

HEPBURN SHIRE COUNCIL

ORDINARY MEETING MINUTES

7pm Tuesday 18 March 2008
Senior Citizens Room
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
DAYLESFORD SENIOR CITIZENS ROOM ON 18 MARCH 2008,
COMMENCING AT 7 PM

AGENDA

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CLOSE OF MEETING:

ATTACHMENTS

CR TIM HAYES - MAYOR
WEDNESDAY 19 MARCH 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.

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

IN ATTENDANCE: Chief Executive Officer, Philip Shanahan; Director Infrastructure & Development, Rod Conway; Acting Director Corporate & Community Services, Martin Walmsley.

The Mayor opened the meeting at 7.04 pm 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 19 February 2008**
 - 3.2 **SPECIAL MEETING OF 4 March 2008**
 - 3.3 **SPECIAL MEETING OF 11 March 2008**

Recommendation:

*That item 3.1 Minutes of the Ordinary Meeting of Council held on 19 February 2008; item 3.2 Minutes of the Special Meeting of Council held on 4 March 2008; and Item 3.3 Special Meeting of 11 March, 2008 (**Attachment 1**), be confirmed, as required under Section 93 (2) of the Local Government Act 1989.*

Moved the Officer's Recommendation:

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

4. PETITIONS AND PUBLIC QUESTION TIME

This part of the Council Meeting allows 30 minutes for:

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

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

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

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

Petitions received.

Cr Heather Mutimer tabled a petition from the Trentham community regarding the Bath Street Reserve.

5. GOVERNANCE AND STRATEGIC MATTERS

5.1 ARTS POLICY

(A/O – A/ Director Corporate & Community Services)

File Ref: 04/02/01

Synopsis

The Draft Arts Policy (**Attachment 2**) provides a comprehensive policy direction for Council to support the continuation of arts development within the Hepburn Shire. The Guidelines and Objectives outlined in the policy reflect the aspirations and needs of the arts community and is supported by the Culture and Arts Advisory Committee (CAAC). The recommendations contained in the Draft Arts Policy provide a way forward for arts development within the Shire.

Council was previously briefed in relation to the draft Arts Policy in December 2007.

Background

The Arts Policy provides a framework outlining a set of goals, guiding principles, objectives and tasks designed to facilitate opportunities for creativity, for all sectors of the community. This includes Council providing innovative leadership for the arts in the local government sector.

The Arts Policy provides:

- Arts Vision
- Guiding Principles
- Objectives
- Actions/Recommendations

Culture and Arts Officer:

In 2005 Council successfully received a grant from Arts Victoria in partnership with Moorabool Shire Council to employ a fulltime shared Culture & Arts Officer for two years. In 2007 this funding was extended for 1 year to the end of March 2008 with Arts Victoria funding. In acknowledgement of the aspiration for both Councils to have this role as an ongoing position, both Councils included provision within the current budget for the funding of the position until 30th June 2008.

This position has implemented a variety of projects and programs that have provided significant benefit to the development of the culture and arts community within the Hepburn Shire.

These projects/programs have included;

1. Establishment of the CAAC.
2. Facilitation and organisation of the CAAC (recurrent activity)
3. Facilitation of creative networks in the community (i.e. Culture and Arts Registry and Artist Audit project.)
4. Support for the upgrade and repairs for Creswick Town Hall project including successful submission to Department for Planning and Community Development (\$93.5K) – implementation March 2008 to February 2009.
5. Launch of Public Art in the shire (Community Sculpture in Creswick)
6. Support for the review and redevelopment of Community Grants Program.
7. Support for community culture and arts groups within the Shire including several successful funding submissions to State and National bodies (e.g. (\$5K) Museums Australia, (2 x \$2K) Regional Arts Victoria, and (\$15K) Regional Arts Fund). There are also pending submissions to State bodies (\$20K) to fund 2 further projects through Local History and Centenary of Women's Suffrage Grants.

5. GOVERNANCE AND STRATEGIC MATTERS

8. Support for cultural groups to undertake planning activities, and projects including strategic development (Creswick RSL Avenues of Honour Exhibition, Daylesford Foto Biennale, Creative Clunes, Lindsay Arts Trail etc).
9. Engagement with local festivals and events to assist with planning activities, sustainability, resources and strengthen local networks.

Culture and Arts Officer Funding:

Council has received a grant for the Culture & Arts Officer position from Arts Victoria for a 3 year period. The funding for this position will conclude at the end of March 2008.

Officers have met with Arts Victoria to discuss future funding options. Arts Victoria has indicated that there are no further funding programs available for a Culture & Arts Officer for Hepburn and Moorabool Shires.

Officers have investigated other funding programs options to continue this position including:

- Regional Arts Victoria
- Department of Planning and Community Development
- Heritage Victoria

These funding bodies have indicated that they do not have any suitable funding options for Culture and Arts positions.

Moorabool Shire Council has indicated their financial support for the ongoing operation of the shared arrangement beyond June 30, 2008.

Report

A Draft Arts Policy has been developed in conjunction with the CAAC for Council consideration:

This Policy identifies:

Arts Vision:

Hepburn Shire Council is committed to promoting individual and collective well-being, and enhancing local community identity by facilitating the community's capacity to develop, appreciate and express creativity and vitality.

Hepburn Shire Council aims to raise its profile as a 'creative community': a place where arts and cultural activities are explored, encouraged and valued.

The Council will support and, where appropriate, partner organisations, artists, residents and visitors as they seek to contribute to the creative shire. It will strategically encourage the growth of the arts and creative industries in the shire's spaces, places and streetscapes and look to the development of a range of cultural precincts throughout the Shire.

Guiding Principles:

- *The quality and presence of the arts, artists and arts organisations are key indicators for the cultural vitality of this Shire;*
- *Community access to and participation in the arts life of the Shire is to the mutual benefit of artists and the community;*

5. GOVERNANCE AND STRATEGIC MATTERS

- *The preservation of cultural heritage is of the utmost importance to the community;*
- *The cultural diversity of the Shire is a strength which the Arts Policy will support and build upon;*
- *Indigenous arts are an integral and a critical element of the true expression of the Shire's cultural life;*
- *Leadership in the arts contributes towards the cultural vitality of the Shire;*
- *The arts can contribute to individual well-being and a positive sense of local identity for the whole community;*
- *Artists require space, time and opportunity for dialogue;*
- *The arts are an integral part of the local economy for Hepburn Shire; and*
- *Consultation with CAAC, Councillors, groups, individuals, Council Staff and those in the community who are interested in the arts in Hepburn will continue to inform the Arts Policy.*

Objectives:

- *To create an environment in which the arts can flourish*
- *To commit to innovation, inspiration and excellence in the arts*
- *To become an interactive information hub for the local arts community*
- *To support the celebration of the Shire's people, places and cultural heritage*
- *To enhance the Shire's contemporary art and heritage collections.*

Actions/Recommendations:

- *That a 5 year Arts Plan be devised in consultation with the local culture and arts community.*
- *That provision is made in the 2008/09 budget for the Culture and Arts officer position to achieve the objectives of this policy.*
- *That the CAAC (Culture and Arts Advisory Committee) continues to be recognised as the peak body for consultation, feedback and engagement on matters relevant to culture and arts initiatives in the area.*
- *That the Community Arts Grants funding program continues to enable local arts initiatives and projects to be supported and enable leverage for arts specific funding at a state and federal level.*
- *That the Arts Policy is implemented in conjunction with and supports the future development of a Culture Policy, Local Arts Events Policy and Public Art Policy.*

5. GOVERNANCE AND STRATEGIC MATTERS

Relevant Policies / Council Plan Objectives

Council Plan: Objective 5 – Heritage and Environment

“respect and honour our unique historical and cultural attributes”

Cultural and Arts Policy and Action Plan

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

The proposal Draft Arts Policy is consistent with the 2006 – 2011 Council Plan.

Community / Engagement / Communication / Consultation:

Council established a Culture and Arts Advisory Committee (CAAC) in 2006 to provide advice and arts and culture development and future direction within the Hepburn Shire. Officers, in conjunction with the CAAC have developed an Arts Policy to provide a future direction for the support of the arts in the Shire.

Financial & Resource Implications Initial & Ongoing

The Draft Arts policy includes the following recommendations:

- *That a 5 year Arts Plan be devised in consultation with the local culture and arts community.*
- *That provision is made in the 2008/09 budget for the Culture and Arts officer position to achieve the objectives of this policy.*

These recommendations have financial implications for the Council and will be referred to the 2008/09 budget for consideration.

Recommendation:

That Council

5.1.1. *Adopt the Arts Policy.*

5.1.2. *Refer consideration of the actions / recommendations of the Arts Policy to the 2008/09 budget planning process.*

Moved the Officer’s Recommendation with the following Amendment to the Arts Policy.

3 paragraph: Remove the words: “That Council is committed in its Culture Policy to a Shire of cultural vitality”.

Moved: Cr Heather Mutimer

Seconded: Cr Janine Booth

Carried.

5. GOVERNANCE AND STRATEGIC MATTERS

5.2 CENTRAL HIGHLANDS REGIONAL LIBRARY CORPORATION – DISCUSSION PAPER – LIBRARY FUNDING

(A/O – A/Director Corporate & Community Services)

File Ref: 40/04/01

Synopsis

The Central Highlands Regional Library Corporation (CHRLC) has developed a discussion paper on library funding and is seeking Council's support to develop a strategic funding campaign in 2008.

Report

The CHRLC discussion paper outlines the key roles fulfilled by libraries, history of library funding, current financial implications for both local and state government, and a number of options for increased finding from the state government.

The discussion paper has been forwarded to the MAV requesting that a forum be held, and asking Councillors to attend to discuss and agree on a detailed funding campaign.

Councillors are asked to consider the discussion paper and provide support and feedback to the CHRLC on the proposed funding campaign.

Relevant Policies / Council Plan implications:

Objective One – Strengthening Communities

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

1.4 To be a leader in community consultation, advocacy & engagement

Objective Two – Service Delivery

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

2.1 Improve service delivery

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.

3.4 Promote and encourage innovation

Community / Engagement / Communication / Consultation:

N/A

Financial Implications

At this stage, no additional financial resources have been identified by the CHRLC.

Recommendation:

That Council:

5.2.1 Provide a letter to the Central Highlands Regional Library Corporation indicating Council's support for the funding campaign.

5. GOVERNANCE AND STRATEGIC MATTERS

Moved the Officer's Recommendation.

Moved: Cr Heather Mutimer

Seconded: Cr Janine Booth

Carried.

5. GOVERNANCE AND STRATEGIC MATTERS

5.3 EVENTS POLICY

(A/O – Manager Tourism, Economic Development and Recreation) File Ref: 16/22/10

Synopsis

Council's Events Policy has been reviewed by the community and Council staff and a new policy is proposed.

Report

Council adopted its first Events Policy in 2002. The policy helped establish Council's role in supporting events and provides the basis for the 4 meeting system of liaison with events which helped the Hepburn Shire win the State award a few years ago. The policy has and should continue to provide an indication of Council's support for events. This involves providing services such as road closures, collection of rubbish, provision of some equipment, signs, office space, storage (in the near future) promotion through the Visitor Information Centres and insurance. Advice is also provided on event organization (Event guide and manual) marketing and media contacts, Health – food handling and health regulations, Bi Laws – signs, banners and parking, Traffic Management, Risk and emergency management. An events workshop is held annually. Council now also employs a Recreation Officer Mr Adam McSwain who oversees Events. At the time of writing this report he is working closely with Chill Out, Swiss Italian Festa, Anderson's Mill Festival, Run for your Life and a new international event to be held in Daylesford which includes cycling running and swimming in Lake Daylesford (with a wet suit on) Glenfest has just been held.

From a community point of view events help provide meaning to community, celebrate the broad culture of the Shire and allow many local groups to generate income. From a recreation point of view events provide positive opportunities for residents and others to participate in passive and active recreation activities. From a tourism point of view events provide a significant reason to visit our Shire, encourage greater visitor dispersal across the Shire, help make the tourism industry more viable, and allow visitors to mix with and join the local community.

The new policy supports all these principles and is a result of much consultation. While Council's role in supporting events over the last ten years has increased enormously from having no policy, an ad hoc approach to service delivery and limited liaison between event organisers and Council through to the current situation, certainly more could be done in the future.

It would be fair to say that although the "events industry" has supported this new policy they would have been pleased for the policy to go further regarding the provision of further services by Council.

Council officers have moderated what has been proposed by the industry to limit significant cost increases to Council. Even so the cost to Council for assistance to events is around \$25,000.

The new policy has been developed significantly from the old one and details of operating procedures have also been identified.

Relevant Policies / Council Plan implications:

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

Service Delivery 2.1 Improve service delivery

2.2 Improve internal and external communication

Economic Development 4.2 promote and market the Shire.

5. GOVERNANCE AND STRATEGIC MATTERS

Community / Engagement / Communication / Consultation:

The proposed policy has been developed in consultation with event organisers across the Shire and Council staff involved in Events. Input on the policy was sought via the Advocate and Courier, and event organisers were also written.

Financial & Resource Implications Initial & Ongoing

Council has provided \$25,000 in this year's budget for events assistance and \$10,000 for attracting events grants. Council employs a recreation officer full time. Notionally one day per week on average is allowed for events.

Recommendation:

That Council:

5.3.1 *Adopt the new policy*

5.3.2 *Acknowledges the significant social, economic and community capacity building benefits community events provide to the community.*

Moved the Officer's Recommendation with the following amendments to the Policy:

1. ***Include under AIM Council aims to:***

Promote and encourage environmentally responsible and sustainable events eg. Carbon neutral. Council to develop a relevant manual and checklist to assist Council staff and festival organisers.

Negative impacts:

(a) ***Council recognises there may be negative impacts associated with the holding of events across the shire. Council will ensure that event organisers have adequate procedures in place for consulting with affected community members and that the mitigation of any negative impact is encapsulated in these procedures.***

(b) ***Prior to supporting or approving an event Council will take into consideration the negative impacts and their affects on the community.***

2. ***That the shire's Arts & Culture Advisory Committee be included in the review process.***

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

5. GOVERNANCE AND STRATEGIC MATTERS

5.4 FEES AND CHARGES FOR THE DAYLESFORD REGIONAL VISITOR CENTRE AND TOURISM WEB SITES

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

File Ref: 5/7300/96200

Synopsis

It is proposed that fees and charges for the Daylesford Regional Visitor Information Centre(DRVIC) be changed for the first time in approximately 5 years and that fees for the four tourism web sites be increased.

Report

Individual businesses who wish to be promoted through the centre pay a fee for service. Other less well patronized visitor centres in the Shire that are not accredited do not charge fees.

The current Daylesford Regional Visitor Information Centre fee structure is :

Basic Level 1 - \$110 Incl. GST

- Services
- Brochure Display throughout the year
 - Vacancy Service (Accommodation only)
 - Newsletter
 - Free line listing on the Hepburn Shire www.visitdaylesford.com website

Intermediate Level 2 - \$132 Incl. GST

- Services
- Brochure Display throughout the year
 - Vacancy Service (Accommodation only)
 - Newsletter
 - Free listing on the Hepburn Shire www.visitdaylesford.com website
 - A link between www.visitdaylesford.com and the businesses website
 - Twice yearly provision of information kit including 2 copies of information sheets on:
 - What To Do & Activities With The Family Around Spa Country
 - Eating Out
 - Conferences and Meeting Facilities
 - Wedding Information
 - Picnic and Camping Areas
 - Nurseries
 - Art & Artists
 - Calendar of Events
 - Special Cube Display Offer – Buy two weeks get two weeks free (subject to time and availability)

Premium Level 3 - \$198 Incl. GST

- NOW - Five weeks free cube display at the Centre per year (time and location subject to availability)
- Brochure Display throughout the year
- Vacancy Service (Accommodation only)
- Newsletter
- Free listing on the Hepburn Shire www.visitdaylesford.com website
- A link between www.visitdaylesford.com and the businesses website
- Twice yearly provision of information kit including 2 copies of
 - What To Do Activities With The Family Around Spa Country etc (9 sheets)
- The provision of 3 pads of tourism maps (normally \$5 per pad)

Cube Display \$520 pa or \$260 for six months.

5. GOVERNANCE AND STRATEGIC MATTERS

Currently no fees are charged for Visit Clunes, Visit Creswick and Visit Trentham Websites.

New Fees

It is proposed to simplify the existing fees, modify the range of services for the fees and introduce a small fee for the newer websites Visit Clunes, Visit Creswick and Visit Trentham.

The proposed new fees take into account current trends in tourism including:

1. Greater interest by visitors in the internet as a source of tourism information.
2. More enquiries for "things to do" and less enquiries for "accommodation" at visitor information centres.

Some modifications are to be made to the web sites including increasing the size of the type to allow the site to be more easily read. It is also hoped to improve the way accommodation vacancies are displayed and that a search button can be installed.

It is proposed the level 3 fee and cube fee be combined and that the range of services for level 2 be modified. Approximately 120,000 visitors come the centre each year and over 60,000 people have used the Visit Daylesford sit in the last year.

The proposed fees are

Basic Level 1 - \$120 Incl. GST

- Services
- Brochure Display throughout the year
 - Vacancy Service (Accommodation only)
 - Newsletter
 - Free line listing on the Hepburn Shire www.visitdaylesford.com website

Intermediate Level 2 - \$150 Incl. GST

- Services
- Brochure Display throughout the year
 - Vacancy Service (Accommodation only)
 - Newsletter
 - Free listing on the Hepburn Shire www.visitdaylesford.com website
 - A link between www.visitdaylesford.com and the businesses website
 - Twice yearly provision of information kit including 2 copies of information sheets on:
 - What To Do & Activities With The Family Around Spa Country
 - Eating Out
 - Conferences and Meeting Facilities
 - Wedding Information
 - Picnic and Camping Areas
 - Nurseries
 - Art & Artists
 - Calendar of Events

Level 3 \$300 (full membership and cube display)

Premium Level 3 - \$300 Incl. GST

- Brochure Display
- Vacancy Service (Accommodation only)
- Newsletter
- Free listing on the Hepburn Shire www.visitdaylesford.com website
- A link between www.visitdaylesford.com and the businesses website
- Twice yearly provision of information kit including 2 copies of
 - What To Do
 - What To Do Activities With The Family Around Spa Country
 - etc (9 sheets)
- 12 months Cube display

Website Fee (Visit Clunes, Visit Creswick, Visit Trentham) \$30

5. GOVERNANCE AND STRATEGIC MATTERS

(DRVIC members free but only if they have tourism product in Clunes Creswick or Trentham)

Relevant Policies / Council Plan implications:

Council Plan 4.2 Promote and market the Shire.

Community / Engagement / Communication / Consultation:

The fees are based on consultation with some operators and VIC volunteers and knowledge of other similar visitor information centres.

Financial & Resource Implications Initial & Ongoing

It is anticipated that between \$30,000 and \$40,000 will be generated by these fees. Invoices are to be sent out around April.

Recommendation:

That Council:

5.4.1 *Adopt the fees proposed in this report to take effect this financial year.*

Moved the Officer's recommendation.

Moved: Cr Janine Booth

Seconded: Cr David Smith

Carried.

5. GOVERNANCE AND STRATEGIC MATTERS

5.5 SWISS ITALIAN FESTA EVENT INITIATIVE (Confidential)

(A/O – Manager Tourism, Economic Development and Tourism)

File Ref:

Synopsis

It is proposed that Council allocate \$5,000 to a new initiative for the Swiss Italian Festa to run a pilot programme aimed at attracting significant funds from State Government for the following year's event.

