vegetation, landscape character, drainage, habitat linkages and water quality.

### Economic Development

The Shire is part of a dynamic region where a broad range of development and employment opportunities continue to be created through good access to Melbourne and other provincial cities.

Service Towns:  
Clunes, Creswick, Daylesford,  
Hepburn Springs, Trentham

Providing district level retail,  
business, employment and cultural  
facilities

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## 8. STATUTORY MATTERS

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### **Economic development (21.02)**

- The level of unemployment across the Shire indicates the need to provide for local employment opportunities, particularly for youth. There are only limited opportunities to expand employment opportunities in existing industrial areas and new areas need to be identified.

Clause 21.07

### **Objective 3**

To improve local prosperity and quality of local environments within the Shire as identified in the MSS and other strategic reports.

### **Strategies**

- Encourage high-quality and locally appropriate commercial and tourism development.
- Promote urban and building design that complements significant streetscapes and rural landscapes.
- Promote and protect the tourism values of urban residential areas with valued neighbourhood character.
- Encourage the consolidation of commercial activity in existing commercial areas.
- Support high quality development in mixed use and residential areas where local amenity impacts can be adequately addressed.

### **Implementation**

#### **Through the use of policy and discretion in decision making**

Using structure and streetscape plans to identify the economic characteristics and potential of precincts and localities, with reference to potential land use conflicts, environmental constraints and infrastructure opportunities.

Using the relevant urban streetscape and neighbourhood character studies to provide guidance in design decisions in urban centres.

### **22.07 Settlement**

This policy applies to the land within the:

Townships of Clunes, Creswick, Daylesford, Hepburn Springs and Trentham as delineated in the Structure Plans in Clause 21.03 of the MSS.

### **Policy Basis**

This policy:

- Applies the planning for urban settlement SPPF objective in clause 14.01 to local circumstances.
- Builds on the MSS objectives in clause 21.05 relating to the provision of housing and lifestyle options while protecting rural land values, and clause 21.03 relating to Structure Plans
- Provides guidance to implement the directions in the Settlement review paper 1999. The Land Use Strategy has recommended that "major and urban development over the next ten years is to be encouraged in the Shire's serviced towns (Daylesford, Hepburn Springs, Clunes, Creswick and Trentham)".
- The aim of encouraging development within these centres is to achieve compact urban forms, reduce the cost of maintaining services such as road infrastructure, drainage and garbage collection. Increased population numbers in towns will assist in improving the level of services available and enhance the viability of the towns. A number of zones have been applied to these towns.

The Structure Plan also indicates a boundary showing the limits for urban growth.

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## 8. STATUTORY MATTERS

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### Objectives

- To direct residential development into existing townships, villages and settlements.
- To ensure that new residential development in the villages and settlements (listed in the policy) is directed towards the Township or Low Density Residential Zones.
- To ensure that new use and development is compatible with the underlying character of the surrounding built areas.
- To ensure that non-residential uses in residential areas do not adversely effect residential amenity.

### Policy

Where a permit is required for use and development in Clunes, Creswick, Daylesford, Hepburn Springs and Trentham, it is policy to:

- Encourage the development of infill lots and the use of existing small lots that are either sewerred or capable of containing effluent and waste water disposal on site.
- Ensure urban development proposals occur within the urban boundary as delineated in the Structure plans.
- Ensure proposals are consistent with the Guidelines for future development recommendations for future development in the *Creswick Townscape Streetscape Design Concept plans Final report, July 1997*.

## ZONE AND OVERLAY PROVISIONS

### Business 1 Zone BZ1

In addition to implementing State & Local Planning policy the purpose of the Business Zone is:

To encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

The use Shop (other than Adult sex bookshop) does not require a planning permit unless the combined leaseable floor area for all shops must not exceed any amount specified in the schedule to this zone.

The Hepburn Shire's Planning Scheme Schedule to the BZ1 has none specified.

## ASSESSMENT

The role of the Hepburn Shire's Planning Scheme from a planning policy perspective is to provide for land to be developed, resolve land use conflicts and to have regard to the structure and character of towns and neighbourhoods. It has a limited role in investment decisions beyond these requirements especially if no permit is required to use the land for a shop.