Report

Organisers of the Swiss Italian Festa and the Manager Tourism, Economic Development and Recreation have been meeting together for some time to explore the feasibility of an initiative aimed at developing the festival to a new level. In order for any event to survive it must keep evolving and the organisers have come up with an idea which has considerable merit on many levels. (*Refer **confidential** attachment for detailed information*).

Relevant Policies / Council Plan implications:

Strengthening Communities

1.2 Enhance Community Connectedness, capacity building and leadership.

Economic Development

4.2 Promote and market the Shire

Hepburn Shire Events Policy

Community / Engagement / Communication / Consultation:

The concept of supporting event initiatives and attracting external funding was proposed at the events workshops held through the second half of 2007 for Hepburn Shire Event organisers.

Financial & Resource Implications Initial & Ongoing

Council has allocated \$10,000 in its budget this year for supporting event initiatives.

Recommendation:

That Council:

5.5 .1 *Agree to provide \$5,000 for the Swiss Italian Festa event initiative.*

Moved the Officer's Recommendation

Moved: *Cr Janine Booth*

Seconded: *Cr Bill McClenaghan*

Carried.

5. GOVERNANCE AND STRATEGIC MATTERS

5.6 MID YEAR BUDGET REVIEW 2007/08

(A/O –Acting Director Corporate & Community Services)

File Ref: 30/08/16

Synopsis

Council Officers have undertaken a comprehensive review of the 2007/08 Operational and Capital / Projects budgets.

Report

The mid year review undertaken by Council staff of all expenditure and income items has been undertaken and updated forecasts prepared where variances from budget have occurred or are expected to occur.

The attached documents are provided for Council's information:-

- One page summary
- Budget Variance Summary
- Capital / Projects year to date, with comments

A forecast of \$150,000 has been included for legal expenses based on the level of expenditure to December 2008 however, no provision for reimbursement of these expenses is included.

The current forecast provides for a modest surplus of \$24,380.

The next comprehensive review will be undertaken at the end of March 2008 as part of the budget process for 2008/09 at which time a further report will be presented to Council.

Relevant Policies / Council Plan implications

- 3.1 Improve the management of our assets
- 3.3 Responsible financial management
- 3.5 Tight, sharp, focussed, professional administration

Community / Engagement / Communication / Consultation

A range of consultations with the community were undertaken in developing the 2007/08 budget.

Financial & Resource Implications Initial & Ongoing

None anticipated.

Recommendation:

That Council:

:

5.6.1 *Receive and note the report*

5.6.2 *Request the Manager of Finance to provide future monthly reports on performance against the revised budget forecast.*

5. GOVERNANCE AND STRATEGIC MATTERS

Moved the Officer's Recommendation.

Moved: Cr Janine Booth

Seconded: Cr Heather Mutimer

Carried.

5. GOVERNANCE AND STRATEGIC MATTERS

5.7 MONTHLY FINANCIAL REPORT 1/7/07 – 31/1/08

(A/O – Director Corporate & Community Services)

File Ref: 30/08/16

Synopsis

A summary report on the Council's financial performance for the financial year to the 29 February 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 67%.

**Hepburn Shire Council
Monthly Financial Report February 2008
Percentage of year complete 67%**

	Budget/ Forecast 000's	Actual Feb-08 000's	Percentage Of Budget
1. Administration			
Expenditure	5143	3346	65%
Income	(11,890)	(10,920)	92%
1. Administration	(6,747)	(7574)	
2. Human And Community Services			
Expenditure	2,632	1,587	60%
Income	(1,840)	(1,280)	70%
2. Human And Community Services	792	307	
3. Regional Development/promotion			
Expenditure	1901	1,160	61%
Income	(514)	(288)	56%
3. Regional Development/promotion	1387	872	
4. Public Safety			
Expenditure	636	400	63%
Income	(259)	(165)	64%
4. Public Safety	377	235	
5. Recreation			
Expenditure	1060	835	79%
Income	(19)	(14)	74%
5. Recreation	1041	821	
6. Infrastructure Development			
Expenditure	4,908	2,526	51%
Income	(3,229)	(1,959)	61%
6. Infrastructure Development	1,679	567	

5. GOVERNANCE AND STRATEGIC MATTERS

**Hepburn Shire Council
Monthly Financial Report February 2008
Percentage of year complete 67%**

	Budget/ Forecast 000's	Actual Feb-08 000's	Percentage Of Budget
7. Waste & Environment			
Expenditure	1,422	811	57%
Income	(1,462)	(1,428)	98%
7. Waste & Environment	(40)	(617)	
8. Unclassified			
Expenditure	19	1	5%
Income	(309)	(9)	3%
8. Unclassified	(290)	(8)	
9. Capital Works And Projects			
Expenditure	4,689	2466	53%
Income	(2912)	(600)	21%
9. Capital Works And Projects	1777	1,866	
Report Total	(24)	(3,531)	

The report has been produced at a summary level to provide Council with a snap shot as at the end of February 2008. For those areas where the percentage varies significantly from the year completed percentage the following comments are provided.

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 February account is normally paid in March.

Regional Development/promotion – Income. This relates mainly to Tourist Information fees and Map income which are raised in May/June each year.

Recreation – Income. Bathhouse rent not expected to be received until 2008/09. based on advice that the project is running behind schedule.

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

Infrastructure Development - Expenditure. Majority of Road works takes place over the next two to three months

Infrastructure Development - Income. Income is received from two principal sources the grants commission which is paid quarterly and Roads 2 Recovery which is claimed when the works are completed.

5. GOVERNANCE AND STRATEGIC MATTERS

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

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

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

Capital & Projects – Expenditure & Income. Projects in this area are traditionally lumpy as such will be reported on separately in some detail as part of the March Quarterly review process.

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:

5.7 .1 *That the February 2008 finance report be received and noted.*

Moved the Officer's Recommendation.

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

5. GOVERNANCE AND STRATEGIC MATTERS

5.8 VINCENT STREET INFORMAL PEDESTRIAN CROSSING AND BUS BAY

(A/O-Manager of Operations)

File Ref:7300

Synopsis

This report provides information on the Pedestrian Crossing and Bus bay in Vincent Street Daylesford

Report

Pedestrian Crossing

Council should be aware of the newly constructed pedestrian crossing installed in Vincent Street, Daylesford which is now well patronised by pedestrians and vehicles and adhering to this crossing requirement.

The pedestrian crossing was completed in December 2007 and some adjustments to the parking bays in and around the crossing have been undertaken to improve the visibility of pedestrians using the crossing to vehicles in Vincent Street.

Previously in Vincent Street, there were two "claytons" crossings and Council approved the installation of a legal crossing and retention of one "claytons" crossing.

The issue of pedestrian safety on the "claytons" crossing outside the Town Hall is brought to Council's attention. Pedestrians using the legal crossing realise that they have the absolute right to cross the road in safety and that vehicles are required to give way to all pedestrians on the crossing, whilst at the "claytons" crossing pedestrians are required to give way to vehicles and thus vehicles have absolute right of way .

This mixture of crossings is:-

- 1) Providing a mixed message to pedestrians utilising both the formal and informal crossings as provided in Vincent Street;
- 2) Not providing a safe designated crossing location for pedestrians to cross Vincent Street outside the Town Hall.

It is recommended that Council remove the "claytons" crossing located outside the Daylesford Town Hall including all barriers and bridges. The area that was previously the "claytons" crossing would then revert back to parking.

Sufficient funds are available within the current capital works budget to undertake the removal of this "claytons" crossing.

Bus Bay

The current Bus bay in Vincent Street utilised by V- Line and the community bus from Hepburn has a number of operational deficiencies requiring attention.

Staff from the operators of the V-Line and community buses, including V-line Operation Officer, VicRoads Bus Directorate Manager and Council's Manager Operations recently inspected this facility.

The large buses operated by V-line cannot utilise the bus parking area, principally due to the old cantilevered verandah obstructing approximately 30% of the bus bay .The current bus bay was increased in size with the new pedestrian crossing but is limited in its useability, mainly due to the increased height of buses now used as part of the regional and local bus systems.

5. GOVERNANCE AND STRATEGIC MATTERS

Due to this factor, all officers involved at the on-site meeting inspected an area for an alternative site and the preferred site is adjacent to the swimming pool in Bridport Street near the rear entrance to the Daylesford Town hall.

Cost to undertake the building of a new compliant bus shelter would be \$40,000.

Cost sharing would be 50% contribution from the bus directorate through the Department of Infrastructure.

Relevant Policies / Council Plan Objectives

Council Plan:

Objective Three: Improve the management of our assets by identifying those assets that are unsafe or hazardous and implementing measures to remove the hazards.

Community / Engagement / Communication / Consultation:

Discussions held with Cr Bill McClenaghan, officers from the Department of Infrastructure, VicRoads and V-Line Bus Services plus members of the public.

Financial & Resource Implications Initial & Ongoing

Cost for removal of bollards and pedestrians ramps including asphalt repairs and linemarking is projected to be \$7,500 which can be accommodated within the current funding for the Vincent Street Crossing (account No 9560859).

Cost for relocation of the current bus bay is \$40,000. Department of Infrastructure will contribute half of the total cost for this project

Recommendation:

That Council:

- 5.8.1 *Remove the informal pedestrian crossing outside the Town Hall, reinstate and provide parking spaces in place of the informal crossing in Vincent Street.*
- 5.8.2 *Refer the relocation of the current bus bay in Vincent Street to Bridport Street, Daylesford at an estimated cost of \$40,000 to the 2008/9 budget and seek a 50% contribution from the Department of Infrastructure for this project.*

Recommendation Moved at Meeting:

That Council:

- 5.8.1 *Remove the informal crossing outside the Town Hall, but not the pedestrian bridges, and re-design carparking spaces in front of the Town Hall in Vincent Street.*
- 5.8.2 *Notes that the Department of Infrastructure has provided a \$40,000 grant for the relocation of the bus bay in Vincent Street to Bridport Street Daylesford.*

5. GOVERNANCE AND STRATEGIC MATTERS

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

5. GOVERNANCE AND STRATEGIC MATTERS

5.9 CHIEF EXECUTIVE OFFICER – AUTHORISATION

(A/O – Council)

Synopsis

With the appointment of Philip Shanahan as Interim CEO Council needs to confirm authorisations and delegations under the Local Government Act and other relevant legislation.

Report

Under the Local Government Act the provisions are very clear that a CEO has certain powers and responsibilities. To complement this and to ensure the CEO is able to carry out his role Council resolves to authorise and delegate relevant matters to him.

The relevant Instrument is circulated separately to Council and will be tabled.

Relevant Policies / Council Plan implications

Local Government Act.

Community / Engagement / Communication / Consultation

Not relevant to this report.

Financial & Resource Implications Initial & Ongoing

Not relevant to this report.

Recommendation:

That Council: resolve to Authorise and delegate the relevant responsibilities to Philip Shanahan as Chief Executive Officer to cover the term of appointment and that the Instrument be sealed.

Moved the Officer's Recommendation.

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

6. COUNCIL AS COMMITTEE OF MANAGEMENT OF CROWN LAND

6.1 BATH STREET RESERVE – BOARDWALK SURVEY

(A/O – Director Infrastructure & Development)

File Ref: 4/0470/00100

Synopsis

A survey of residents and ratepayers within the Trentham Township zone asking whether they want the boardwalk in Bath Street Reserve replaced or not has been carried out. The survey result was that 77% of respondents preferred not to replace the boardwalk.

Report

Council at its Ordinary Meeting on 16 October 2007 resolved to:

“Undertake a survey of the residents and ratepayers within the Trentham Township zone to canvass if they want the boardwalk replaced or not. Note: Survey form should indicate the estimated cost of replacement boardwalk at \$55,000.”

The following letter and survey form was sent out to 287 resident/ratepayer properties.

Our Ref: 4/0470/00100

15 January 2008

«CombinedOwner»
«BoxOrStreetAddress»
«Locality1» «PostCode1»

Dear Property Owner

BOARDWALK – FOOTPATH SURVEY

Council has resolved to undertake a survey of the residents and ratepayers within the Trentham township zone to canvass if they want the boardwalk in Bath Street Reserve, Trentham replaced or not.


The estimated cost to replace the boardwalk is \$55,000.

Enclosed is a survey form and a reply paid envelope. We ask that you complete the survey form and return by post to Council by no later than **15 February 2008**.

Once Council has analysed the results of the survey you will be advised of the results and what further action, if any, Council will take. It is envisaged that you would receive this advice by late April 2008.

Should you require any further information please do not hesitate to call the undersigned on telephone 5321 6412.

Yours sincerely



ROD CONWAY
Director Infrastructure & Development

Enc: Survey Form & envelope

6. COUNCIL AS COMMITTEE OF MANAGEMENT OF CROWN LAND

BOARDWALK SURVEY

Please place a in one box only indicating your preference, and return in reply paid envelope by **15 February 2008**.

We want the boardwalk in Bath Street Reserve, Trentham replaced at an estimated cost of \$55,000

We do not want the boardwalk in Bath Street Reserve, Trentham replaced.

Council received 184 completed survey forms up to 18 February 2008 for which:

43 - in favour of replacing the boardwalk (i.e. 23%)
141 - in favour of not replacing the boardwalk (i.e. 77%)

The response rate was 64% which is considered to be an excellent rate of return.

Typical comments received were along the lines:

- Do not want the boardwalk replaced, would like to see the reserve cleaned up.
- Seal Mulcahys Road instead.
- Money better spent on ridding the town of thistles, blackberries and other weeds.
- Boardwalk didn't go anywhere.
- Spend money on landscaping or cutting the grass in the area.
- Total waste of money.
- Replace boardwalk and extend to High Street.
- Spend on other needed projects (eg. Roads and road corners, clearing jungle on Bath Street)
- Request community discuss this project against other priorities rather than in isolation.
- Long term plan for reserve is required rather than ad hoc, poorly planned and poorly funded outcomes.
- Have a pathway but not a boardwalk.

The greatest amount of written comments related to cleaning up the reserve and removal of fire hazard/weeds.

Relevant Policies / Council Plan implications

Council Plan

- *Objective Two – Service Delivery*

Deliver responsive services to our community within available resources

- *Objective Three – Asset and Resource Management*

Effectively manage our assets and resources to create a better Shire for our community.

6. COUNCIL AS COMMITTEE OF MANAGEMENT OF CROWN LAND

Community / Engagement / Communication / Consultation

Survey of 287 households conducted for which 64% responded to the survey.

Financial & Resource Implications Initial & Ongoing

To proceed with the boardwalk, funding in the order of \$55,000 would need to be provided.

Based on the survey results there does not appear to be adequate support for expending \$55,000 on a boardwalk.

To carry out major cleaning up of the reserve is estimated to cost \$7,650

Recommendation:

That Council:

- 6.1.1 *Advise residents and ratepayers surveyed of the results of the survey and Council's decision(s) on this matter.*
- 6.1.2 *Not proceed with replacing the boardwalk at this reserve.*
- 6.1.3 *Refer to the 2008/9 budget \$7,650 for clean up of the reserve.*

Motion moved at the Meeting:

That Council:

- 6.1.1 *Advise residents and ratepayers surveyed of the results of the survey and Council's decision(s) on this matter.*
- 6.1.2 *Not proceed with replacing the boardwalk at this reserve.*
- 6.1.3 *Agree :*
 - (a) to the formulation of a 'Management Plan' for the Bath Street Reserve*
 - (b) that an appropriate 'consultant' with wetland expertise be engaged to undertake the formulation of the Management Plan*
 - (c) that an amount of \$3,500 be expended from the 2007/08 Budget allocation for 'Bath Street Reserve Works' to cover the cost of preparing this Management Plan.*
- 6.1.4 *Refer to the 2008/09 Budget \$7,650 for appropriate maintenance/clean up of the Reserve.*

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

6. COUNCIL AS COMMITTEE OF MANAGEMENT OF CROWN LAND

6.2 LEASE – COUNCIL LAND AT HEPBURN RECREATION RESERVE

(A/O – A/Director Corporate & Community Services)

File Ref: 3/3400/18000

Synopsis

The Hepburn Recreation Reserve Committee leases from Council land on which part of the recreation facilities are provided. The lease ends later this year and the Committee is seeking to renew it for a longer term.

Report

The Hepburn Recreation Reserve (HRR) is built across Crown and Council land. In 1983 as part of development of HRR, the Council purchased land adjoining the Crown land for the purpose of extending the reserve. Approximately 2.3ha of land is involved. Technically the land is Lot 2 Plan of Subdivision 306789V and Crown allotments 2,3,4 & 5J Section 23 Hepburn Township. **(Refer Attachment No. 7)**

The Committee is constituted by the Department of Sustainability and Environment with responsibilities to manage the Crown land section of the Reserve. The Committee has enjoyed tenure by a standard lease arrangement at nominal rent for many years.

The Committee has improved the land through tree planting and construction of a netball court and change room facilities. A small part of the main oval as well as the surrounding access road is also across part of the Council land.

The Committee now seeks to secure a longer lease so user clubs - Hepburn Football Club, Hepburn Cricket Club and Hepburn Netball Club - can continue to have this area available and ensure the future viability of the HRR and the clubs which use it.

The Committee asks for a 30 year lease.

The Local Government Act 1989 (LGA) enables Council to lease land for terms up to 50 years. Where it is proposed to enter a lease, for example in this instance of 10 years or more, 4 weeks public notice of the Councils intention to lease must be given. Any person then has a right to make a submission about the proposed lease.

Relevant Policies / Council Plan implications

Relevant matters are:

- Policy # 9 Council Owned and Controlled Property – having in place proper tenure arrangements through appropriate leases;
- Objective 3 – Asset and Resource Management – management of assets, financial responsibilities and professional administration – by having proper written arrangements in place to recognise responsibilities and to protect parties involved.

Community / Engagement / Communication / Consultation

At this point it is proposed that public notice be provided as required by the LGA as a means to seek community input into the Committee's request to lease HRR for 30 years.

6. COUNCIL AS COMMITTEE OF MANAGEMENT OF CROWN LAND

Financial Implications

Apart from the required administrative processes, there are no immediate financial implications for the Council. This lease would not be subject to the provisions of the Retail Leases Act 2003. The Committee has responsibilities for maintenance of HRR.

Recommendation:

That Council

- 6.2.1 *agree in principle to the request from Hepburn Recreation Reserve Committee for a lease of the Council owned part of HRR for 30 years;*
- 6.2.2 *give public notice of intention to lease the land as required by S190 of the Local Government Act 1989; and*
- 6.2.3 *following expiry of the public notice period, a further report be provided.*

Moved the Officer's Recommendation.

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

7. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

7.1 HERITAGE ADVISORY COMMITTEE – RECOGNITION OF HERITAGE VALUES IN THE RESERVE MANAGEMENT PLAN OF THE BATH STREET RESERVE, TRENTHAM

(A/O – Manager Planning)

File Ref: 66/08/02

Synopsis

At its meeting of 22 February 2008, the Heritage Advisory Committee recommended to the Council that in the preparation of a reserve management plan for the Bath Street recreation reserve in Trentham that the heritage values of the old swimming pool within the reserve and the recreation reserve in general be given appropriate recognition.

Report

The representative from the Trentham Historical Society tabled a discussion led by the Chairperson relating to the Bath Street recreation reserve, off High Street Trentham.

Discussions centred on the use and development of the Bath Street recreation reserve, the timber boardwalk and the heritage values of the recreation reserve relative to the old swimming pool. It is reported that the pool is no longer in existence and yet its building footprint remained on site.

There has been discussion relating to its current listing of the old swimming pool in the Hepburn Planning Scheme as an item to Schedule of the Heritage Overlay. Following closer inspection it can be said that the site has not been listed as an item in the Heritage Overlay. As such, the heritage values of the old swimming pool and the recreation reserve itself are unknown.

In the preparation of a reserve management plan, it is recommended to Council that the heritage values of the old swimming pool and Bath Street recreation reserve in general be given appropriate recognition. Any such recognition is subject to research and verification by a heritage architect / qualified conservationist.

Relevant Policies / Council Plan Objectives

Corporate Plan – 5 Environment and Heritage

The recognition, conservation, maintenance and management of current listed heritage places and sites, and those of potential heritage values.

Financial & Resource Implications Initial & Ongoing

Nil

7. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

Recommendation:

That Council:

- 7.1.1 *Notes the recommendation of the Heritage Advisory Committee to recognise the heritage values of the old swimming pool site within the Bath Street Recreation Reserve and the Bath Street Recreation Reserve itself in the preparation of any future reserve management plan.*

Moved the Officer's Recommendation.

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

7. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

7.2 HERITAGE ADVISORY COMMITTEE – SIGNIFICANT TREE REGISTER

(A/O – Manager Planning)

File Ref: 66/08/02

Synopsis

At its meeting of 22 February 2008, the Heritage Advisory Committee resolved to seek advice from Council as to the precise timeframe for the implementation of the Significant Tree Register.

Report

The then Environmental Officer, Sophie Akers presented to the Heritage Advisory Committee at its meeting held in September 2007 a copy of the draft policy on Significant Tree Register and the intended format of the Significant Tree Register.

Following the meeting, there has been an expectation by the Advisory Committee that the Significant Tree Register and its related policy would be adopted by Council by December 2007. Since then it has been reported to the Committee that the Environmental Officer has left employment with the Shire and no further work has been able to be carried out on the Significant Tree Register.

The Committee at its meeting of 22 February 2008 discussed the progress on the Significant Tree Register and resolved to ask Council for advice as to the timeframe on proceeding with the Register. Members of the Advisory Committee have presented to the Chairperson potential items (trees) to be included in the aforementioned Register.

Interviews are to be held for the Environment Officer position this month.

Relevant Policies / Council Plan Objectives

Corporate Plan – 5 Environment and Heritage

The recognition, conservation and management of significant vegetation in the Hepburn Shire.

Financial & Resource Implications Initial & Ongoing

Nil

Recommendation:

That Council

- 7.2.1 *Advise the Heritage Advisory Committee that the progress of the Significant Tree Register program will be dependant upon the commencement date for the new Environmental Officer who will also require some time to settle in.*

Moved the Officer's Recommendation.

Moved: Cr Bill McClenaghan

Seconded: Cr Heather Mutimer

Carried.

7. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

7.3 SECTION 86 COMMITTEE & ADVISORY COMMITTEE MINUTES

(A/O – Manager Administration)

File Ref: Various

Synopsis

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

Report

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

- Minutes of the Creswick Development Committee dated 16/7/07, 17/9/07, 19/11/07 & 21/1/08 (File Ref. 22/15/08) (Advisory)
- Minutes of the Clunes Museum Committee of Management dated 11 February 2008 (File Ref. 1/2570/00036) (Section 86)
- Minutes of the Clunes Historic Medlyn Complex Committee of Management dated 2 January 2008 (File Ref. 1/0320/00070) (Section 86)
- Minutes of the Creswick Museum & Gold Battery Committee of Management dated 5/11/07 & 3/12/07 (File Ref. 2/7350/02046 & 2/6440/02296) (Section 86)

Relevant Policies / Council Plan implications:

2.2 – Improve internal and external communication.

Community / Engagement / Communication / Consultation:

Members of the community are represented on these committees.

Financial Implications

Nil.

Recommendation:

That Council

7.3.1 *Note the Minutes of the Committees listed above*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth

Seconded: Cr Heather Mutimer

Carried.

7. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

7.4 DRUMMOND HALL COMMITTEE OF MANAGEMENT – INSTRUMENT OF DELEGATION

(A/O – Manager Administration)

File Ref: 5/2105/00400

Synopsis

In accordance with a December 2004 resolution of Council which accepted and endorsed a Deed of Delegation to progressively replace existing Deeds when each Section 86 Committee of Management is renewed, the Instrument of Delegation for the Drummond Hall Committee of Management has been reviewed.

Report

The revised Instrument of Delegation clearly sets out the objectives and responsibilities of the committee. The Instrument also sets out the responsibilities of Council in relation to this committee.

The new document includes the maintenance quantum and responsibility for outgoings for the Committee. The old deed of delegation will now lapse, to be replaced by this proposed new Instrument of Delegation for the Committee.

The committee has agreed to enter into this new deed and have accepted responsibility for maintenance up to the value of \$1,000 p.a. The cost of the annual audit of the Committee's financial records is also to be borne by Council.

Relevant Policies / Council Plan implications:

- 3.1 Improve the management of our assets
- 3.5 Sharp, focussed, professional administration

Council's Local Law No. 1 Meeting and Common Seal

Community / Engagement / Communication / Consultation:

Consultation with the Drummond Hall Committee of Management has occurred and the appropriate Committee representatives have signed the Instrument of Delegation.

Financial Implications

\$500 per annum – auditing of the Committee's financial records

Recommendations:

That Council:

- 7.4.1. Sign and seal the Instrument of Delegation for the Drummond Hall Committee of Management.

Moved the Officer's Recommendation.

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

7. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

7.5 APPOINTMENT OF CULTURE & ARTS ADVISORY COMMITTEE

(A/O – A/Director Corporate & Community Services)

File Ref: 04/02/01

Synopsis

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

Report

Council adopted Terms of Reference for a Culture & Arts Advisory Committee in February 2007. Following the resignation of two CAAC members, Expressions of Interest for the Advisory Committee were advertised in the Advocate in December 2007 and January 2008..

The following 9 nominations have been received:

Maree Stephenson
Lidia Merzel
Cyana Matta Lopez (Business Representative)
Wayne Robbie
Lisa Shanahan
Ivor Bowen
Cecily Davis
Lynn Ann Buddenbaum
Paul Miller

All nominees meet the eligibility criteria as detailed in the Terms of Reference and offer a mix of community and skill based representation

The following resignations have been received:

Della Gogoll
Michael Despott

Existing members of the CACC include Liam Thomas, Georgina Meadows, Basil Eliades, Trevor Shard and Lyn Lea who were appointed by Council for a two year term in March 2007. Council is represented on the CAAC by Cr Tim Hayes, Cr Heather Mutimer, Martin Walmsley (Chair) and Sue Jone.

Relevant Policies/Council Plan Objectives

Council Plan: Objective 5 – Heritage and Environment

“respect and honour our unique historical and cultural attributes”

Cultural and Arts Policy and Action Plan

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

Financial/Resource Implications Initial & Ongoing

The Culture & Arts Officer will be responsible for resourcing the Advisory Committee. Funding through Arts Victoria has been secured until 30th of June 2008. Council has included provision within the current budget for the funding of the position until 30th of June 2008 and will need to consider the resourcing of the Advisory Committee in its 2008/09 budget deliberations.

7. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

Recommendations:

That Council:

- 7.5.1. Appoint Maree Stephenson, Lidia Merzel, Cyana Matta Lopez, Wayne Robbie, Lisa Shanahan, Ivor Bowen, Cecily Davis, Lynn Ann Buddenbaum, Paul Miller to the Hepburn Culture & Arts Advisory Committee for a period to two years.
- 7.5.2 Thank Della Gogoll and Michael Despott for their contribution to the Culture & Arts Advisory Committee.

Moved the Officer's Recommendation.

Moved: Cr Heather Mutimer

Seconded: Cr Janine Booth

Carried.

8. STATUTORY

8.1 APPLICATION NO. 2007/9580, PROPOSED: DEMOLITION AND RE-ERECTION OF EXISTING BUILDING AND TWO UNIT ADDITION AT 14 ALBERT STREET DAYLESFORD

(A/O – Planning Officer 1)

File Ref: 5/0060/01650/P

Synopsis

Applicant	WAQ Drafting & Building Maintenance
Location	14 Albert Street, Daylesford
Proposal	Demolition and Re-erection of Existing Building and Two Unit Addition
Zoning	Business 1 Zone
Overlay Controls	ESO1, ESO2, HO433
No of Objections received	One
Recommendation	Refuse to Grant a Permit



8. STATUTORY

Report

INTRODUCTION

Council considered this report at the 19 February 2008 Ordinary Meeting of Council and deferred the item. It is represented for Council decision.

An application was received on 18th October 2007 for the alteration to existing shop and two unit addition.

The applicant was advised that the proposal to demolish the existing building must be included in the proposal description. The applicant was also advised that, following a preliminary assessment, the demolition and re-erection of a replica building did not appear to meet the objectives of the Heritage Overlay. In response, the applicant amended the application on 19th November to reflect the demolition of the existing building with a re-erection of a replica building and a two unit addition.

PROPOSAL

It is proposed to use and develop the land for two shops and two dwellings. This will include the demolition of the existing building, the construction of a new (replica) building to the street frontage and addition of two residential units to the rear of the lot.

The subject site is located on Albert Street, a prominent street within the central heritage precinct in the town of Daylesford, with an area of 528m². The subject site also has legal access to a road (similar to a laneway) at the rear. The site contains the existing Federation/Interwar dwelling which is individually heritage protected and is currently used as a shop.

REFERRAL AUTHORITIES

The application was referred as follows:

Section 55 Notification

Nil

Section 52 Notification

Nil

REFERRAL WITHIN COUNCIL

The application was referred to Council's Heritage Advisor who objected to the proposal.

ADVERTISING/NOTICE OF APPLICATION

The application was advertised to adjoining property owners/occupiers, notification in the Advocate newspaper and by placing a sign on the land. The notification process was satisfactorily completed and one objection was received.

Relevant Policies / Council Plan implications

Council Plan 2006-2011 – the relevant objective to this application is key objective no. 5 that 'Council, in partnership with our community will ensure that our cultural, natural and built environment is protected, conserved and enhanced for future generations.'

8. STATUTORY

STATE PLANNING POLICY FRAMEWORK (SPPF)

15.11 Heritage

The objective of this policy is to assist the conservation of places that have aesthetic, historic, cultural or social significance as a means of understanding our past. Responsible authorities should conserve and protect places of natural or cultural value from inappropriate development.

The subject property is individually identified by Heritage Overlay 433 as being of historic significance. This proposal requires the complete demolition of the existing dwelling followed by the erection of a mock-up replica of the original building. The proposal is not in accordance with the objectives of this State planning policy.

17.02 Business

The objective of this policy is to encourage developments which meet the 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. The subject property is within the established retail/commercial precinct of Daylesford on the Daylesford Structure Plan and the development of retail/commercial space on the land is supported by this policy.

LOCAL PLANNING POLICY FRAMEWORK (LPPF)

21.09 Environment & Heritage

Objective 1 of this strategy aims to protect the cultural heritage of Hepburn Shire, while promoting appropriate development opportunities for areas and sites of cultural heritage significance and neighbourhoods of strong residential character. This is to be achieved by providing guidance for development to maintain the integrity of localities and precincts with important heritage character.

This is to be achieved by ensuring protection for identified significant cultural heritage places and providing guidance for development to maintain the integrity of localities and precincts with important heritage character. This proposal does not meet the intent of this specific Municipal Strategic Statement.

ZONE AND OVERLAY PROVISIONS

Business 1 Zone – the purpose of the zone is to encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

The use of the land for dwellings with less than 2 metres of floor level street frontage is a section 1 use in the Business 1 Zone. The use of the land for two shops (other than adult sex book shops) is also a section 1 use in the Business 1 Zone.

Pursuant to Clause 34.01-4 of the Business 1 Zone a planning permit is required to construct a building or construct or carry out works.

Heritage Overlay – Schedule 433 (14 Albert Street Daylesford) – the purpose of the overlay is to conserve and enhance heritage places of natural or cultural significance and to ensure that development does not adversely affect the significance of heritage places.

8. STATUTORY

Pursuant to Clause 43.01-1 a permit is required to construct a building or carry out works or to demolish a building on land affected by a Heritage Overlay. This proposal was referred to Council's Heritage Advisor for comment.

Environmental Significance Overlay – Schedule 1 (ESO1) – no permit is required under the provisions of this overlay.

The following Particular Provisions also apply to the proposal:

Clause 55 – Two or more dwellings on a lot.

Council must consider as appropriate, the objectives, standards and decision guidelines of Clause 55. A Clause 55 ResCode assessment is included below.

Clause 52.06 – Carparking.

The proposal must supply 2 carparks per dwelling (if there are at least 2 dwellings on the lot) or must obtain planning permission to waive this requirement.

ASSESSMENT

The subject site is located on Albert Street, a prominent street within the central heritage precinct in the town of Daylesford, with an area of 528m² and contains an existing Federation/Interwar dwelling and associated garden. The dwelling is individually identified by Heritage Overlay – Schedule 433 as having heritage significance.

1 objection has been received, the main points of objection are summarised as follows:

The process of demolition and construction will unnecessarily disrupt the quiet enjoyment of tenants in the offices immediately east of the subject site.

Both the subject site and the offices immediately east are zoned Business 1. A reasonable level of amenity for the operation of businesses is expected to be maintained in these areas, however, it is considered that the processes of developing or redeveloping the subject site will not be unnecessarily disruptive to the existing businesses in the area. The work on site must meet the noise control guidelines for Construction and Demolition Site Noise recommended by the EPA in concert with Council's Environmental Health Department.

The process of demolition and reconstruction may adversely impact the insurance claim currently pending on the site immediately east of the subject site.

The process of an insurance claim or any other commercial process (e.g. sale of land) on sites adjoining the subject land is not a matter which the planning process can take into account. In the event that damage is caused to the neighbouring properties by the works on site, these civil matters are to be reconciled between the parties involved and are not routinely mediated by Council.

In assessing the proposal against the Hepburn Planning Scheme, the relevant decision guidelines under the Business 1 Zone are as follows:

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

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The proposed two unit addition to the rear of the property will constrain the two proposed shops by removing their rear access for deliveries, reducing their functionality in the Business 1 Zone.

The streetscape, including the conservation of buildings, protecting active frontages to pedestrian areas and the landscaping of land adjoining a road.

The proposed development will maintain an active street frontage to pedestrian areas and will maintain the landscaped area adjoining the main street frontage.

The storage of rubbish and materials for recycling

The two proposed shopfronts do not provide adequately sited areas for rubbish storage due to the proposed wing walls and addition of two units to the rear.

The objectives and standards of Clause 55

The constraints of the site (the heritage overlay and size of the site) have meant that the design response could not meet all of the objectives (see below). However, under the Business 1 Zone the development does not 'have' to meet these objectives, rather, it 'should' meet the objectives.

Clause 55 assessment:

		Standard	Objective	
B1	Neighbourhood Character	✓	✓	Given the available land to the rear, the design response is appropriate to the site and the neighbourhood.
B2	Residential Policy	✓	✓	Medium density proposal, access to services.
B3	Dwelling Diversity	N/A	N/A	Less than ten dwellings.
B4	Infrastructure	✓	✓	All services will be connected.
B5	Integration with the street	✗	✓	The site is constrained so that the units will front the rear access, not the street.
B6	Street setback	✗	✓	Units will be setback from rear road at a similar distance to the building on the property to the south across the rear access road.
B7	Building height	✓	✓	Height of the building is 7.8m, less than the 9m maximum
B8	Site coverage	✗	✗	Site coverage = 67.7%, greater than the 60% max. Design could achieve objective if only one unit is proposed.
B9	Permeability	✓	✓	Approx. 26% permeable surface, greater than the 20% minimum.

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B10	Energy efficiency	✓	✓	Balconies and meal areas face north
B11	Open space	N/A	N/A	No open space available.
B12	Safety	x	x	Entrances are obscured. Design could achieve objective if only one unit is proposed.
B13	Landscaping	x	✓	Existing rear garden to be removed, however, front garden retained
B14	Access	x	✓	Access is 3.6m wide, however, internal radius of changes of direction is too small (2m instead of 4m). Design could achieve objective if only one carspace provided per unit.
B15	Parking location	✓	✓	Meets the objective
B16	Parking provision	x	✓	The design could meet the objective if there was only 1 car space per unit.
B17	Side and Rear setbacks	x	✓	No neighbouring dwellings so impacts are minimal.
B18	Walls on boundaries	x	✓	Wing walls are higher than maximum 3m average; however, there are no neighbouring dwellings so impacts are minimal.
B19	Daylight to existing windows	N/A	N/A	Not opposite existing habitable room windows
B20	North facing windows	N/A	N/A	No north-facing habitable room windows within 3m of relevant boundary.
B21	Overshadowing	N/A	N/A	No neighbouring dwellings.
B22	Overlooking	N/A	N/A	No neighbouring dwellings.
B23	Internal views	✓	✓	Views will be limited.
B24	Noise impacts	✓	✓	No external noise sources, those on site can be sited away from bedrooms etc
B25	Accessibility	✓	✓	Complies with requirements.
B26	Dwelling entry	x	x	Entrances are obscured. Design could achieve objective if only one unit is proposed.
B27	Daylight to new windows	✓	✓	Meets requirements
B28	Private open space	✓	✓	Meets requirements

8. STATUTORY MATTERS

B29	Solar access to open space	✓	✓	Meets requirements
B30	Storage	✓	✓	Meets requirements
B31	Design detail	✓	✓	Meets requirements
B32	Front fence	N/A	N/A	No front fence required
B33	Common property	✓	✓	Meets requirements
B34	Site services	✓	✓	Requirements met

The application was referred to Council's Heritage Advisor who advised that
" the existing building is a transitional Federation/Interwar dwelling that has an exact pair at No. 16 Albert St. Between them they are considered to make a notable contribution to the streetscape and as examples of early 20th Century development of Daylesford in an otherwise turn of the century and earlier local context."

"Individually the houses are considered interesting illustrations of the transition from Edwardian style to the Californian bungalow, and, as a pair, are seen to have added impact."

"The proposed reconstruction is not considered acceptable in heritage terms as, on principle, retention of genuine heritage fabric is essential for the integrity of the place. The proposed distortion of the original design with the faux replacement would be further exaggerated by reference and comparison to the adjacent original dwelling. Loss of chimneys and the inevitable newness of the replacement building would also diminish the heritage values of the site and the precinct."

"Whilst the condition of No. 14 Albert St is relatively poor, with some movement in the walls and the floors, these defects would be unlikely to prevent an economic renovation, particularly as no internal heritage controls apply."

The relevant decision guidelines for assessing the proposal under the Heritage Overlay are as follows:

Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.

The appearance of the proposed replica, mock-heritage building will have an adverse affect on the significance and the integrity of, not only this particular heritage place, but also on the significance and integrity of the individually listed dwelling next door (the matching twin at no. 16) and on the streetscape and surrounding heritage precinct.

Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.

Whilst the location and bulk of the proposed replica building are in keeping with the character of adjacent buildings, the form and appearance as a replica of the existing heritage building are not in keeping with the adjoining buildings or with the heritage precinct.

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Whether the demolition will adversely affect the significance of the heritage place.

The demolition of one of the 'twin' buildings at 14 & 16 Albert Street in Daylesford for the purposes of erecting a replica, mock-heritage building will severely adversely affect the significance and integrity of the heritage places.