The responsible authorities' considerations are limited to the following issues:

### Decision Guidelines for Buildings and Works in the BZ1

Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:

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## 8. STATUTORY MATTERS

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The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Consideration:

The planning policy framework has been discussed in the previous section.

**The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.**

Consideration:

The highway is under the control of VicRoads and has two access points via Victoria and Pearman Streets. There is adequate consideration of all modes of transport at this location. There is a bus stop adjacent to this site.

**The provision of car parking.**

Consideration

There is adequate car parking provided on site.

**The interface with adjoining zones, especially the relationship with residential areas.**

Consideration

The interface with adjoining zones has been considered in the information gathered by the notification process.

**The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.**

Consideration

Active street frontages have been retained and the elements of the township streetscape have been reflected in the proposed development.

**The storage of rubbish and materials for recycling.**

Consideration

There are areas set aside away from the active streetscape for these purposes.

**Defining the responsibility for the maintenance of buildings, landscaping and paved areas.**

Consideration

Permit conditions will ensure responsibility is allocated appropriately. Council provides street cleaning services in the main street of Creswick as required.

**The availability of and connection to services.**

Consideration

Services are available

**The design of buildings to provide for solar access.**

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## 8. STATUTORY MATTERS

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### Consideration

There are windows along the northern façade. As solar technology evolves the opportunities to use solar power increase.

### **Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority. Permit conditions will ensure this.

### Environmental Significance Overlay - ES01

The development can be serviced by reticulated water and sewer. The Responsible Authority is of the opinion buildings and works satisfy the environmental objective of this schedule. Conditions on a permit and the requirement for a stormwater management plan during construction will address the environmental objectives of the schedule.

### **Particular Provisions Car Parking Clause 52.06**

Clause 52.06 requires 8:100 m<sup>2</sup> of leasable floor area – 88 car parking spaces would be required for 1100 m<sup>2</sup> proposed. 61 spaces are proposed. This requires consideration of a waiving of car parking. The applicant makes the case that a recent VCAT determination accepted 4 spaces per 100m<sup>2</sup> as appropriate supported by leading traffic management consultants such as GTA and Grogans. This would indicate that net of the loading area 68 spaces would be appropriate.

### **Decision guidelines**

Before a requirement for car spaces is reduced or waived, the applicant must satisfy the responsible authority that the reduced provision is justified due to:

- Any relevant parking precinct plan.
- The availability of car parking in the locality.
- The availability of public transport in the locality.
- Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.
- Any car parking deficiency or surplus associated with the existing use of the land.
- Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.
- Local traffic management.
- Local amenity including pedestrian amenity.
- An empirical assessment of car parking demand.
- Any other relevant consideration.

### Any relevant parking precinct plan.

There are no parking precinct plans for the area in question.

### The availability of car parking in the locality.

As discussed below.

### The availability of public transport in the locality.

There is a bus stop adjacent to the subject site.

## 8. STATUTORY MATTERS

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Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.

The following represents a table included in support of the application

| Area  | Spaces    | Use  |
|---|-----------|--|
| Road Reserve in front of Bowling Club (Albert St)   | 9         | Bowling Club used intermittently             |
| Service Road to parkland opposite (Coopers Reserve) | 10        | Shops in Albert Street                       |
| Car park at rear of parkland (Coopers Reserve)      | 25        | Two hotels on either side of Victoria Street |
| <b>Total space with multiple and variable use</b>   | <b>54</b> |  |

Any car parking deficiency or surplus associated with the existing use of the land.  
There is no existing use.

Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.  
As above.

Local traffic management.

Albert Street is a VicRoads controlled through road. Council has timed car parking spaces in Albert Street for 2 hour parking. The car parking spaces adjacent to parkland opposite (Coopers Reserve) are not timed spaces

Local amenity including pedestrian amenity.

Footpaths to Victoria Street are part of the application. A footpath is available in Albert Street.

An empirical assessment of car parking demand.

Parking demand for the proposal is anticipated to mostly be catered for on site with occasional or intermittent spill over to adjacent precincts.

Any other relevant consideration.

Eighty seven percent to the parking issues can be accommodated in site. Permit conditions can deal with the 13% of the car parking requirements that can be expected to spill over in a variable and intermittent pattern of demand.

**Community / Engagement / Communication / Consultation:**

There was no consultation beyond the public notification process.