In assessing the proposal against the State and Local Planning Policy, it was considered that the demolition of the existing heritage building was not supported, especially as the proposed replacement building would be a mock-heritage replica. The use and development of the site for shops and dwellings to the rear meets the purpose of the Business 1 zone, however, the inclusion of two units to the rear does limit the ability of the shops to the Albert St frontage to function well.

HO 433 is specifically directed to the conservation of the heritage values of the existing house and its immediate setting and the proposal to demolish the existing building and replace it with a replica new building does not meet the purpose or objectives of the Heritage Overlay.

Community / Engagement / Communication / Consultation:

No formal consultation was undertaken. However, the applicant has met with Council's Heritage Advisor a number of times on site. Discussions focussed on the importance of retaining the existing heritage dwelling, however, the applicant has chosen to apply to demolish the original building and, in its place, to build a replica of the original.

Financial & Resource Implications Initial & Ongoing

Potential cost of appeal to VCAT.

Recommendation:

That Council, having considered all the matters required under Section 60 of the Planning and Environment Act 1987, decides to Refuse to Grant a Permit under the provisions of Clause 43.01-1 of the Hepburn Planning Scheme in respect of the land known and described as 14 Albert Street, Daylesford, for the Demolition and re-erection of existing building and two unit addition in accordance with the attached plans, with the application dated 20/08/2007 on the following grounds:

- 1 *The application fails to meet the purpose and intent of the Heritage Overlay – Schedule 433.*
- 2 *The application fails to meet the objectives and strategies of Clause 15.11 (Heritage) of the Hepburn Planning Scheme.*
- 3 *The application fails to meet the objectives and strategies of Clause 21.09 (Municipal Strategic Statement) of the Hepburn Planning Scheme.*
- 4 *The application would set an undesirable precedent for the demolition and replication of heritage places in heritage areas of Daylesford.*

8. STATUTORY MATTERS

Moved the Officer's Recommendation.

Moved: Cr Heather Mutimer

Seconded: Cr Bill McClenaghan

Carried.

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8.2 PLANNING APPLICATION NO. 2007/9585, PROPOSED: REMOVAL OF EXISTING COTTAGE AT 21 HIGH STREET, TRENTHAM

(A/O – Planning Officer 1)

File Ref: 4/3150/00350/P

Synopsis

Applicant	Con Tsourounakis
Location	21 High St, Trentham
Proposal	Removal of existing cottage
Zoning	Business 1 Zone
Overlay Controls	ESO1, HO346, HO347
No of Objections received	Three
Recommendation	Refusal to Grant a Permit

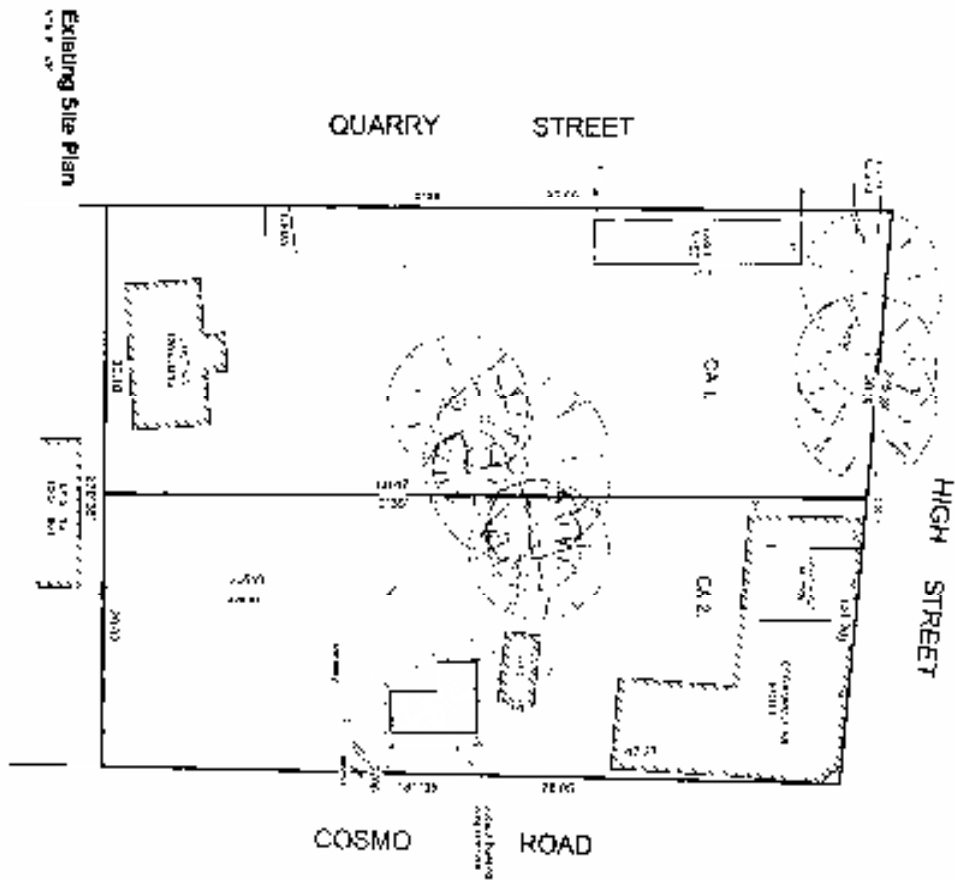


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W.A.Q. Drafting & Building Maintenance

104 Main Rd. Hepburn Springs Vic. 3461 ph. 03 5348 2992 mob. 0409 588 675 DP A7 21199

Prepared by: W.A.Q. Drafting & Building Maintenance
Reviewed by: W.A.Q. Drafting & Building Maintenance
Checked by: W.A.Q. Drafting & Building Maintenance
Date: 18/03/08



8. STATUTORY MATTERS

Report

INTRODUCTION

An application was received on 23rd October 2007 for the removal of the existing cottage.

The applicant was requested to provide more accurate details of the cottage, its location and state of repair, as well as the proposed site to which it would be relocated if a permit was granted. In response, the applicant supplied more detailed plans but could not specify an address or property to which the cottage might be relocated.

This application arose from an appeal currently before VCAT regarding the subdivision of the Cosmo Hotel.

PROPOSAL

It is proposed to remove the existing cottage, 'Bickley's Cottage', located 2.7m from the Cosmo Road frontage and 305m from the southern property boundary. The cottage is individually cited within the Heritage Overlay 347. As no location for the proposed relocation is identified, this application is akin to a demolition application.

The subject site is located on the corner of High St and Cosmo Road in Trentham. The site also contains the burnt out remains of the Cosmo Hotel (also the subject of a heritage overlay) on a prominent street within the central heritage precinct in the town, with an area of 2311m².

The cottage to be removed is individually identified by Heritage Overlay 347 as being of historic significance. The cottage is of timber construction with galvanised sheet roofing and is described by the applicant and by Council's Heritage Advisor as being 'derelict' and 'dilapidated' and photos provided to Council demonstrate its general state of disrepair.

The cottage is approximately 7.8m by 7.9m and contains one bedroom and one living room.

The current proposal to remove/demolish the cottage is not accompanied by any proposed development of the land; the applicant has justified the demolition in order to seek approval for a subdivision of the land for future retail/commercial development.

REFERRAL AUTHORITIES

The application was referred as follows:

Section 55 Notification

Nil

Section 52 Notification

Nil

REFERRAL WITHIN COUNCIL

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The application was referred to Council's Heritage Advisor who advised that: "the proposal to relocate the 'Bickley Cottage' is in effect a demolition as no new location has been proposed" and based on the derelict condition of the cottage did not object to the proposal.

ADVERTISING/NOTICE OF APPLICATION

The application was advertised by notification in the Advocate newspaper and by placing a sign on the land. The notification process was satisfactorily completed and three objections were received.

Relevant Policies / Council Plan implications:

Council Plan 2006-2011 – the relevant objective to this application is key objective no. 5 that 'Council, in partnership with our community will ensure that our cultural, natural and built environment is protected, conserved and enhanced for future generations.'

STATE PLANNING POLICY FRAMEWORK (SPPF)

15.11 Heritage

The objective of this policy is to assist the conservation of places that have aesthetic, historic, cultural or social significance as a means of understanding our past. Responsible authorities should conserve and protect places of natural or cultural value from inappropriate development.

This proposal requires the removal/demolition of the cottage.

LOCAL PLANNING POLICY FRAMEWORK (LPPF)

21.03-3 Strategic land use structure plans

The subject site is located within Trentham's designated 'town centre' where Council aims to encourage retail, commercial activities and to protect the town's heritage streetscape.

21.09 Environment & Heritage

Objective 1 of this strategy aims to protect the cultural heritage of Hepburn Shire, while promoting appropriate development opportunities for areas and sites of cultural heritage significance and neighbourhoods of strong residential character. This is to be achieved by providing guidance for development to maintain the integrity of localities and precincts with important heritage character.

ZONE AND OVERLAY PROVISIONS

Business 1 Zone – the purpose of the zone is to encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

No permit is required to remove a building under the Business 1 Zone provisions.

Heritage Overlay – Schedules 346 and 347 – the purpose of the overlay is to conserve and enhance heritage places of natural or cultural significance and to ensure that development does not adversely affect the significance of heritage places.

Pursuant to Clause 43.01-1 a permit is required to demolish/remove or relocate a building on land affected by a Heritage Overlay. This proposal was referred to Council's Heritage Advisor for comment.

8. STATUTORY MATTERS

Environmental Significance Overlay – Schedule 1 (ESO1) – no permit is required under the provisions of this overlay.

ASSESSMENT

The subject site is located on a prominent street corner (Cosmo and High St) within the central heritage precinct in the town of Trentham, with an area of 2311m² and contains the Old Cosmopolitan Hotel, an old shed and the cottage that is proposed to be removed. The cottage and roadside trees are individually identified by Heritage Overlay – Schedule 347 as having heritage significance. The statement of significance for HO347 from the Daylesford and Hepburn Springs Conservation Study, 1985 (Perrott, Lyon Matheson Pty Ltd and Andrew Ward Heritage Architect) follows:

“c1850’s/1860’s cottage is an early dwelling situated next door to old Cosmopolitan Hotel, areas most important timber hotel building. These two early buildings are surrounded by younger buildings and the cottage is important in combination with the old hotel as well as being possibly the oldest dwelling in Trentham.”

The application was referred to Council’s Heritage Advisor who advised that: “as no new location has been proposed, this proposal is in effect a demolition”, and, that “on the basis of the derelict condition of the cottage, the proposal to demolish is OK”.

Three (3) objections have been received, with the main points of objection summarised as follows:

If Bickley’s Cottage, probably the oldest building in Trentham, is allowed to be removed it will create an undesirable precedent.

The planning scheme requires that each proposal for demolition of a building affected by the Heritage Overlay be assessed on its individual merits. Each application is assessed individually pursuant to the Hepburn Planning Scheme and the Planning and Environment Act and should not derive ‘rights to demolish’ from this application.

However, it is possible that some people in the community may consider that allowing this proposal without sufficient justification will set an undesirable precedent for the protection of Heritage in Trentham.

The complex of the hotel with the cottage has heritage importance in combination and these elements should not be separated.

The statement of significance for the cottage does emphasise that the combination of the cottage with the Hotel is considered important. In this case the removal of the cottage will adversely impact not only Heritage Overlay 347 (specific to the cottage) but also Heritage Overlay 346 (relating to the Cosmo Hotel).

Given that no details of replacement buildings or development of the site have been submitted with the application, there appears to be insufficient justification to approve removal of the cottage from the site at this time.

Preserving Trentham’s uniqueness will enhance tourism

The Heritage Overlay has been applied to certain sites and areas of Trentham in order to conserve and protect the heritage significance of these places. It is Council’s responsibility to consider the impacts of its decisions regarding heritage matters on broader community interests including tourism business impacts.

As described above, it does not appear that the removal of the cottage from the site is sufficiently justified in this application. The removal of the heritage identified cottage

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despite protection under the Heritage Overlay and without details of replacement buildings or development may incrementally damage the integrity of the area.

In assessing the proposal against the Hepburn Planning Scheme, the relevant decision guidelines under the Heritage Overlay are:

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

As outlined above, both the State and Local Planning Policy Frameworks emphasise the importance of protecting and enhancing the heritage values of localities. Over time the Hepburn Shire Council has researched and documented those places deserving of protection for their heritage significance to the area. The Heritage Overlays have been applied to these sites in order to provide recognition and a certain level of protection for their heritage values.

Whilst Council may consider the application for removal/demolition of the cottage, the assessment requires weighing up the heritage value of that which is to be removed or lost to the area against the proposed improvements or development on the land.

In this case the applicant has hinted at the likelihood that the land will be subdivided in the future, however, without the inclusion of the subdivision with the removal application, there is no policy support to remove the cottage.

The significance of the heritage place and whether the demolition or removal will adversely affect the natural or cultural significance of the place.

The cottage in question has been identified by the heritage overlay as having cultural significance to the local area. The proposal to remove/demolish the cottage will adversely affect the cultural significance of the place. It is noted that, in its current condition, and in its setting behind extensive vegetation and fencing, the cottage is barely visible from the public domain and that the dilapidated state of the cottage has been used to justify its removal/demolition.

However, the assessment of the removal/demolition of the cottage must be weighed against any proposed new buildings or development of the land. Without the details of any other development included with the proposed removal there is no basis on which to support this application.

It is considered that whilst the cultural significance of the cottage may have been diminished over the years by its state of disrepair, there is insufficient justification in this application to approve its removal/demolition under the provisions of the Heritage Overlay.

Community / Engagement / Communication / Consultation:

No formal consultation was undertaken.

Financial & Resource Implications Initial & Ongoing

Potential cost of appeal to VCAT.

8. STATUTORY MATTERS

Recommendation:

That Council having caused notice of Planning Application No. 2007/9585 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Refuse to Grant a Permit under the provisions of 43.01-1 of the Hepburn Planning Scheme in respect of the land known and described as 21 High Street, Trentham, for the relocation of the existing cottage in accordance with the endorsed plans, with the revised application dated 23rd October 2007 on the following grounds:.

1. *The application fails to meet the purpose and intent of the Heritage Overlay – Schedule 347.*
2. *The application fails to meet the objectives and strategies of Clause 15.11 (Heritage) of the Hepburn Planning Scheme.*
3. *The application fails to meet the objectives and strategies of Clause 21.09 (Municipal Strategic Statement) of the Hepburn Planning Scheme.*
4. *The application would set an undesirable precedent for the unjustified removal/demolition of heritage places in heritage areas in Trentham.*

Moved the Officer's Recommendation.

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

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8.3 APPLICATION NO. 2007/9590, PROPOSED: CONSTRUCT A DWELLING AND CARPORT AT 186 LIMESTONE ROAD, YANDOIT

(A/O – Planning Officer 3)

File Ref: 5/3990/00300/P

Synopsis

Applicant:	Mr Ian Esmore
Location:	186 Limestone Road, Yandoit CA 1, SEC 7 PSH PYA
Proposal:	Construct a Dwelling and Carport
Zoning:	Farming Zone – FZ – Area 3
Overlay Controls:	ESO1, LSIO
No of Objections received	Nil
Recommendation	Refusal to Grant a Permit



8. STATUTORY MATTERS

Report

INTRODUCTION

A planning application was submitted to Council for the construction of a dwelling and carport on 24th October 2007.

A previous planning application was lodged dated 29th August 2006; application no. 2006/9142, to realign two lot boundaries by consolidation and approval for a dwelling on each newly create lot.

The applicant lodged an application for review with VCAT on 5th March 2007 for a failure to make a decision in the required timeframe.

On 9th August 2007 VCAT issued an order by consent of the parties being that leave was given to the applicant to withdraw the application.

PROPOSAL

It is proposed to construct a three (3) bedroom single story dwelling and carport on an 11.35 ha allotment fronting the Midland Highway, Yandoit. Access to the lot is gained via the Midland Highway, located approx 250-270m from the proposed building envelope.

The building envelope is setback 145m from the southern boundary and 10m from the western boundary; adjoining an allotment in the same ownership however, which does not form part of this permit.

To the south the lot abuts a property containing a dwelling; further south of that allotment is an olive plantation. As stated the adjoining lot to the west is in the same ownership, is vacant and is used for grazing. To the north the lots are also vacant and used for grazing, including, a lot forming part of a larger agricultural holding. To the east of the lot across the Midland highway there is an existing vineyard and dwelling.

The lot subject to this application is cleared with open grassed paddocks and as advised by the applicant has been cropped and agisted for the last 20 years. This lot is still used for grazing. The lot which forms this permit while detached; forms part of a larger agricultural property, the majority of which is located approx 1.2km to the south-west. The total land holding (in one ownership) is approx 54.31ha.

Kennedy Gully Creek runs through the lot from north to south on the eastern fringe of the property. There is some mixed vegetation particularly along the southern portion of the creek and some pockets of vegetation in the north western corner of the allotment.

REFERRAL AUTHORITIES

Section 55 Referral

Goulburn-Murray Rural Water Corporation (GMW): No objection subject to conditions

VICROADS: No objection subject to conditions

NCCMA: No objection subject to conditions

8. STATUTORY MATTERS

Section 52 Referral

Nil

REFERRAL WITHIN COUNCIL

Environmental Health Officer: No objection subject to conditions

Engineering: No objection subject to conditions

ADVERTISING/NOTICE OF APPLICATION

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing (a) sign(s) on site

The notification has been carried out correctly.
Council has received no objections.

Relevant Policies / Council Plan implications:

STATE PLANNING POLICY FRAMEWORK (SPPF)

Clause 15.01 – Protection of catchments, waterways and groundwater.

The objective of this clause is to assist in the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

The applicant has proposed to construct a driveway over the declared waterway therefore not meeting the objectives of this clause.

Clause 17.05 – Agriculture

The objective of this clause is to ensure that the state's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use and to enable protection of productive farmland.

The application does not meet the objectives of this clause as there is no agricultural use proposed on the subject land. The development of a dwelling on the lot will permanently remove this land from a productive agricultural use.

The applicant has not demonstrated that the construction of a dwelling is needed to reasonably support any agricultural activity being undertaken on the land.

LOCAL PLANNING POLICY FRAMEWORK (LPPF)

Clause 21.08 - Rural Land Use & Agriculture

8. STATUTORY MATTERS

An objective of this clause seeks to protect areas of high and very high quality agricultural land and areas with demonstrated potential for productive agricultural activity from non-complementary land uses.

The applicant has not demonstrated any future agricultural use for the lot. The land has been and still is used for grazing which is not considered to be of an intensity that warrants a permanent presence on site with a dwelling. Adjoining lots to the north and west contain grazing land and a winery is immediately to the east of the subject land, demonstrating that the region is capable of agricultural activity.

Given that the application does not propose any activity other than for the development of a dwelling it is considered that this application does not meet the objectives of this clause.

Clause 22.04 Rural Land

The objectives of this clause relevant to this application are:

- To ensure that rural amenity is not adversely affected by use or development in the rural areas;
- To ensure that the use and development of land does not conflict with adjoining and nearby agricultural activity, and;
- To provide for the erection of dwellings on rural lots where associated with and required to support a productive agricultural enterprise.

This proposal fails to meet the objectives of this clause as the development of a dwelling for residential purposes is in conflict with the adjoining agricultural uses and the dwelling is not reasonably required to support a productive agricultural enterprise.

ZONE AND OVERLAY PROVISIONS

Clause 35.07-1 Farming Zone – Section 2 Use

A planning permit is required in this instance as the lot must be at least 20ha to be able to develop a dwelling as of right under the provisions of the Hepburn Planning Scheme.