**Financial & Resource Implications Initial & Ongoing**

Financial implications of a possible VCAT appeal

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## 8. STATUTORY MATTERS

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### **Recommendation:**

*That Council resolve to issue a Notice of Decision to Grant a Permit in respect of Application No.2007/9685 for the development of 48 Albert Street, Creswick to allow for the construction of retail shops (708m<sup>2</sup>) and associated car parking in accordance with the attached endorsed plans. The following conditions apply to the Permit:*

- 1 *Amended plans required*  
*Before the development start(s), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:*
  - *Building and verandah setback from the southwest boundary such that an adequate visibility is available for the CFA fire fighting vehicles;*
  - *Undertake a traffic management study and plan demonstrating that delivery vehicles are able to access, unload and egress the site.*
  
  - *Any changes to the development required by the Responsible Authority as a result of the Traffic Management Study, condition 10.1 of this permit;*
  - *Any changes to the development required to facilitate Traffic in Victoria Street from Midland Highway and onto Pearman Street; and*
  - *Any changes to boundaries of the development resulting from the Traffic Management Study and the requirement for delivery vehicles (trucks and articulated vehicles) to be able to deliver to and service the site.**An endorsed copy of such plans will form part of this permit.*
  
- 2 *No polluted stormwater runoff is to flow beyond the boundaries of the property.*
  
- 3 *General amenity provision*  
*The development must be managed so that the amenity of the area is not detrimentally affected, through the:*
  - (a) *transport of materials, goods or commodities to or from the land;*
  - (b) *appearance of any building, works or materials;*
  - (c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;*
  - (d) *presence of vermin.*
  
- 4 *Erosion Control*  
*Soil erosion control measures must be employed throughout the construction stage of the development in accordance with Construction Techniques for Sediment Pollution Control EPA 1991*
  
- 5 *Use of Car Parking Areas*  
*Car spaces, access lanes and driveways must be kept available for these purposes at all times.*
  
- 6 *Car park construction*  
*Before the use or occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:*

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## 8. STATUTORY MATTERS

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- (a) *Constructed;*
  - (b) *properly formed to such levels that they can be used in accordance with the plans;*
  - (c) *Surfaced with an all-weather-seal coat;*
  - (d) *Drained;*
  - (e) *line marked to indicate each car space and all access lanes;*
  - (f) *clearly marked to show the direction of traffic along access lanes and driveways;*
- to the satisfaction of the Responsible Authority.*

7 *Loading/unloading*  
*The loading and unloading of goods from vehicles must only be carried out on the land (within the designated loading bay[s]/ and must not disrupt the circulation and parking of vehicles on the land).*

8 *Control of light spill*  
*External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.*

9 *Landscape plan required*  
*Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan dated 21/01/2008 prepared by Ross Barnett Design, except that the plan must show:*

- (a) *a survey (including botanical names) of all existing vegetation to be retained and/or removed;*
- (b) *buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;*
- (c) *details of surface finishes of pathways and driveways;*
- (d) *a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;*
- (e) *landscaping and planting within all open areas of the site;*
- (f) *Thirteen canopy trees (minimum two metres tall when planted) in the following areas: car parking area.;*
- (g) *All species selected must be to the satisfaction of the Responsible Authority.*

*The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.*

10 *Council's Engineering Department*  
*Prior to the occupation of the building the owner/developer must carry out all works required in Victoria Street to the satisfaction of the Responsible Authority at the owner/developer's expense.*

10.1 *Prior to the use or development commencing the applicant must undertake a Traffic Management Study of the impacts of this development on the traffic in:*



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## 8. STATUTORY MATTERS

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*Albert Street (Midland Highway), and Victoria Street intersections (both east and west intersections);  
Victoria Street;  
Pearman Street; and  
any other development that may generate traffic and affect the traffic in the precinct of this development.*

*The traffic study and its outputs and conclusions must be completed to the approval of the Responsible Authority.*

*The traffic study must include designs for the intersection of the Eastern intersection of Victoria Street and Midland Highway and Victoria Street and Pearman Street, to facilitate traffic movement (including articulated delivery vehicles) to service this development.*