The applicant must be able to show that the development can meet the requirements of Clause 35.07-2. In this instance the applicant can provide this assurance.

Before deciding on an application to construct or carry out works the Responsible Authority must consider general issues, agricultural issues, dwelling issues, environmental issues and design and siting issues as described in Clause 35.07-6 of the Farming Zone.

An application for the use of a lot for a dwelling in the Farming Zone must be accompanied by a written statement describing how the proposed dwelling responds to the decision guidelines for dwellings in the zone:

Whether the dwelling will result in the loss or fragmentation or productive agricultural land

The lot has been and still is used for grazing. There are vacant lots adjoining this property which form a part of larger agricultural holdings therefore if the development of a dwelling on the subject land is approved it would result in the loss of productive agricultural land.

8. STATUTORY MATTERS

Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land

The applicant has proposed no agricultural use; therefore the dwelling is not reasonably required for the operation of agricultural activity.

Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to noise, dust, odour, use of chemicals and farm machinery, traffic and hours of operation

It is unlikely that the siting of the dwelling will be affected by agricultural activities on adjacent land.

Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural activities

The development of a dwelling for a rural lifestyle property will prohibit the expansion of the adjoining agricultural property. The proposal, if approved will lead to a fragmentation of productive agricultural land.

The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

There is the potential for a proliferation of dwellings in the area if this development is approved. The applicant in this instance owns another four allotments approx 1.3km from this proposal. Approval on this application may lead to interest in developing other allotments. Allowing the development of farming land for the use of rural lifestyle properties may lead to increased land values therefore making it more expensive to purchase land for agricultural uses. This may limit the expansion of existing agricultural properties.

As mentioned above the development of a dwelling is not reasonably required for the operation of an agricultural activity on the land. This change of use is not supported under the provisions of the Farming Zone as it will not support and enhance existing, if any, agricultural production and will permanently remove land from agricultural production, possibly leading to further and fragmented loss of agricultural land.

Clause 42.01-2 Environmental Significance Overlay 1 (ESO1)

The application for the development of a dwelling is in an unsewered area of the shire therefore the ESO1 triggers the need for a planning permit. The main concerns in relation to protecting the proclaimed catchment area are:

- To protect the quality of domestic water supplies within the shire;
- To maintain and enhance the quality and quantity of water within watercourses;
- To prevent erosion of banks and streambeds and saltation of watercourses;
- To prevent pollution of water bodies, streams and water storages.

The applicant has supplied a Land Capability Assessment (LCA) with the application. The purpose of the LCA is to provide evidence that all waste water from the proposed dwelling can be treated and retained onsite.

The application was referred to Council's Environmental Health Officer, Goulburn-Murray Rural Water Corporation (GMW) and the North Central Catchment Management Authority (NCCMA) for comment. The referral authorities recommended that with appropriate conditions they had no objections to the proposal.

8. STATUTORY MATTERS

Given the referral responses and the recommendations provided with the LCA, it is deemed that the proposed development of a dwelling will meet the objectives of the ESO1 as listed above.

Clause 44.04-1 Land Subject to Inundation (LSIO)

A permit is required to construct or carry out works in land subject to inundation. The application submitted to Council indicates that the access proposed includes a driveway that must cross the declared waterway which runs through the property which is covered by the LSIO overlay. As such a referral was sent to NCCMA. NCCMA were satisfied that permit conditions will protect the waterway. It is deemed that the application will meet the objectives of this overlay.

The proposed dwelling is located approx 200 metres from the waterway therefore it is not necessary to consider the location of the dwelling when assessing the application under this overlay.

ASSESSMENT

In summary the application proposes the construction of a dwelling in the farming zone. The applicant has not provided any evidence that the dwelling is reasonably required for the pursuit of agricultural activity. The development of a dwelling would result in the permanent loss of agricultural land and may limit the expansion of nearby agricultural properties.

The approval of such applications can lead to unplanned development in an inappropriate area, zoned for another purpose. Unplanned development may cause detriment on the provision of physical and social infrastructure. Such developments are not supported by State and Local policy or the provisions of the farming zone and therefore recommended to be refused.

Community / Engagement / Communication / Consultation:

Community consultation was not undertaken.

Financial & Resource Implications Initial & Ongoing

VCAT appeal may be lodged.

Recommendation:

That Council having caused notice of Planning Application No. 2007/9590 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Refuse to Grant a Permit under the provisions of Clause 35.07-1 of the Hepburn Planning Scheme in respect of the land known and described as 186 Limestone Road, Yandoit CA 1, SEC 7 PSH PYA, for the development of a dwelling and carport in accordance with the attached plans, with the application dated 24 October 2007, on the following grounds:

1. *The application fails to meet the purpose and intent of the farming zone.*
2. *The application fails to demonstrate that a dwelling is reasonably required on the land.*

8. STATUTORY MATTERS

3. *The application may lead to a loss of agricultural land and may lead to a proliferation of dwellings in the farming zone.*
4. *The application fails to meet the objectives and strategies of Clause 17.05 (Agriculture) of the Hepburn Planning Scheme.*
5. *The application fails to meet the objectives and strategies of Clause 21.08 (Rural Land Use & Agriculture) of the Hepburn Planning Scheme.*
6. *The application fails to meet the objectives and strategies of Clause 22.04 (Rural Land) of the Hepburn Planning Scheme.*

Moved the Officer's Recommendation.

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

8. STATUTORY MATTERS

8.4 PLANNING APPLICATION NO 2007/9631 PROPOSED: TWO LOT SUBDIVISION AT 27 MELBOURNE ROAD CRESWICK

(A/O – Planning Officer 2)

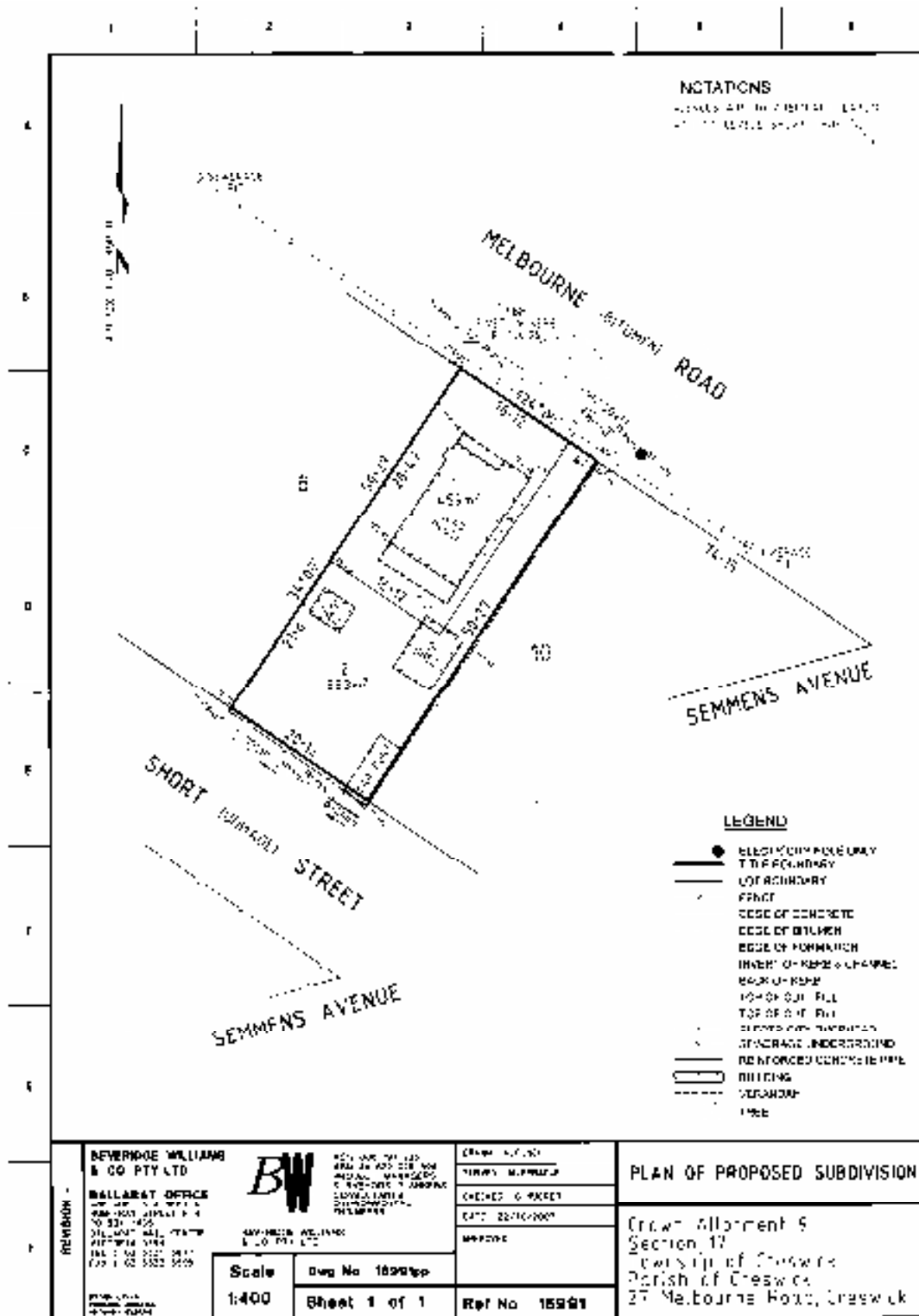
File Ref: 2/4550/02139/P

Synopsis

Applicant: Con Tsourounakis
Location: 27 Melbourne Road, Creswick.
Proposal: 2 lot subdivision
Zoning: Residential One Zone
Overlay Controls: Environmental Significance Overlay Schedule 1
No of Objections Received: None
Recommendation: Refusal to Grant a Planning Permit



8. STATUTORY MATTERS



8. STATUTORY MATTERS

Report

INTRODUCTION

This report is prepared to assist Council in reaching a determination on Planning Application 2007/9631, which seeks approval for a two lot subdivision of the property known as 27 Melbourne Road, Creswick. The application site is a rectangular lot of 1011 square metres, developed with a single dwelling fronting Melbourne Road. There is rear access to the lot from Short Street, a trafficable though poorly surfaced unmade road.

Both sides of Melbourne Road in the vicinity of the site present a generally consistent and similar pattern of development. Lots are rectilinear in form, two to three times deeper than wide, and developed with single storey detached dwellings. Only adjacent to Semmens Avenue do we find four lots with inconsistent angular forms, responding to the intersection of Semmens Avenue with Melbourne Road. There are no subdivided lots or dual occupancy units in the vicinity of the subject site.

The land is generally flat. With the exception of a few scattered street trees there is a general lack of significant vegetation nearby.

PROPOSAL

The proposal is to subdivide the land into two lots. Access to the rear lot is proposed from Melbourne Road by the creation of a "battleaxe" lot. The existing dwelling is to remain on the front lot.

At the time of requesting further information, the applicant was also advised that the proposal in its current form was unlikely to be supported by Council. Specifically it was considered that the proposed subdivision did not meet standard C6 or the neighbourhood character objectives of clause 56.03-5 due to the surrounding pattern of subdivision with single driveway access to Melbourne Road, and an absence of battleaxe lots. It was also unclear that there was provision for adequate access to the proposed front lot. It was suggested that a better planning outcome could be achieved by orienting the proposed lot 2 to Short Street, with access from there. In responding to these concerns, the applicant declined to modify the proposal.

REFERRAL AUTHORITIES

No external referrals are required for a two lot subdivision under the provisions of the planning scheme.

REFERRAL WITHIN COUNCIL

As the recommendation is for refusal on fundamental principles of planning, no internal referral was made.

ADVERTISING/NOTICE OF APPLICATION

The proposal was advertised by sending notice to owners and occupiers of adjoining land. No objections were received.

8. STATUTORY MATTERS

Relevant Policies / Council Plan implications:

STATE PLANNING POLICY FRAMEWORK (SPPF)

Clause 16.01-1 seeks to encourage opportunities for increased residential densities to help consolidate urban areas.

LOCAL PLANNING POLICY FRAMEWORK (LPPF)

Clause 21.05 – Settlement and Housing – identifies consolidation of existing towns and residential infill opportunities as a key issue. Objective 2 seeks to improve the character of development in established urban areas. As a strategy to achieve this, residential development that acknowledges and enhances the valued character of neighbourhood areas is to be promoted, and the consolidation of development in urban areas where infrastructure capacity exists and where the character of the area is not prejudiced is to be supported.

ZONE AND OVERLAY PROVISIONS

Residential One Zone

Under the provisions of the zone, a permit is required to subdivide land. In deciding on an application, in addition to the decision guidelines of Clause 65, the Responsible Authority must consider as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The relevant objectives and standards of Clause 56 (Rescode). In a two lot subdivision, the objectives included in the following clauses must be met, and the standards there included should be met: Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2

The State and Local Planning Policy Frameworks have already been considered. There follows below an assessment against the relevant clauses of Rescode.

	Standard	Objective	
Neighbourhood Character	X	X	See details below.
Lot area and building envelopes	✓	✓	Both lots can contain adequate building envelopes.
Solar orientation of lots	✓	✓	Both lots have long axis at 30deg east of north.
Common area	NA	NA	No common property proposed.
Lot access	X	X	Proposal does not show any vehicle access to proposed lot 1.
Drinking water supply	✓	✓	Conditions on permit would require this.
Reused and recycled water	✓	✓	Conditions on permit would require this.
Waste water management	✓	✓	Conditions on permit would require this.
Urban run-off	✓	✓	Conditions on permit would

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management			require this.
Site management	✓	✓	Conditions on permit would require this.
Shared trenching	N/A	N/A	All services are available to boundary of existing lot.
Electricity, telecommunications and gas	✓	✓	Conditions on permit would require this.

Neighbourhood Character Objective. The scheme has as its stated objective that subdivision design must respond to neighbourhood character. In meeting this objective, subdivision should respect the existing neighbourhood character or achieve a preferred neighbourhood character, and respond to and integrate with the surrounding urban environment. No preferred neighbourhood character for this precinct is alluded to in any objective, policy or statement set out in the scheme. Consequently the subdivision must respond to the existing neighbourhood character.

As already noted in the introduction to this report, both sides of Melbourne Road in the vicinity of the site present a generally consistent pattern of development.

The creation of a battleaxe lot is inconsistent with the existing neighbourhood character as expressed in the pattern of lot development. The proposal also fails to integrate with the surrounding urban environment, as it fails to take advantage of existing urban infrastructure, specifically Short Street.

As well as in the pattern of lots, neighbourhood character is expressed in the form, spacing and rhythm of buildings, fencing, and entrances. The character expressed is of single detached dwellings with generous side setbacks, each served by a single driveway. The proposal to create a lot at the rear served by its own driveway impacts on this rhythm. It must be noted that even though the application has not shown plans for a new crossover to serve the front lot, it would be a requirement of any permit that vehicle access for this lot be provided.

Environmental Significance Overlay Schedule 1 - Proclaimed Catchment Protection. A permit is required under the provisions of the overlay to subdivide land. It is not considered that the proposal for a two lot subdivision in a fully serviced residential area will have any adverse effect on water quality in the catchment as a result of erosion, pollution, raised nutrient levels or concentration or diversion of stormwater. The comments of the DSE and Goulburn Murray Rural Water Corporation were not sought, as the proposal falls into the category of minor development which neither authority wishes to comment on in line with existing memoranda of understanding.

DECISION GUIDELINES OF CLAUSE 65

Clause 65.01 requires consideration, as appropriate, of a number of matters. The relevant consideration not yet addressed is the orderly planning of the area. Clause 65.02 also requires that before deciding on an application to subdivide land, consideration must be given to the existing use and possible future development of the land and nearby land. Both matters can be considered as one.

The demand for medium density housing development makes it likely that further applications to subdivide lots fronting Melbourne Road will be made. Both State and Local Policy would encourage such development as urban consolidation and infill

8. STATUTORY MATTERS

opportunities in an established town, close to services. The orderly planning of the area would be best served by developing Short Street as the preferred access to any such future subdivisions.

ASSESSMENT

A number of key issues have been identified. These are:

- the appropriateness of medium density infill development.
- response of the proposed subdivision to neighbourhood character.
- access to proposed lots.
- the orderly planning of the area and possible future development of nearby land.

There is both state and local policy support for medium density infill development in Creswick. To this extent, the proposal is considered to have planning merit.

However, it is considered that by failing to utilise the opportunity for access presented by Short Street, the proposal does not respond to and integrate with the surrounding urban environment. By creating a battleaxe lot, there is an impact on the rhythm of driveways along Melbourne Road. The proposal is therefore not considered as an acceptable response to the existing neighbourhood character.

As no provision has been made for a crossover or on site parking space for the existing dwelling, access to the proposed lot one is considered inadequate.

Future development of this important residential area of Creswick is most likely to see an increase in medium density housing. It is a fundamental objective of planning in Victoria that development is fair, orderly and economic. The orderly and efficient development of land requires consideration of existing infrastructure and services. An opportunity exists here for the development of Short Street as the most efficient and orderly access for future subdivided lots along its length. This would create a streetscape at one remove from the main road, mirroring Ayers Street on the opposite side of Melbourne Road. By allowing adhoc development of battleaxe lots along Melbourne Road, this opportunity will be lost.

Community / Engagement / Communication / Consultation:

None undertaken

Financial & Resource Implications Initial & Ongoing

Costs of possible VCAT appeal.

Recommendation:

That Council having caused notice of Planning Application No. 2007/9631 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to refuse to Grant a Permit under the provisions of clauses 32.01, 42.01, 56 and 65 of the Hepburn Planning Scheme in respect of the land known and described as 27 Melbourne Road, Creswick, for the two lot subdivision in accordance with the endorsed plans, with the application dated 30/11/2007 on the following grounds:

- 1 *The proposal does not meet the neighbourhood character objective of clause 56.*
- 2 *The proposal does not meet the lot access objective of clause 56.*

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- 3 *The proposal is not in accordance with the orderly planning of the area.*
- 4 *The proposal does not accord with the possible future development of the land and the land nearby.*

Moved the Officer's Recommendation.

Moved: Cr Janine Booth
Seconded: Cr Heather Mutimer
Carried

9. COUNCILLOR REPORTS AND CONGRATULATIONS

Councillor Reports:

Cr David Smith Birth Ward

Thursday 21st February - Represented Hepburn Shire at a function held at the Ballarat Mining Exchange "Introducing Film Victoria's ONLINE LOCATIONS GALLERY – The gateway to filming location in Provincial Victoria – by Mr. Gavin Jennings MLC. Minister for Innovation. The launch was to encourage filmmakers to Provincial Victoria. Ballarat & Hepburn Shire leading the way in this field.

Innovative new functions on the Locations Gallery

www.film.vic.gov.au allows users to :-

- Explore Victoria's regional film attraction websites using interactive Google map technology.
- Browse Victorian locations easily through pre-defined portfolios of images.
- Create, save and share albums of images.
- Watch moving footage of the locations that featured in Victorian-filmed productions such as Ghost Rider, Charlotte's Web just to mention a couple.

26th February – Bathhouse Briefing

27th February – Budget Meeting at Yandoit – well attended and their main concerns were roads, roadsides and road edges.

Attended the C.D.D.A. Annual Dinner at Tumblers Green, large attendance and a great fund raiser for the C.D.D.A. Committee.

On 5th March chaired another meeting with the concerned residents and objectors for the Ridge Road, subdivision.