- 10.2 *Prior to the use or development, all underground or surface drainage works that are considered necessary by the Responsible Authority shall be constructed in 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. No stormwater shall drain or discharge from the land to adjoining properties. The legal point of discharge shall be to the GPT in Victoria Street to the satisfaction of the Responsible Authority.*
- 10.3 *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.*
- 10.4 *Prior to use or development of the site, the Applicant must enter into an agreement with Hepburn Shire Council to construct road and drainage works associated with the development in Victoria Street, Pearman Street and intersection of Victoria Street with Midland Highway required to service the development. The road works will be based on a road and intersection works standard required by the Responsible Authority and VicRoads for Midland Highway and Victoria Street intersection and the standards required by the Responsible Authority for Victoria and Pearman Streets.*
- 10.5 *Prior to the use or development commencing any relocation of utilities required for this development including electrical power poles shall be borne by the applicant of the landowner and all such works required shall be undertaken.*

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## 8. STATUTORY MATTERS

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- 10.6 *Car Parking and entry into and from car parks shall comply with AS 2890.1-2004 Parking Facilities - Off Street Car Parking and AS 2890.2-2002 Pt 2 – Off Street Commercial Vehicle Facilities.*
- 10.7 *All costs incurred in complying with the above conditions shall be borne by the applicant.*
- 11 **Vic Roads**
- 11.1 *The applicant must comply with any requirements to obtain planning permission for any advertising signs proposed to be included in or placed upon the proposed verandahs.*
- 11.2 *The permitted use and occupation of the road reserve may be terminated by VicRoads at its sole discretion at any time the road reserve is required for any purpose or it is considered necessary by VicRoads for public safety reasons without compensation to the applicant or any person(s) benefiting from the permitted use and occupation.*
- 11.3 *At any time VicRoads may direct that the facilities and other physical things established and associated with the permitted use and occupation be removed or modified by the applicant or person(s) benefiting from the permitted use and occupation at no cost to VicRoads.*
- 11.4 *The design of the verandah shall be to the satisfaction of VicRoads including the extent beyond the back of kerb and shall be not less than Council's specification from the vertical extension of the back of the kerb.*
- 11.5 *Prior to the commencement of occupation of the road reserve or works associated with this permit the applicant must fully complete to VicRoads satisfaction a VicRoads Road Works Agreement as included in this permit.*

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### **Expiry Conditions**

*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.*

### Notes

*Signage over 8m<sup>2</sup> and/or illuminated requires further planning permission.*

**Moved the Officer's Recommendation.**

**Moved: Cr Janine Booth**

**Seconded: Cr David Smith**

**Carried.**

9.

**NOTICE OF MOTION**

**COUNCILLOR REPORTS AND CONGRATULATIONS**

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**NOTICE OF MOTION**

(A/O – Cr Heather Mutimer)

File Ref:

Cr Heather Mutimer has given notice of her intention to move the following motion.

***That Council's Sustainable Water Use Plan be amended to allow for the operation of Council fountains using non potable water only and accompanied by appropriate signage***".

MANAGEMENT ADVICE:

The Council's Sustainable Water Use Plan was adopted by Council in June 2007. One of the **objectives** of the Plan is to "encourage the uptake of Sustainable Water use practices by all sectors of the Community". One of the **strategies** adopted to achieve that objective was "to lead by example by implementing sustainable water use practices in Council activities".

That "leading by example" characteristic is the principle reason for turning off fountains. Those neighbouring Council who have also turned off fountains invariably cite this reason.

Turning off fountains whilst drought conditions prevail generally across Victoria is regarded as an effective way of promoting behavioural change and reminding communities about the social, environmental and economic value of potable water.

The cost of using non-potable water in fountains would be modest.

***Motion moved at the Meeting:***

***That Council's Sustainable Water Use Plan be amended to allow for the operation of Council fountains using non potable water only and accompanied by appropriate signage***".

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

***Cr Janine Booth requested that her dissent be recorded.***

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**NOTICE OF MOTION**

**COUNCILLOR REPORTS AND CONGRATULATIONS**

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**Councillor Reports and Congratulations.**

**Cr Janine Booth  
Creswick Ward.**

I would like to begin my report by congratulating my Community and the Directors of the Creswick Community Bank on the Banks first birthday celebrations on May 23<sup>rd</sup>. Our Community Bank exceeded all expectations in the first year of trading with over \$40 million dollars of local business being transacted and has achieved break -even status after only 10 months – 8 months ahead of schedule.