Last week prior to the Agenda Meeting in Creswick – I together with fellow Councillors attended the Forest Resort (Novotel Hotel) in Creswick for a guided tour. Congratulations go to all for a wonderful building, this will be a great asset in Hepburn Shire. The Forest Resort is a 144 room hotel, and has fishing village chalets, conference centre that will seat 1000 people, restaurants, day spa centre, together with the Robert Allenby designed golf course, as well as tennis, archery, canoeing, bush walking, mountain bike riding plus more all within the hotel complex. This hotel opens for business this Friday. What a wonderful resort to have in Hepburn Shire.

12th March attended the Fire Prevention Committee meeting held in Creswick. DSE updated the committee on Deep Creek, Eganstown, ~~Doctor's Gully and 250 Hec. Burns taking place in Hepburn Regional Park.

13th March – attended the Clunes Agricultural Show AGM Meeting and dinner held at the Clunes Showgrounds. The President Peter Clark expressed his thanks to Hepburn Shire for their support in obtaining a drought funding grant and special thanks to Rod Conway and his staff. The grant money was put to wonderful use – bandstand, building portable shearing platform, cementing a pavilion, upgrade to the office, kitchen and outside bar area's just to mention a few. The President also said this would not have been possible without the help of the committee and the volunteers of the people of Clunes and district who so freely give their time.

I would like to have it recorded my personal thanks to Victor for the great job he did for Hepburn Shire in the last 13 ½ years. It was not an easy job in the early years, I would

9. COUNCILLOR REPORTS AND CONGRATULATIONS

be the Councillor who worked with Victor the longest time during his time as CEO with Hepburn Shire.

I wish our new acting CEO – Phil Shanahan all the best in his position and offer my full support to him.

Cr Janine Booth Creswick Ward

This past month has been extremely busy for all Councillors and staff.

I would particularly like to acknowledge the recent departure of our CEO Victor Szwed. In my time at Hepburn Shire Council Victor provided me with the support, advice and encouragement to enable me to perform my role as Creswick Ward Councillor to the best of my ability.

Victor and Anna his wife became a good friends, over the past 2 and half years provided a friendly ear and sage advice when it was most needed and I respect their passion and dedication and support for people and communities right across the Shire. Many residents in my Ward have asked me to acknowledge Victor's sincerity, support and genuine interest in my community and to wish them both Victor and Anna well in all their endeavors in the future.'

I along with other Councillors have recently toured the soon to be open Novotel Hotel at Forest Resort at Creswick.

We also had an onsite inspection of the \$5,000,000. onsite Water Treatment Plant which will treat all waste water and saline bore water on site and redistribute it throughout the resort and golf course. I truly visionary project undertaken by the Walsh Family and undoubtedly the way of the future considering the dire water shortage.

I as Creswick Ward Councillor and chairperson of the CDC Committee in conjunction with Geoff Ryan Manager Tourism Economic Development and Recreation have organized a series of Community workshops in Creswick to develop a marketing Plan to assist the Creswick Business community to take advantage of the many opportunities and be better prepared for some of the challenges that Developments such as the Forest Resort in Creswick will bring.

We were fortunate to engage the expert assistance of Mr. Bill Fox a previous marketing manager for Tourism Victoria to assist us and in the future this Marketing plan will sit alongside the Creswick Development Plan to empower and assist my Community to continue to grow and develop.

Recently I have attended The Lindsay Arts Trail Annual Dinner along with the Mayor and Cr Smith, the 10th birthday celebrations for the Creswick Garden Club held in Creswick Town Hall. The Creswick Red Cross Annual Garden Party, I judged the Pet show competition at the recent Micro chipping day organized at Calembreen Park Creswick. I attended the public input budget meeting held at Creswick and attended a meeting between with representatives from the Central Highlands Football league., Victorian Country Football league, Councils Doug Lindsay Recreation Reserve Committee Creswick Football Club and Sport and Recreation Victoria in regard to the establishment of Football facilities at Lindsay Park Creswick.

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Last Friday I met and welcomed the Anglican Bishop Hough as He entered Hepburn Shire as part of his 5 week walking pilgrimage. I joined the Parishioners from the Springmount Parish to share a meal and listen to his inspiring stories gathered of faith and support as he walked the hundreds of kilometers around his diocese.

A truly inspirational clear thinking and progressive man of the Cloth and a welcome visitor to our Shire.

Cr Heather Mutimer Coliban Ward

Since the February Council meeting I have attended a number of meetings and events. The following are some of the highlights.

Cr.Mutimer verbally elaborated on some of these matters

22/2 Chaired Heritage Committee meeting at Daylesford

Issues raised and discussed included: Concerns regarding newly erected fence at the Uniting Church Daylesford, Demolition of 'Mandalay Guest House', New listing by National Trust of trees at Wombat Park Estate- 4 of state significance, Heritage values of 'spud digger huts' – are there any on Heritage Overlay?, heritage value of the 1930's swimming pool site/remains needs to be recognised in any future management plan for the Bath St.Reserve, Gold Battery/Creswick, booklet on the origin of 'nick name' places in Creswick, inventory of cemetery/Creswick. Signage pollution was also raised and discussed.

24/2 Attended the opening of the golf season at the Trentham golf club. Beautiful course, with many members from Melbourne. One of the best country golf courses in Victoria!

27/2 IWD meeting

Hepburn Shire and Bobonaro Friendship meeting

Friendship Conference discussed; planned for 18/20 June. Will Cr.Mutimer be attending on behalf of Group? Cr.Mutimer informed that she will need to discuss with fellow councillors – no budget allocation in current budget. Conference fee already paid from previous planned conference which didn't go ahead but travel expenses etc, needs to be allocated,

28/2 Budget Meeting Trentham: 10 or more people in attendance

2/3 Judging of 'Young Lion of the Year' at Kataminga/Newbury hosted by the Trentham Lions Club. Subdistrict finals

Two fine young people from the 'sub district' took part in this excellent competition – Herbert Moore representing Melton Lions and Jemma Gillard representing Bacchus Marsh Lions. The overall winner was Herbert Moore.

5/3 Meeting re; JubileeLake Caravan Park Lease

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Meeting with Rural Access Worker in Trentham re;Mobility map

7/3 'International Women's Day'

Another very successful IWD event with more than 200 in attendance. Highlight was the announcement and 'story telling' of the 2008 recipients. Professor Marilyn Lake gave a very thought provoking speech on "the power of the vote" Special thanks to Kathy Graham and John Liversidge for all their help.

9/3 Bullarto Tractor Pull

A great day – big attendance. Lots of children in awe of the old machinery and cars on display.

12/13 March; Vagina Monologues: Daylesford/Creswick Town Halls

17/3 Hepburn Community Access meeting

Good news; the pilot bus from Hepburn to Ballan will continue – will new service have disability access? concerns raised.

Mobility map. Rural access worker has been working with ward councillors – walking the main towns to ascertain if disabled toilets etc are highlighted on town maps. New maps being produced.

Footpath policy: where is it at?

Creswick Town Hall – announcement of renovation grant. Great work being done by 'Friends of Creswick Town Hall'

Cr Bill McClenaghan Holcombe Ward

Much of the past month has been spent on preliminary work for the 2008/2009 Shire Budget. I chaired two residents and ratepayers' meetings, one in Daylesford and one in Glenlyon. The Daylesford meeting was very well attended this year with about a dozen local people keen to find out about Council's financial state and where money is being spent. Numerous questions were asked and clarification sought on several matters.

Glenlyon again presented well to their meeting on the Budget and a range of issues were raised as usual. Glenlyon is a small town with a highly developed local community and various networks exist to get things done. For example, following a meeting of community groups at Glenlyon a month ago, about a dozen people turned up to a working bee last Saturday to assist the Anglican Church clean up its grounds and the guttering on the historic church building. This church is struggling for numbers now, not just in terms of congregation but in terms of volunteers to help where needed. A working bee organized through the local groups meeting certainly solved their maintenance problems.

The Highlands Waste Management Group is still seeking to change the employment status of its Executive Officer from contractor to employee and more Director's

9. COUNCILLOR REPORTS AND CONGRATULATIONS

meetings have been held. Now we are told that there are too many regional waste management groups, especially in the outer Metro area and I wonder if there will be an amalgamation coming up.

As a Director of HRWMG, I had the pleasure of presenting a bronze Waste Wise Certificate to St Augustine's Primary School in Creswick on Friday 29 Feb. The Waste Wise program has been revamped and re-named. Instead of three Waste Wise Certificate levels (bronze, silver & gold) we are to have a five tick system introduced called "Resource Smart" so that the best organizations will have their five "Resource Smart" ticks.

I have also had some preliminary discussions with Neil Noelker, a consultant working on Community Planning in the Franklindale, Yandoit and Clydesdale areas. More details and meeting times are still being worked on.

The Bathhouse Business and Community Liaison Group has also been active seeking updated information from Major Projects Victoria regarding delays with completing the redeveloped Hepburn Mineral Springs Bathhouse. This iconic facility will not be open for Easter despite previous assurances. Further delays will see practical completion of the building by the end of June this year. A new information pack has now been released by MPV and there are images of very high quality work completed within the building. Members of the Group were becoming very despondent with the information shortage and the ongoing delays, feeling that they were giving false assurances to the community on when this development would be finished. Some had contemplated resignation and had made their feelings public in the media. Hopefully, newly arrived information has dispelled the concerns and we are back on track. The Group will be joining Council for a second Bathhouse tour with MPV this coming Thursday.

I understand that the State Government has provided another requested \$5,000 in funding for a reprint of the excellent Hepburn Springs pamphlet that has promoted so many Hepburn Springs businesses and attractions during Bathhouse closure. This should top up our almost exhausted supplies of this pamphlet until the Bathhouse reopens, we hope in July or August this year.

Once the building is finished, the Council will be restored by DSE as Committee of Management over the Bathhouse. This will restore the situation as it was prior to closure in October 2006. In a week or two, the Minister for Environment & Climate Change will make an announcement naming the preferred tenant who will then sign a long term lease with Council. It is to be hoped that with all the best of good will and co-operation between Council, the tenant, the State Government and the Community, the Hepburn Mineral Springs Bathhouse will be open again in July or August this year and a very much waited for revitalization of spa and wellness tourism will occur. More than this, a wonderful local facility will again be available to local people for their use and much needed hydro-therapy will again be available here. There will be no further need to bus people out of the area for needed hydro-therapy. Considerable employment opportunities will be created and probably the greatest promotion of spa and wellness this district has ever seen will occur prior to the re-opening of this iconic bathhouse in Hepburn Springs.

When I think back to 2004, to what this bathhouse was going to be like then, to the leasing situation proposed then, to how things went so wrong and how the whole project stalled, I am reminded of how much better it is all going to be now. There will be no basic bathhouse building chopped back to fit the budget but a magnificent structure with all the bells and whistles put back in. Certainly there has been no default fall back

9. COUNCILLOR REPORTS AND CONGRATULATIONS

position taken by merely renovating a tired old building and a spa pool built on a wooden stumped floor with a plumbers' nightmare in piping. Instead of a \$7.2 million redevelopment in 2004, we now have a \$10.6 million redevelopment. We will have an excellent long term tenant who will pay a projected large amount of rent for the facility. This will be used to pay off Council's \$1.2 million share and commitment to the project and thereafter the development of the somewhat neglected Mineral Springs Reserves. There will be absolutely no imposition on the ratepayers. The new bathhouse will be a tourist icon in this Shire drawing in thousands of visitors and locals alike. Despite difficulties in the past and infuriating current delays, everyone now should focus on the bright future ahead and be keenly looking forward to opening day.

Cr. Bill McClenaghan Holcombe Ward.

Cr Tim Hayes Cameron Ward

Since the last Council meeting I have attended a number of meetings, functions or celebrations organized by various community and business groups throughout the Shire.

On Wednesday 20 February I chaired the Annual General Meeting of the Ballarat District Group of the Country Womens Association. The Group has 15 branches in the Ballarat Region including three branches in the Hepburn Shire and they do a tremendous job in offering support for women in isolated areas as well as fundraising activities for worthy causes. Councillors may recall that last month the profits from a day's trading of a major Supermarket chain were donated to the CWA's appeal for rural families affected by the drought and this year an amount of almost \$3 million was raised.

Later that evening I attended a Round Table Dinner at Sovereign Hill organized by the Committee for Ballarat and at which Ziggy Zowkowski spoke about Climate Change. Like many before him Ziggy's message was that our current life styles and pattern of living must change if we are to remain sustainable in the future.

On Monday 25 February the Board of the Central Highlands Regional Library Corporation re-elected Cr Howard Templeton from Southern Grampians Shire as Chairman and Cr Di McAuliffe as Deputy Chair for the following 12 months.

That evening I witnessed the launch of a new bottling machine at Country Cuisine in Daylesford by Catherine King, the Federal Member for Ballarat. Country Cuisine started several years ago with two large pots and a wooden spoon and it is now a major producer of preserves, sauces and chutneys with a market now extending across the nation.

The most significant industry in Clunes is Wesley College and recently I was invited to meet with the Principal, Dr Helen Drennen and other senior staff from Melbourne to discuss the restoration of the old Wesleyan Church. The College has already spent in excess of \$ ½ million in restoring the slate roof and all of the stained glass windows and it is now considering internal restoration works. It is hoped that this building will become a major facility for the performing and visual arts for use not only by the College but by the wider community.

Earlier this month I had the pleasure of attending fund raising dinners at two of the Shire's wonderful establishments. The Annual Creswick Lindsay Dinner, organized by the CDDA was held at Tumblers Green on Saturday 1 March and on Friday 7 March I

9. COUNCILLOR REPORTS AND CONGRATULATIONS

attended Chill Out's Slowest Lunch at the Sault Restaurant at Sailors Falls – this event raised over \$12,000 to assist in the establishment of the 'Better Buddies' program in all of our primary schools.

Despite the heat the Annual International Women's Day event in Daylesford on Friday 7 March was a great success with several women again being inducted into the Women's Honour Roll. I congratulate Councillors Booth and Mutimer and the IWD Committee for organizing this very significant event.

The Daylesford & District Business Group was formed about 2 years ago and on Thursday 13 March I was invited to address the membership on a number of issues. The meeting was held at the Sailors Falls Estate which is another great facility in the Shire. Unfortunately I had to leave that meeting early in order to catch the theatrical debut of Councillor Janine Booth in the play 'The Vagina Monologues' held at the Creswick Town Hall. At times very humorous and confronting, the play was also thought provoking and highlighted the issue of society's violence against women within a contemporary and historical context.

Finally, it was pleasing to return to the Creswick Town Hall a few days later to hear an announcement from Geoff Howard, MLA for Ballarat East that a grant of \$93,000 has been made available through the Community Fund to assist in the refurbishment of the Town Hall. On the previous Friday I attended a similar event by Joe Helper, MLA for Ripon who announced a \$30,000 grant from Regional Development Victoria over two years to assist in the Clunes Back to Booktown event. Congratulations to both communities on achieving these outcomes.

9. COUNCILLOR REPORTS AND CONGRATULATIONS

Recommendation:

That Council:

5.1 *Receive and note the reports of Councillors.*

Moved the Officer's Recommendation.

Moved: Cr David Smith

Seconded: Cr Heather Mutimer

Carried.

Moved That Council receive an Urgent item of Business.

Moved: Cr Heather Mutimer

Seconded: Cr Bill McClenaghan

Carried.

Motion Moved at the Meeting re Roberto Perez visit:

That Council support and agrees to the requests as outlined in tonight's presentation from Sue Dennett & Maureen Corbett to:

- 1. make a \$700 contribution toward the costs of running the event from the Environment Projects Budget Allocation***
- 2. Allow the free use of the Town Hall (including the Senior Citizens Room) on 3 April 2008.***
- 3. Promote in Council's page in the Advocate on 26 March and provide the Shire logo for promotion purposes.***

Moved: Cr Heather Mutimer

Seconded: Cr Bill McClenaghan

Carried.

CLOSE OF MEETING

CLOSE OF MEETING: **The Meeting closed at 9.06pm.**

ATTACHMENTS

- ATTACHMENT 1** (Item 3) Minutes of :
Ordinary Meeting of Council – 19 February 2008
Special Council Meeting – 4 March 2008
Special Council Meeting – 11 March 2008
- ATTACHMENT 2** (Item 5.1) Arts Policy
- ATTACHMENT 3** (Item 5.2) Central Highlands Regional Library Corporation –
Discussion Paper
- ATTACHMENT 4** (Item 5.3) Events Policy
- ATTACHMENT 5** (Item 5.5) **CONFIDENTIAL** Swiss Italian Festa Event
Initiative
- ATTACHMENT 6** (Item 5.6) Mid Year Budget Review 2007/08
- ATTACHMENT 7** (Item 6.2) Lease – Council Land at Hepburn Recreation
Reserve
- ATTACHMENT 8** (Item 7.4) Drummond Hall Committee of Management –
Instrument of Delegation

ATTACHMENT 1

**Minutes of The Ordinary Meeting Of Council
Held On : 19 February 2008**

**Minutes of The Special Meetings of Council
Held On: 4 March 2008 & 11 March 2008.**

The minutes will be tabled at the meeting.

ATTACHMENT 2



D R A F T

ARTS POLICY

This Arts Policy has been developed in collaboration with the Hepburn Shire's Arts, Culture and Arts Advisory Committee (CAAC). One of the major roles of CAAC is to provide expert advice on the specific contribution the arts can make to a culturally diverse shire.

This Arts Policy sets out to represent the views and aspirations of the arts community, and the wider community, on the future priorities for the arts in Hepburn Shire.

The Council is committed in its Culture Policy to a shire of cultural vitality. The Arts Policy is a policy framework outlining a set of corporate goals, guiding principles, objectives and recommendations designed to contribute to the cultural capital of the shire. In so doing, Council commits itself to providing innovative leadership for the arts in the local government sector.

While many creative arts exist as an independent process, the Council recognises the leadership role that local government can play in providing support for critical 'infrastructure', such as funding, information, networking and collaboration opportunities, and spaces to house a variety of arts practices.

Council recognises that the generation of art is an organic process and as such, the Arts Policy objectives and strategies reflect those areas where Council has influence and resources to contribute to a supportive environment in which this process can occur.

The Arts Policy addresses the community's sense of identity by contributing to the maintenance of the Shire's unique style, supporting its diversity and 'edginess'; caring for its cultural heritage and promoting widely that the arts community is thriving in this Shire.

Arts Policy Vision

Hepburn Shire Council is committed to promoting individual and collective well-being, and enhancing local community identity by facilitating the community's capacity to develop, appreciate and express creativity and vitality.

ATTACHMENT 2

Hepburn Shire Council aims to raise its profile as a 'creative community': a place where arts and cultural activities are explored, encouraged and valued.

The Council will support and, where appropriate, partner organisations, artists, residents and visitors as they seek to contribute to the creative shire. It will strategically encourage the growth of the arts and creative industries in the shire's spaces, places and streetscapes and look to the development of a range of cultural precincts throughout the Shire.

Guiding Principles

The Council agrees that:

- The quality and presence of the arts, artists and arts organisations are key indicators for the cultural vitality of this Shire;
- Community access to and participation in the arts life of the Shire is to the mutual benefit of artists and the community;
- The preservation of cultural heritage is of the utmost importance to the community;
- The cultural diversity of the Shire is a strength which the Arts Policy will support and build upon;
- Indigenous arts are an integral and a critical element of the true expression of the Shire's cultural life;
- Leadership in the arts contributes towards the cultural vitality of the Shire;
- The arts can contribute to individual well-being and a positive sense of local identity for the whole community;
- Artists require space, time and opportunity for dialogue;
- The arts are an integral part of the local economy for Hepburn Shire; and
- Consultation with CAAC, Councillors, groups, individuals, Council Staff and those in the community who are interested in the arts in Hepburn will continue to inform the Arts Policy.