Due to overwhelming Community and Business support the Community Bank has already returned over \$2000 in donations to Community groups has taken over the Bank Agency at Clunes with plans to install an Automatic Teller machine and has formed a mentor group to support the establishment of a Community Bank for Daylesford.

I am particularly proud to not only be a member of the original steering Committee but also now a Volunteer Director and of my Community's confidence and support in the development of this Community Economic Enterprise.

As Creswick Ward Councillor at the recent State Government Community Cabinet I raised concerns with relevant Ministers over the decision of Central Highlands Water to take Creswicks Grey water supplies, pump it back to Ballarat, treat it at their North Ballarat Treatment plant and use it for Ballarat industrial and recreational projects. Creswick is the only town in the Hepburn Shire to be dependant on Central Highlands Ballarat Water supply and has been on Stage 4 Water restrictions with no outdoor use of potable water supplies since Nov 2007.

My Community has been most concerned at this potential loss of this valuable grey water resource with little consultation or discussion as to what other alternatives to potable water use are available for Creswick industry and recreation committees of Management.

Fortunately raising it with Ministers has enabled some discussion and now meetings to take place with Council officers, the Mayor, myself and various State Government departments and funding bodies concerning possible future sustainable alternatives to ensure our Recreational infrastructure and small industries not only remain viable but are able to expand and grow.

I along with other Councillors have attended a meeting with the Victorian Local Government Association and various budget and forward planning meetings.

I also continue to work with the CDDA arts trail and Magic pudding playground proposal and the Creswick Development Committee Creswick Marketing and Tourism plan.

I was particularly pleased to attend the opening of two Shire recreation projects, a newly installed boating jetty on the back lake at Calemben Park Creswick and the

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**NOTICE OF MOTION**

**COUNCILLOR REPORTS AND CONGRATULATIONS**

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opening of the Creswick and District motorcycle club new toilets, first aid room and canteen at Allendale recreation reserve.

Both projects were recipients of State Government grants, were identified in our 10 year Recreation plan, supported by the Recreation Advisory Committee and Hepburn Shire Council and will increase participation and safety for participants in sailing and junior motorsports.

Finally, following confirmation of funding of \$812,000 for the Creswick Interpretive centre I along with Council Officers have met with Architects to look at final design plans and costings to commence the project. Further meetings with user groups and partners such as the Forest resort, Melbourne University and Wood Innovation Centre are also planned to ensure needs and expectations are aligned and then a Tender document will be developed.

The project incorporating a new amenities building and information centre is an important component of the Creswick Development Plan adopted by Council in 2004 and part of the Communities vision for the future.

**Cr. David Smith J.P.  
Birch Ward**

- \* 22.5.2008 Bendigo Bank 1<sup>st</sup> Anniversary Celebration Dinner
- \* 27.5.2008 V.L.G.A.
- \* 3.6.2008 H.R.T.A. Dinner
- \* 11.6.2008 Mens' Health Night held at Hepburn
- \* 12.6.2008 Attended with the Mayor – the Committee for Ballarat Dinner.
- \* 30<sup>th</sup> & 31<sup>st</sup> May Victorian Ploughing Championships  
Won the Victorian State Champion for 2008 and  
go the Sydney to plough in the National Contest  
this coming weekend.

**Cr. Bill McClenaghan  
Holcombe Ward.**

In the past month, the pace has slowed after the end of Community Cabinet. On 21 May, I chaired a meeting in the Franklindford Hall to elect a new Crown Committee of Management for the Hall and the surrounding land. There was lots of good discussion about funding opportunities revealed at Community Cabinet for small rural communities and I wish the new Committee all the best for its next three year term. I'm told today that they have had a good start, already gaining valuable advice and assistance to repair the west wall of the hall where a large corner stone is in the process of falling out of its position.

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**COUNCILLOR REPORTS AND CONGRATULATIONS**

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Good news continues in the Franklinford, Yandoit and Clydesdale corridor with the new Community Plan nearing completion and implementation. Already we have some intercommunity co-operation happening. The Clydesdale Hall committee are restoring their white ant damaged roof and need to get the use of a cheap and available scaffolding. What luck to find that members of the Franklinford Hall Committee have a suitable scaffolding and are prepared to loan it to the community down the road seeking help with their old hall. I am certainly hopeful that co-operation between small rural communities like this can overcome much of the disadvantage they suffer in terms of poor resourcing and isolation where a community plan exists or Council is able to facilitate resource sharing.

Also in the Franklinford, Yandoit and Clydesdale corridor, new arrangements are now in place to ensure that the communities stay in touch with Daylesford and the rest of Hepburn Shire by receiving copies of the local newspaper, the Advocate, each week. Currently this involves me going paper boy the day after publication and dropping off copies at three local collection points that range from a news-stand in central Franklinford to a waterproof galvanized iron rubbish bin at Clydesdale although the receptacle at Yandoit near the fire station got knocked off last week and we need to find another one. Some local people are taking the newspapers around the community and placing them in letter boxes which is a good way people in this area can stay in touch.

On Saturday 24 May, I attended a community working bee at Glenlyon to assist a local woman to prepare her property for sale. There was an absolutely wonderful turnout from the local community to assist on this occasion and there really was a very profound garden makeover performed over the weekend. I believe that a follow up effort is planned closer to the property sale and I congratulate Peter O'Mara who organized the event and all who attended with their trailers, utes, chainsaws, mowers, wippersnippers or a good pair of work gloves. This is truly community caring in action and it was a privilege to be part of it.

Later that day I attended the opening of the Franklinford CFA's new facilities at Yandoit. The whole community was there together with Geoff Howard MLA and CFA officers to mark the opening. Funds have generously been provided through the State Government's drought initiatives to assist small rural communities and here was another example of fine new facilities made available as a central point for the CFA and the local community to gather in comfort in a new meeting room attached to the fire station.

Last week, I attended two community meetings in Daylesford. The first on Monday night was to consider the merits of establishing a Community Bank on the Bendigo Bank model in town to replace the existing agency and to give the community access to some funding locally generated by a new banking business. Creswick people are already doing this and there are over 200 Community Banks in the country delivering quality banking services and employment as well as significant community donations that might be between \$100 – 200,000 per year to community groups and individuals. The meeting embraced the concept and formed a steering committee to promote the enterprise, attract pledges and conduct a feasibility survey. I am a member of the steering committee and I will be acting either independently or as a representative of Council if Council wishes me to do so. I commend the people involved in this initiative that is not only great economic development, it is also community empowerment at its best.

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The second meeting concerned a request to Council from two young women at the Daylesford Secondary College to sponsor what has traditionally been the biennial Mayoral Debutante Ball. Unfortunately traditional events like this can fall out of vogue and it appears that this one was in danger of not happening this year despite the fact that there are 23 young couples keen to participate. I am pleased to report that the "Spa Country Debutante Ball" will now be held at the Daylesford Town Hall on Friday 17 October. A committee has been formed by interested local people to organize and run the Ball with support from Rotary, the Daylesford Municipal Band, parents and other members of the school community and...me. If the tradition of a biennial Mayoral Deb Ball is to end, then it is great to see that there is still enough enthusiasm in the community to look after the aspirations of our young people, today's debutants, tomorrow's citizens.

As the Mayor said earlier, today all Councillors conducted interviews for the position of Hepburn Shire CEO. There were twenty five applications in total and we interviewed a short list of the best five, each of whom was very inspiring in the many things they said and I am very much enthused and encouraged by the prospect of a really great new CEO as head of Council's Management Team. I look forward to a better future, a fresh start, a new service driven organizational culture and positive change that reflects the wishes and needs of our residents and ratepayers, many of whom have had input into the selection process. I encourage everyone to focus on the exciting times ahead in the next six months in the lead up to a new Council, to abandon the negative issues of the past as far as possible and to move on. We really do have a great small Shire and there are many ways to achieve our objectives together in a partnership between Council and our community.

**Cr Heather Mutimer  
Coliban Ward**

Cr Mutimer spoke to her report highlighting various aspects. No report was tabled.

**Cr Tim Hayes  
Cameron Ward**

Cr Hayes spoke to his report highlighting various aspects. No report was tabled.