Objectives

- To create an environment in which the arts can flourish
- To commit to innovation, inspiration and excellence in the arts
- To become an interactive information hub for the local arts community
- To support the celebration of the Shire's people, places and cultural heritage
- To enhance the Shire's contemporary art and heritage collections.

ATTACHMENT 2

Actions/Recommendations

- That a 5 year Arts Plan be devised in consultation with the local culture and arts community.
- That provision is made in the 2008/09 budget for the Culture and Arts officer position to achieve the objectives of this policy.
- That the CAAC (Culture and Arts Advisory Committee) continues to be recognised as the peak body for consultation, feedback and engagement on matters relevant to culture and arts initiatives in the area.
- That the Community Arts Grants funding program continues to enable local arts initiatives and projects to be supported and enable leverage for arts specific funding at a state and federal level.
- That the Arts Policy is implemented in conjunction with and supports the future development of a Culture Policy, Local Arts Events Policy and Public Art Policy.

ATTACHMENT 3



Central Highlands
Regional **Library** Corporation

Discussion paper on Library Funding

*Prepared by
Central Highlands Regional Library Corporation
November 2007*

ATTACHMENT 3

PUBLIC LIBRARY FUNDING DISCUSSION PAPER

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PUBLIC LIBRARY FUNDING DISCUSSION PAPER

Introduction

The public library is an intrinsic element of democracy. The public library is a profoundly important cultural, economic and social institution. Libraries collect and disseminate information; they provide comfortable and convenient places for people to read and learn; their physical spaces form meeting places for community groups; being free and open for all they help to create a fairer society. They are, as borne out in the Library Building Communities study, highly valued by the communities they serve, and uniquely placed to draw a diverse range of people and groups together.¹

Libraries are an important, valued council service, with the potential to contribute to priorities for learning, community inclusion and e-government.

- There were over 32 million visits to libraries in 2005-2006
- 47% of Victorians are members of local libraries
- 50 million items are borrowed each year
- 24/7 service availability through web services
- 11,835 open hours per week totalling 591,750 open hours per 50 weeks of the year.

Over the last ten years there have been significant changes in the way that library services are provided and resourced. These changes have resulted in enhanced requirements for additional funding.

Satisfaction of public libraries

Public libraries hold an important place in people’s hearts. Unlike many of the other services that are provided by councils, they are used out of choice rather than necessity. People come to them for information, recreation and advice rather than to settle disputes and/or resolve problems.

Libraries are popular; in the Libraries Building Communities Census and Survey project 2006, overall satisfaction with the service provided by public libraries was ranked very highly. On a scale of ‘not satisfied’ (1) to ‘very satisfied’ (5), libraries across Victoria ranked at 4.5. Sixty-one percent of respondents said they were ‘very satisfied’.²

Overall satisfaction with library services	
Library Issue	Average rating out of 5
Responding to users requests	4.5
Ease of finding books and information	4.3
Usefulness of library website	4.2
Opening hours	4.2
Look and feel of the library building	4.2
Availability of parking	3.9
Charging policy	3.9

Table 1: Satisfaction of Library Services

¹ Libraries Building Communities: the vital contribution of Victoria’s public libraries – a research report for the Library Board of Victoria and the Victorian Public Library Network, 2005.

² Library user census and survey project 2006 Report 1: statewide analysis comparison, Libraries building communities project State Library of Victoria, 2006.

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Libraries provide a wide variety of services. These include a range of 'traditional' services; lending books for leisure, education and information; providing books, periodicals, newspapers and other materials for reference; lending audio visual items; providing information and dealing with general enquiries. All libraries provide computing facilities for access to the internet, software (word processing, spreadsheets, etc). Many larger libraries also provide specialist services, such as training facilities, local history, business support, meeting rooms and other specialist collections.

Data from the library survey also identifies the reasons respondents were using the library.

Loans		Services		Event Program	
Books	92%	Help finding information	46%	Homework and school support	8%
CDs, DVDs and videos	60%	Local and family history resources	10%	Book clubs/reading groups	4%
Magazines, newspapers	45%	Community information	21%	Language and literacy programs	2%
Loans from other libraries	4%	Information about government	23%	Club activities	1%
Facilities/resources		Reference material	23%	Computer/internet training	4%
Meeting rooms	6%	Information services for small business	3%	Writers' workshops	2%
Place to read/study/work	24%	Interpreting services	1%	Cultural events	7%
Equipment e.g. photocopier	33%	Library website	33%	Exhibition/displays	11%
Computers/internet	37%	Home library service	4%	Talks/lectures	8%
Adaptive technology	2%	Mobile library service	6%	Special events	7%
Online databases	17%			Other	1%

These results indicate that borrowing books is the most frequently mentioned reason for visiting the library, however other services and programs are utilised extensively and this illustrates the diversity and breadth of services offered through public libraries. One area that is growing is the access to community information (21%) and government information (23%), illustrating the need libraries fulfil in helping individuals find information.

Libraries are a valued community resource and a focus for local activities and information. This role is particularly important in areas where they are the only accessible public building or where they provide the only safe, neutral place for people to meet. Libraries have a long history of promoting

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reading and informal education for children and adults. The value placed on libraries, by the community has been measured in the Libraries Building Communities report.

People place a high monetary value on these services. Survey respondents valued a small library with 20,000 registered users around \$20 million a year; this figure ranged upwards to \$730 million a year for a larger library with about 150,000 registered users.³

There has been a growing recognition of the wider contribution that libraries can play in building communities:

- **Overcoming the digital divide**
Public libraries were seen as having a crucial role in ensuring that people on low incomes and from other disadvantaged groups are able to access information and technology and develop the necessary skills to use these.
- **Creating informed communities**
Librarians were seen as playing a key role in helping people develop their own skills in navigating and accessing information.
- **Convenient and comfortable places of learning**
Libraries provide a friendly environment in which residents can learn the basic skills they need to take part in the economic, social and cultural life of their community.
- **Building social capital**
David Mathews, President of America's Kettering Foundation for research into ways of making democracy work better, has said that smart communities are those where people know how to talk with each other. Public Libraries are fast becoming 'community hubs' providing a place where people can meet, and exchange ideas and information.

History of library funding

The State Government of Victoria has encouraged and facilitated the development of Victorian public libraries through a regime of various funding grants programs over at least the past 60 years. The overall level of support relative to the financial contributions provided by local Government has progressively declined over that time.

In 1947 only 12 Councils out of total of 212 Councils received a grant from the State Government. By 1980 210 out of 212 councils received grants. This expansion of the public library system in Victoria was to a significant extent due to the State Government through its grant program. Today every local government authority in Victoria provides public services to a high standard.

Whilst Local Government are the owners and operators of the public libraries, the State Government through specific policy requirements, conditions of grants and accountability criteria has been able to significantly influence or direct the development of the public library systems across the state. On a state-wide basis there are differences between the levels of services provided. Without the influence of the State Government though, it is highly probable that the differences would be more profound. The relative similarity of service levels and state-wide initiatives are important beneficial outcomes for all library users throughout the state.

³ Libraries Building Communities: the vital contribution of Victoria's public libraries – a research report for the Library Board of Victoria and the Victorian Public Library Network. 2005. page 6.

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Some sections of local government may consider that the level of influence is disproportionate to the level of funding especially with only one fifth of the funding coming from the State Government. Nevertheless from the perspective of access to a very important community resource the influence is critical and increasingly so.

The State Government has utilised various funding models over the past 60 years. Initially the funding was a simplistic model based only on a per capita amount that was capped. To get the full entitlement each local government authority had to at least match the cap amount. There was time when the per capita for local government authorities outside the Melbourne Metropolitan area was on a two for one basis. Later the funding model was modified to a formula to recognise some demographic criteria. Early versions of the formula were not equitable and required revisions. The formula has been modified over time to a stage where it is now reasonably equitable. The present formula has two prime components:

- Core funding, which helps councils provide public library services
- Local priorities funding, which supports specific local services identified by the library as a priority

Core funding comprises 95% of the total funding pool and the balance is for local priorities. (The formula is not to be confused with the actual allocation given by the State Government and it is the opinion of the authors of this paper that the level of funding should be increased).

With the introduction of the three year service level agreements between the State and Local Government the total pool of money available for the funding grant was indexed annually ostensibly to reflect increases in expenditure. The index factor applied by the State Government was not realistic at all in the context of library expenditure. Principally this was because of the proportion of staff costs in library budgets, increases in the costs of library materials and the development of ICT infrastructure in libraries. Consequentially Local Government has had to either contribute increasing amounts or reduce services. The proportions between the two funding sources changed markedly whereby situation today, only 20% of the funding comes from the State Government.

The situation was exacerbated because for many years the pool of State Government funding was not adjusted to reflect increases in population on a state-wide basis. It is pleasing to note that eventually this situation has been rectified but without any additional monies to recognise the impacts of the formula defect.

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Financial Implications

74% of public library funding is directly funded from Local Government while only 18% is derived from the State Government.

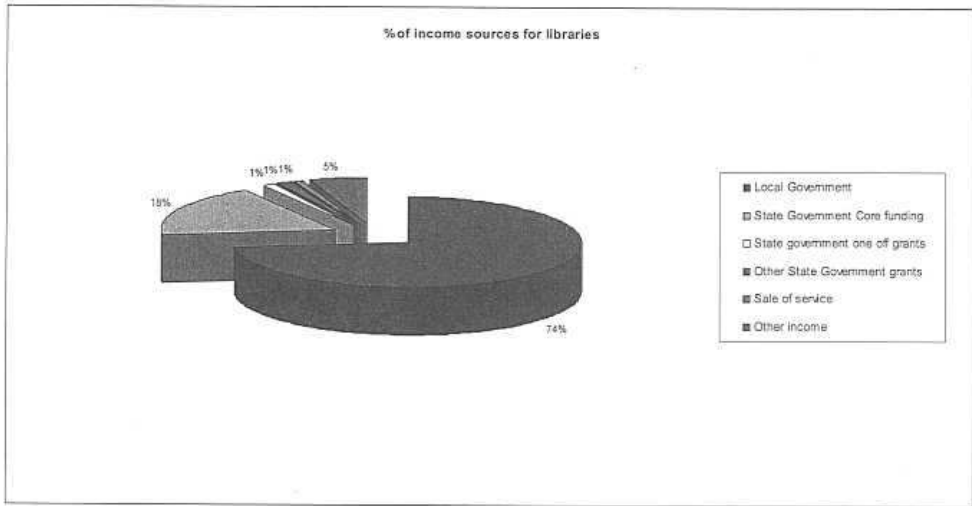


Figure 1: Income source for libraries

Currently the State Government provides \$30 million to Local Government for the provision of library services (which does not include the capital improvements grants) and believes that the ratio is acceptable as public libraries are a Local Government service.

51% of expenditure in public libraries is spent on staff, however staffing levels with international comparisons illustrates that Victorian Public Libraries operate in a much leaner environment⁴.

Currently 21% of library budgets are spent on administration costs which are mostly consumed by Information and Communications Technology (ICT). The provision of ICT services in libraries has increased significantly over the past three years. Victorians now have access to over 1,300 PCs up by 15% in 2004. It is recognised that similar services are offered through Neighbourhood Houses, however these services are more involved in training programs than just straight internet use.

Victorian Public Libraries provide free internet services for public use in accordance with State Government Policy. This ensures that access to information is democratised and allows those in the community who are technologically marginalised to access information. Library users are becoming increasingly demanding as software develops and PC infrastructure requires to be kept up to date. Internet speed is challenging for libraries as more information is now available on line, governments encourage members of the community to access their services online which in turn increases the download costs for public libraries. Over the past three years internet costs for public libraries have increased by 24% while download costs have increased by 54%.

⁴ Strategic Asset Audit of Victorian Public Libraries, page 18.

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15% of library budgets are spent on Library materials for lending and reference purposes. Over the past four years the State Government has provided capital improvement funds for public libraries, these consist of the Living Libraries grant and the Book Bonanza project.



Figure 2: Global staffing comparisons

Comparisons to Neighbourhood Houses

The State Government of Victoria provides \$18 million for neighbourhood houses. 32 million people visit libraries each year in comparison to Neighbourhood houses who record 4 million attendances in the same period. This gives a cost comparison per visit of \$0.94 cents per person for public libraries and \$4.59 for Neighbourhood houses. At the same time Neighbourhood houses rely heavily on the use of volunteers (247,800 volunteers) to deliver programs and keep the houses open, so if the true cost of Neighbourhood houses were known the cost per person would be much higher.

Future of Public Libraries

One future that has been suggested is that the library will not exist, given the billions of dollars Google and other web engines have to play with, and given the skill sets of their employees and owners, what makes us think libraries can survive⁵. The globalisation of the coffee shop eats up one market; digital search portals eat up another market, until through continuous dis-aggregation there is very little left. Libraries compete for funding and as can be seen now as funding is and will continue to move to other core areas, traffic, water, global warming, health, etc.

So where does the library position itself within this future context? The Libraries Building Communities report highlights the ever increasing need for members of our society to feel connected to their communities and libraries do and will play a major role in this. Regardless of the future technology changes there will still be the issues around information literacy and the digital

⁵ Inayatullah, Sohail Which future for libraries, article Metafuture.org. <http://www.metafuture.org/Articles/which-future-for-libraries.htm>

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divide. Libraries will more than ever play a vital role in connecting people to the vast array of information, connecting them to the community in which they live, however this will be made difficult if costs continue to rise in ensuring access such as opening hours, staffing and ICT services.

The State Government can play a vital role in enabling public libraries to continue to service the community and develop these roles even further. One aspect is, of course, that the State Government can increase their allocation to libraries and match that to what is spent on Neighbourhood Houses, however the State Government can play a more vital role in negotiating cost savings for libraries through no interest loans and technology rates for libraries.

Major costs factors in Libraries

The two major cost areas for public libraries are staff and ICT. The consumer price index (CPI) is currently 2.1% while EBA and band movements for staff are around 6-8%. Local Governments are increasingly being called by State Government and ratepayers to ensure that rate costs do not increase above CPI so costs savings need to be found to ensure continued levels of service. ICT costs as indicated previously are rapidly rising. For libraries to stay relevant and to ensure their future it is important that the challenge of meeting the rising costs are funded.

Mainstreaming and adopting positive measures for social inclusion means adapting and extending the range of services provided by libraries, forming new links and partnerships with the community, and challenging some of the more traditional values and practises of libraries.⁶ The Libraries Building Communities report has highlighted how public libraries in Victoria are fulfilling this role, however further maintaining and increasing this role in public libraries can not be successfully achieved without the active support of library staff.

Public Libraries will find it difficult to increase staff levels in the future to ensure that responsive, proactive services and programs can be delivered. Many libraries are criticised for not forming more partnerships with groups within their communities however in reality the staffing levels required to do this are not there, as they are bound to desks to ensure the supply chain of lending materials is maintained.

Public Libraries over the past four years have been working on outsourcing and consortia to continue to achieve cost savings for their backroom tasks however the front of house areas of customer service is where more staff are needed. Enabling staff to break the shackles of the desk bound routines of issuing and returning library materials is now available in the form of self service loans and RFID (Radio Frequency IDentification) It has been shown through business cases that RFID and Self Service loans can reduce the need to employ more staff and ensure that they can be placed in areas of program delivery and service enhancement. However the cost to install this technology is prohibitive to all libraries and requires a large capital investment by their major funders. An option that would assist both libraries and enhance the Local/State Government relationship could be that the State Government negotiates on public libraries behalf the opportunity to obtain interest free loans to assist them in purchasing this technology.

⁶ Libraries for All: social inclusion in Public Libraries. Policy guidance for Local Authorities in England. Department for Culture, Media and Sport, London October 1999.

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Internet use in public libraries

The Information Age, and its impact on people's lives, means that libraries have an important role in developing a socially inclusive information society. Libraries are an important conduit for information and communication at the local level. 1.75 million bookings are made each year on the PCs available to the public through public libraries, this accounts to 1.25 million hours of internet/PC use. Public libraries provide homework help groups, run information literacy training sessions, teach basic computer and searching skills. Apart from borrowing books the next major use of public libraries is the use of computers⁷, obtaining community information and information about government were to the two major reasons for using the library.

Libraries are also providing wireless connections enabling people to use their own devices. This enables libraries to provide further access to web technologies without having to supply the hardware and also enables the community to learn at their own pace. In some communities the public library is the only major provider of fast broadband as costs and access are blockers to members of the community having access in their home.

Library Collections

In the recent report, Strategic Asset Audit of Victorian Public Libraries, commissioned by the State Library of Victoria and the Public Library network, the author Mr John Liddle argues that the collections housed in public libraries across Victoria are; "sub-optimal in terms of overall holdings, collection mix and collection age."⁸ He argues that their needs to be a major revitalisation strategy and by maintaining the current strategies and practices will result in further deterioration of the state-wide collection. His recommendation is that even though the Book Bonanza grant is provided by the State Government this only contributes to approximately 1% of public library income and that a further \$300.1 million should be provided over eight years to ensure that:

1. A one time revitalisation strategy of \$77.1 million for collections is made
2. Funding for on-going collection refreshment is provide by the State Government of Victoria over an eight year period of \$223 million

If the above funding is not provided then by maintaining the current strategies will result in declining visitation and usage.

⁷ Library User census and survey project 2006, Report 1: Statewide analysis and comparisons State Library of Victoria Melbourne 2006 page 20

⁸ Liddle, John Strategic Asset Audit of Victorian Public Libraries State Library of Victoria 2006 page 126.

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Options:

Targeted program funding

It has been stated by officers in the State Government that increased funding will only occur if Local Government can demonstrate an enhancement in service delivery due to the increase in funding. One option is to provide targeted program funding where additional money is tied to service delivery ensuring that a level of sustainability can be factored into the funding process.

Increased per capita funding

That the State Government of Victoria increases the recurrent funding levels by 1.00 per capita for the next four years.

Increased grant allocation for library collections

That the State Government of Victoria provide additional funding of \$77.1 million to ensure the revitalisation of the public library collections.

State Government facilitate savings for libraries.

- a) That the State Government provide interest free loans to Local Government to ensure the purchase of RFID technology and include self service loans and returns, ensuring existing staff are able to be utilised more fully in service enhancement and targeted programs.
- b) The State Government of Victoria should work with Local Government to ensure an e-rate for Internet costs for public libraries enabling them to have cheaper internet costs and unlimited downloads at no cost would benefit the public library budgets. Enabling public libraries to utilise these savings elsewhere in their ICT budgets.

Conclusion

A number of options have been presented in this paper that would allow service improvements in public libraries, however further discussion is needed to ensure that other options are considered. The Board of the Central Highlands Regional Library Corporation believe that the campaign to improve public library funding from the State Government is not something that can be quickly or easily resolved and that a three to five year campaign should be considered. It is proposed that a meeting of all Councils be held through the Municipal Association of Victoria (MAV) and that an agreement is developed to employ an advocate on behalf of public libraries who could further develop this campaign and develop a comprehensive strategy for increased public library funding.

ATTACHMENT 3

PUBLIC LIBRARY FUNDING DISCUSSION PAPER

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ATTACHMENT 4

Item 5.3 Events Policy



HEPBURN SHIRE COUNCIL “DRAFT” EVENTS POLICY

PURPOSE

The purpose of the Events Policy is to:

1. Identify Councils role in supporting the planning, development and implementation of community events.
2. Acknowledge the significant social, economic and community capacity building benefits community events provide to the community.