**Recommendation:**

*That Council:*

9.1 *Receive and note the reports of Councillors.*

***Moved the Officer's Recommendation***

**Moved:** *Cr David Smith*  
**Seconded:** *Cr Bill McClenaghan*  
**Carried.**

**CLOSE OF MEETING**

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**CLOSE OF MEETING: The meeting closed at 8.30pm**



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**ATTACHMENTS**

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**ATTACHMENT 1** (Item 3 ) Minutes of the May Ordinary Meeting of Council

**ATTACHMENT 2** (Item 5.1) Election Period Caretaker Procedures

**ATTACHMENT 3** (Item 5.3 ) Agriculture in the Hepburn Shire

**ATTACHMENT 4** (Item 5.5 ) Approval of Valuation 2008

**ATTACHMENT 5** (Item 5.6 ) 10 Year Financial Plan

**ATTACHMENT 6** (Item 5.7 ) Investment Policy

**ATTACHMENT 7** (Item 5.10 ) Film Liaison Policy

**CONFIDENTIAL ATTACHMENT 8**

(Item 5.12) Confidential Item

**ATTACHMENT 1**

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**Minutes of The Ordinary Meeting Of Council  
Held On 20 Mary 2008/**

The minutes will be tabled at the meeting.

### ATTACHMENT 3

## ITEM 5.3 AGRICULTURE IN THE HEPBURN SHIRE

### Draft Terms of Reference Hepburn Shire

#### Agriculture Advisory Committee

#### Introduction

Agriculture is one of the key economic forces within the Hepburn Shire. It has significant impact on the local community.

Council through its Agriculture Advisory Committee wishes to maintain a partnership with the Agriculture Industry, which is based on co-operation and two way communication.

#### Definition

Agriculture includes farming, grazing, cropping, forest plantations and farm gate business.

#### Aim

Provide Council with general advice regarding matters relating to Agriculture including transport, pricing, climate change, sustainability, pollution, water, drought, potatoes, farm gate production and genetically modified or manipulated crops. Council may then choose to advocate on the industries behalf, facilitate appropriate industry development, or address industry needs in its development of policy and strategic plans.

#### Principles

The Committee will act as the advisory body to Council on issues and make recommendations to Council for consideration with Council making final decisions.

The Committee will provide a forum to address issues which concern any part of the Shire.

#### Operating Principles

The Hepburn Shire Council is committed to maintaining a co-operative relationship with the community through open, two-way communication with the Advisory Committee.

The Advisory Committee will:

- Provide opportunities for community discussion analysis and education on issues which affect the agricultural industry.
- Ensure the Council is fully informed as to industry needs and priorities.

The Hepburn Shire Council will:

- Receive guidance and advice from the Advisory Committee.
- Seek specific advice on policy and strategic issues.
- Refer issues to the Advisory Committee.

#### Operations

The Committee will be a community-based advisory committee appointed by Council.

#### Terms of Office

Appointment will be for two years. Council will review the future of the committee after two years. Casual vacancies that occur are to be ratified by Council.

#### Selection Criteria for Nominations

Nominees need to meet at least one criterion from 2 or 3 with 1, 4 & 5 being mandatory. The committee needs to be a mix of community and skills based members reflecting various age groups.

1. Experience and knowledge of agriculture in the Shire
2. Broad understanding of community needs, concerns and issues on a Shire wide basis.

### **ATTACHMENT 3**

3. Specific expertise in agriculture planning and management, environmental planning and product development,
4. Be able to objectively consider community and agricultural issues.
5. Demonstrated ability to work as a part of a team and be solution focused.

#### **Meetings**

At least 2 meetings will be held annually.

Community forums as required.

#### **Chair**

Appointed annually by Council and nominated by the committee.

#### **Members**

Membership of the Committee will be made up of:

- Up to two Councillors representing Hepburn Shire
- One representative from the Victorian Farmers Federation
- Five representatives from but not limited to the following industry sectors:  
General farming, organic farming, permaculture, potato farming, vignerons, cropping, livestock, viticulture,
- Two Community Representatives representing the Shire geographically, socially and across ages and skills.

#### **Quorum**

Five voting members of the committee must be present for a meeting to be held.

The Chair in conjunction with the Manager of Tourism Economic Development and Recreation will be responsible for calling meetings and preparing agendas. At least three weeks notice will be given for each meeting.

The committee will be supported by the Tourism Economic Development and Recreation unit for preparation of agendas and minutes and Council officers from across the organization may be available to provide advice to the committee on an as needed basis.

#### **Reporting**

The Committee will forward minutes of all meetings to the Council.

The Committee will make at least one formal presentation to Council annually.

The committee is appointed by Council to provide advice to Council on Agriculture issues. Council is responsible to determine the outcomes on any recommendations made by the committee.

**ATTACHMENT 4**

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**ITEM 5.5 APPROVAL OF VALUATION 2008**

**ITEM 5.6 - 10 YEAR FINANCIAL PLAN**

**ITEM 5.7 INVESTMENT POLICY**



**HEPBURN SHIRE COUNCIL**

POLICY NUMBER :

**Investment**

## THIS POLICY

This policy is to ensure that:

- (a) The Council invest surplus funds to maximize earnings, and
- (b) All investments comply with the Local Government Act 1989.

**PHILIP SHANAHAN**  
**Interim Chief Executive Officer**  
**Hepburn Shire Council**

DATE ADOPTED:

DATE LAST AMENDED:

DATE OF NEXT REVIEW:

DATE POLICY LAPSES:



## 1.0 INTENT

To outline Hepburn Shire Council's Investment Policy and guidelines regarding the structured investment of surplus funds in line with Local Government guidelines with an objective to maximise earnings, ensure the security of Council funds, while at all times considering the nature and risks associated with the investment.

This policy applies to the investment of all surplus funds held by Hepburn Shire Council. For the purpose of this policy, investments are defined as arrangements that are acquired or undertaken for the purpose of producing income and/or capital gains.

## 2.0 STRATEGY

All investments must comply with the Local Government Act 1989, Ministerial Order dated 19 July 2007 (or its current equivalent at any time) and Section 143 of Local Government Act 1989.

Source documentation pertaining to each investment be provided to the Council by the institution within 24 hours of settlement.

That the Finance Manager or his delegate has the authority to invest Council's funds in accordance with this policy.

Should Council utilize an investment adviser or investment dealer acting on its behalf, then that person must be licensed by the Australian Securities and Investment Commission.

No more than 1/3<sup>rd</sup> of available investment funds should be in any one investment account.

## 3.0 POLICY

### **Authorised Investments**

#### **1. Certificates of Deposit and Bills of Exchange**

- a) A certificate of deposit, whether negotiable, convertible or otherwise, issued by an authorised deposit taking institution as defined by section 3 of the Trustee Act 1958.
- b) A bill of exchange which at time of acquisition has a maturity date of not more than 200 days and which if purchased for value confers on the holder in due course a right of recourse against an authorised deposit taking institution, as defined by section 3 of the Trustee Act 1958, as the acceptor or endorser of the bill for an amount equal to the face value of the bill.

#### **2. Investments in the Treasury Corporation of Victoria**

#### **3. Investments in managed investment schemes**

Investments in managed investment schemes which:

- Have a rating of AAm or a rating of AAf from Standard and Poors Australia Ratings;
- Are registered under section 601eb of the Corporations Law 2001 (Commonwealth)

**ATTACHMENT 6**

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- Are liquid with the meaning of section 601KA(4) of the Corporations Law 2001 (Commonwealth) and have a constitution that provides for members to withdraw from the scheme.

**4. Fixed interest securities of an Australian Authorised Deposit Taking Institution and Shares listed on the Australian Stock Exchange**

Investments in:

- fixed interest securities of or guaranteed by an Australian authorised deposit taking institution; and
- shares of a corporation listed on the Australian Stock Exchange.

Investments must in fixed interest of an Australian authorised deposit taking institution and shares listed on the Australian Stock Exchange are subject to the following terms and conditions.

**Terms and Conditions**

These investment powers may only be used by councils which have:

- a) lodged a report on financial and investment objectives and investment strategies under Section 6 of the Prudential Statement on Investment Powers of Councils dated February 1998; and
- b) received confirmation from Department of Treasury and Finance that the council complies with the requirements of the Prudential Statement.

Investments must not be made directly but only through trust vehicles managed by the Victorian Funds Management Corporation or a private sector fund manager with specialist expertise in investment.

**5. Fixed interest securities of the Australian States and Territories**

Investments in the fixed interest securities of the other Australian States and Territories subject to these securities being:

- issued and guaranteed by a State or Territory Government; and
- which have a credit rating equivalent to a Standard & Poor rating of AA or better.

**ITEM 5.10 FILM LIAISON POLICY**

**ATTACHMENT 8**  
**CONFIDENTIAL ATTACHMENT**