INTRODUCTION

The Hepburn Shire is committed to encouraging and supporting festivals and events. It recognizes the value of community expression and community participation to enhance the quality of life for the individual and the community. It also recognizes the tremendous importance of culture and cultural perspectives in creating a vibrant community and a lively, dynamic Shire. Council will give preference to the community based events and events which have community and tourism benefits. Council prefers to support events which promote local products, businesses, groups and communities.

Council has a role as a supporter, partner, assister, funder (through the Community Grants Scheme) and provider and promoter of community celebrations that articulate and contribute to the development of a community's aspiration, values and beliefs.

AIM

Council aims to:

- **Support communities:** where the festival/event engages a well defined sector of the community and through the activity fosters a spirit of togetherness and well-being; educates both the community group and the wider population; promotes tolerance and understanding throughout the broader population; encourages participation; and enables the essence of the activity to be celebrated and experienced widely.
- **Build relationships:** where the festival/event provides Hepburn Shire Council an opportunity to meet key people and stakeholder groups. These relationships will be developed locally, nationally and internationally and could be further leveraged into formal or informal networks.
- **Develop profile:** where the festival/event enhances Hepburn Shire's reputation either broadly or specifically within a particular sector.
- **Demonstrate capability:** where the festival/event highlights the shire's capability in a particular discipline or function.

ATTACHMENT 4

- **Demonstrate leadership:** where the festival/event demonstrates Hepburn Shire is a leader or takes the forefront in a particular discipline or function.
- **Attracts visitors:** where the festival/event adds to the number of people who would normally come into the shire at that time thereby providing potential benefit to businesses and opportunities within the shire. To increase economic benefit, building business links or developing targeted business programs is encouraged.
- **Promote location:** where the festival/event highlights a particular town, village, community, precinct or venue within the shire.
- **Media profile:** where the festival/event lifts the status, awareness or profile of Hepburn Shire through the media exposure it receives.
- **Manage risk:** associated with community events by assisting organisers identify, evaluate and effectively manage risks including human injury or illness, damage to property, damage to the environment and financial risks.
- **Promote inclusive events:** where the festival/event demonstrates it has thought through and implemented strategies that will enable people of all abilities to participate.

OBJECTIVES AND STRATEGIC DIRECTIONS

- Council will support and encourage a range of festivals and events for the enjoyment of the wider community and promote cultural exchange and innovation.
- Council will assist in the promotion of festivals as a valuable community and cultural activity
- Council will encourage close relationships with the festivals and events organizers and establish productive support networks.
- Council will encourage participation by residents, groups and visitors.
- Council will provide avenues of funding through the Community Grants program for festivals and events held in Hepburn Shire.
- Council will plan, develop and maintain public spaces that enable the community to come together and celebrate community cultural life through festivals and events.
- Council will recognize and support festivals and events that are of a local, regional, state or national significance, contribute to the local economy and promote Hepburn as a leading festivals and events destination.
- Council will provide an officer to give specific support to event organizers and coordinate assistance provided by Council.

TYPES OF EVENTS

All types of festivals and events are important to developing Hepburn Shire as a festival and events destination and as providing increasing recreational, educational and entertainment opportunities for its citizens and as a contribution to the cultural vibrancy of the shire.

ATTACHMENT 4

Council will endeavor to provide support to the following types of events:

A. Large Community Festivals and Events

Festivals and Events that whatever their theme or reason for conception are targeted at the broad (geographic) community within the shire or part of the shire. These festivals are usually generated by the community and contribute to the promotion of tolerance and diversity by celebrating different aspects of our local culture.

B. Local, community celebrations,

School fetes, street parties etc. Council's role is to promote these celebrations, either through specific programs, and/or assist/advise through a partnership arrangement.

C. Commemorations or celebrations

Festivals or events generated by either the community or Council which celebrate - at a local level - state-wide, national or international "days", celebrations or commemorations

D. Specific Interest festivals or events

Festivals and events that enable groups or communities of interest together to showcase, preserve and nurture their activities, cultures and traditions.

E. Key Local Events with Spin-Off Significance

Festivals and events generated locally of whatever theme or origins which have significant tourism and economic potential on the shire and have the ability to be/or become of regional, state or national significance.

F. Events/Festival Enterprises

Created or generated by local business, external businesses or entrepreneurs

G. Major Events

These are events that already have a statewide or national significance and which Council might induce or encourage to be held within the Shire for the benefit and enjoyment of members of our own communities but which also may have a strong economic benefit to the economy of the shire. e.g. National sporting championships, large scale touring productions etc.

APPROVAL

Approval is required from Council for all events held in the Shire in public space. Planning approval may also be required for events held on private land.

Approval may be required for events that involve public health, serving of food, traffic diversion, road closure, event car parking, and advertising signs.

ASSISTANCE AND ADVICE

Council is able to meet with event organizers planning any event on public land. Up to three meetings can be held before the event and one meeting after the event. A range of Council staff and other relevant agencies such as police are invited to attend these meetings to give feedback, support, direction and advice.

COMMUNITY CONSULTATION

Council will regularly consult with event organizers through a community based committee (Tourism Advisory Committee and also the HRTA, Hepburn Events and events organizers)

ATTACHMENT 4

This policy will be reviewed every two years by Council in consultation with the Tourism Advisory Committee, its events sub committee and event organizers from across the Shire.

EVENTS OPERATING PROCEDURES

Introduction

Council is able to meet with event organizers planning any event on public land. Up to three meetings can be held before the event and one meeting after the event. A range of Council staff and other relevant agencies such as police are invited to attend these meetings.

TYPES OF EVENTS

Council will consider providing support to the following types of events:

- **A. Large Community Festivals and Events**
- **B. Local, community celebrations,**
- **C. Commemorations or celebrations**
- **D. Specific Interest festivals or events**
- **E. Key Local Events with Spin-Off Significance**
- **F. Commercial Events/Festival**
- **G. Major Events**

All types of festivals and events are important to developing Hepburn Shire as a festival and events destination and as a means to provide increasing recreational, educational and entertainment opportunities for its citizens and as a contribution to the cultural vibrancy of the shire.

ASSISTANCE AND ADVICE

Council will provide the following services to community events:

Category 1 (Andersons Mill Festival, Creswick Forest Fiesta, New Years Eve Gala Daylesford, Swiss Italian Festa, Chill Out Festival, Clunes Book Town, Trentham Town Fair, Daylesford Highland Gathering, Daylesford Agriculture Show (bins only), Glenlyon Food and Wine Faire, Herald Sun Tour)

The provision of and removal of rubbish bins and recycling bins

Provision of traffic signs

Temporary road closures

Category 2 All events (*some fees may apply)

Free display space in the Daylesford Regional Visitor Information Centre and on Council websites

Provision of equipment including safety vests, tables, marques and chairs*

Provision of office space, computer with internet access, limited photocopying and phone use

BBQ

Sound System*

Para webbing

Insurance*

Caravan*

ATTACHMENT 4

Advice

Management and organisation

Insurance

Marketing and media contacts

Health – food handling health regulations*

By laws – signs, banners, parking

Traffic Management

Risk and emergency management

Details of Council's assistance, contact information and general event advice are included in Councils Event Guide and Event Manual.

PLEASE NOTE

Any financial and in kind support from Council will be within the context of the annual budget and must be approved by relevant department or program manager. The extent of the services provided to events by Council will be determined through the Councils events planning meetings.

ATTACHMENT 5

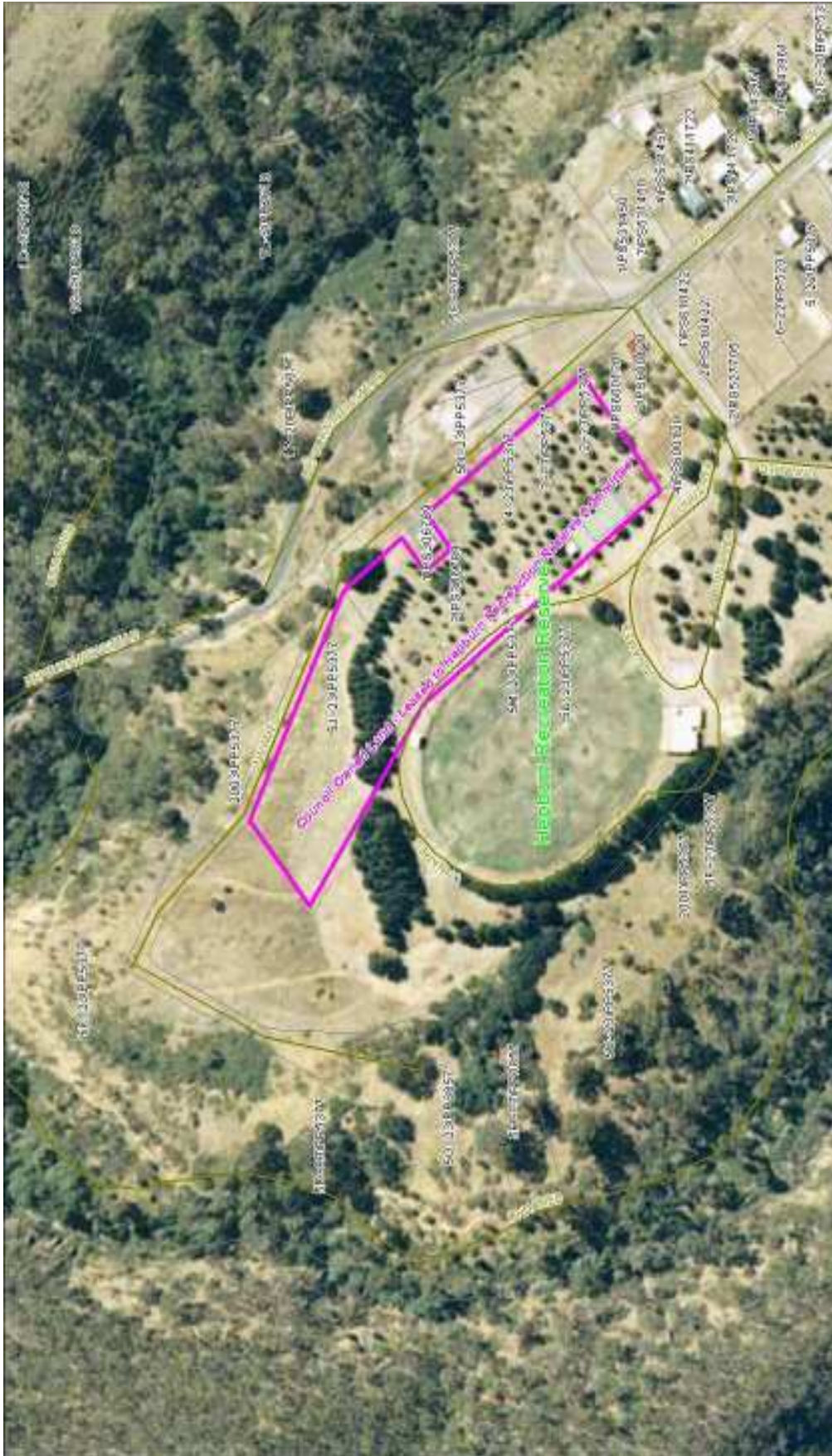
Item 5.5 **CONFIDENTIAL** Swiss Italian Festa Event Initiative.

ATTACHMENT 6

Item 5.6

**MID YEAR BUDGET REVIEW 2007 – 2008
SUMMARY**

ATTACHMENT 7



Item 6.2 Lease – Council Land at Highburn Recreation Reserve

ATTACHMENT 8



INSTRUMENT OF DELEGATION

APPOINTMENT OF SPECIAL COMMITTEE AND INSTRUMENT OF DELEGATION
Section 86 Local Government Act – 1989

Drummond Hall

COMMITTEE OF MANAGEMENT

Hepburn Shire Council (The Council)

Name of Committee

The special committee of Council shall be entitled the "Drummond Hall Committee of Management".

Objectives

To administer, manage and control the property:-

The Drummond Hall, Lauriston Road, Drummond - Timber Building, Brick Toilet Block and Tennis Court. Volume 4588 Folio 593 Crown Allotment Pt. 8, Section 3 in Parish of Burke.

hereinafter referred to as the stated property.

Membership of Committee

1. The Committee shall be comprised of:
 - At least 5 community representatives.
2. The Council may at any time, remove a member from the Committee or disband the committee or appoint a member to the Committee.

ATTACHMENT 8

Office Bearers

The committee shall at its Annual Meeting each year elect from its members the following office bearers:

- President, who shall be Chairperson of the committee
- Secretary
- Treasurer

Committee Proceedings

1. The Committee shall at its Annual Meeting each year appoint a time and place for regular meetings. Such meetings shall be held at intervals of not more than three (3) months. Should it be necessary to alter the times or place of a regular appointed meeting all members of the Committee shall be given at least forty-eight (48) hours notice in writing of the new time or place.
2. The quorum of the Committee shall be three (3) members.
3. Each member shall be entitled to one vote and in the event of equality of votes the President shall have a casting vote as well as a deliberative vote.
4. The Committee shall hold an Annual Meeting during the month of August each year.
5. The Secretary of the Committee shall, on receipt of a requisition signed by the President, or three (3) members, stating the object of such meeting, within fourteen (14) days call a Special Meeting. Written notice of such meeting shall be given to each member of the Committee specifying the object of the meeting and the time and place where the meeting shall be held.
6. No business, apart from that which is described in the object of a Special Meeting, can be conducted or acted upon by the Committee at a Special Meeting.
7. All motions/resolutions of the Committee, apart from usual, day to day meeting motions/resolutions; shall be reduced to writing before being voted upon.
8. No motion/resolution has any standing if made at a meeting where a quorum was not present.
9. Any contracts or other such instruments that the Committee enters into will have no legal effect upon Council unless preceding clauses (7) and (8) are followed.
10. The Committee shall cause minutes to be kept of all meetings and shall forward to the Council a copy of such minutes within fourteen (14) days of each meeting.

ATTACHMENT 8

Duties of Secretary

The Secretary shall: -

- i. Conduct the correspondence of the Committee
- ii. Shall have the custody of all documents belonging to the Committee
- iii. Shall keep and correct minutes of all proceedings and records of the Committee
- iv. Shall accurately record all written motions/resolutions in the minutes.
- v. Carry out the directions of the Committee (under motion/resolution)
- vi. Shall forward a copy of the minutes of all meetings and ensure a copy of the Financial statements, tabled at the Annual Meeting, are forward to the Council within seven (7) days of each respective meeting.
- vii. Immediately call a Special Meeting upon receiving the requisition to do so.

Duties of Treasurer

The Treasurer shall: -

- i. Pay into the Bank all monies received by the Committee within seven (7) days of receipt.
- ii. Keep correct accounts and books showing the financial affairs of the Committee.
- iii. Prepare statements of receipts and expenditure.
- iv. Provide a financial report to each regular meeting.
- v. Provide a full statement of all monies received and expended by the committee for the period ending 30th June each year, to the Annual Meeting.
- vi. Provide a statement of assets and liabilities for the period ending 30th June each year, to the Annual Meeting.
- vii. Ensure the person appointed by Council has duly audited the Annual Meeting statements prior to the meeting taking place..
- viii. Ensure that no later than the 31st of August each year a certified copy of each of those statements prepared for the Annual Meeting are forwarded to Council.

Powers and Duties of Committee.

1. The Committee shall: -

- Ensure they have an understanding of the Instrument of Delegation and they may seek assistance from Council to do this.
- Ensure any new members have an understanding of the Instrument of Delegation.
- Ensure all procedures are followed.
- Set and approve of conditions, fees and charges for legitimate research of the collection and use of the stated property.
- Carry out all minor items of maintenance as defined in the attached Schedule at the Committee's expense.
- Report to Council on any other items of maintenance.

ATTACHMENT 8

2. The Committee cannot delegate any of its powers or functions.
3. The Committee may enter into any contract for an amount up to five thousand dollars (\$5,000).
4. The Committee may incur expenditure on any one matter up to ten thousand dollars (\$10,000).
5. The Committee may only borrow money, obtain a bank overdraft or exceed the limits specified in the preceding clauses (3) & (4) upon receiving written approval from Council.
6. The Committee shall ensure that all funds raised by the Committee are only expended on management of and minor maintenance of the stated property.
7. Subject to Clauses 1 – 6 hereof the Committee may exercise all powers and functions of Council necessary for the control and management of the stated property.
8. The Committee may apply to Council for an advance or contribution of monies for the purpose of improvements on the stated property and if the advance/contribution is approved the Committee shall:
 - Carry out all conditions imposed by Council in making the advance/contribution.
 - Repay out of funds received by it the amount of such advance/contribution in the manner prescribed by Council when making the advance/contribution.
9. Every member of the Committee shall be a person authorised to enforce the provisions of the Council's Local Laws and Regulations (so far as they are applicable to the stated property only) relating to the control and management of municipal places.

Finance

1. The Committee shall open a bank account and advise Council of the name of the bank.
2. The Committee shall authorise the manager of its bank to supply the Council with a copy of the Committee's bank account on the written request of the Chief Executive Officer.
3. All expenditure shall be authorised by the Committee and shall be paid by cheque signed by any two (2) of three (3) signatories.
4. The Committee shall ensure that the audit of financial reports presented at the Annual Meeting is made available to Councils' auditor no later than the 1st of August, each year.

ATTACHMENT 8

Indemnity

Council indemnifies members of the Committee against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Committee. Provided they are acting in accordance with this Instrument of Delegation in an honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Committee hereunder.

Term of Committee

The term of The Committee commences immediately the common seal of Council is affixed to this Appointment and Instrument of Delegation, and remains in force until Council resolves to vary or revoke it.

Winding Up

In the event of the Committee being wound up or dissolved for any reason:- all monies, after the satisfaction of all debts and liabilities, or property held or held in trust and any other assets will be paid or transferred to Council. No monies or property shall be distributed to or amongst members of the Committee.

Delegation

The Council by resolution and this Instrument delegates to the Committee its power, duties and functions necessary to meet its purpose and all related matters.

The COMMON SEAL of the)
HEPBURN SHIRE COUNCIL)
Was affixed to this Appointment)
and Instrument of Delegation on)

...../20.....)
in the presence of)

Chief Executive Officer

President (*Drummond Hall Committee*)

Secretary (*Drummond Hall Committee*)

ATTACHMENT 8

SCHEDULE To Instrument of Delegation

Hepburn Shire Council and The Drummond Hall Committee.

- i. Maintenance has its ordinary meaning and includes cleaning, repairing, painting, polishing or similar activities.
- ii. Minor Maintenance refers to any activity which has a total cost of \$400 or where the Committee has reached the amount of \$1,000 for the financial year in expenditure on maintenance.
- iii. All legal instruments, being contracts, leases, agreements, licences above the sum of two hundred (\$200) must be executed and attested to in the following manner: -

*"This contract/agreement/licence/lease** is executed by Drummond Hall Committee for and on behalf of the Hepburn Shire Council in accordance with the terms of its Appointment and Instrument of Delegation"*

Signed _____
Committee member #1

Signed _____
Committee member #2

The Committee:-

1. Will set the fees, charges and conditions to use the above premises.
2. Will pay the following outgoings:-
 - i. Electricity
 - ii. Cleaning
3. Will be responsible for the minor maintenance of the above property.

Council:-

1. Shall provide and be responsible for payment of the person who performs the annual audit of the Committee's financial records.
2. Will assist with the garden maintenance of this property and the removal of debris.
3. Will be responsible for the major maintenance of the property.

END SCHEDULE

