

# **HEPBURN SHIRE COUNCIL**

## **ORDINARY MEETING MINUTES**

**7PM TUESDAY 19 AUGUST 2008**

Senior Citizens Room  
located at the rear of  
Daylesford Town Hall

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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 19 AUGUST 2008,  
COMMENCING AT 7 PM**

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**AGENDA**

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**CLOSE OF MEETING:**

**ATTACHMENTS**

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**CR TIM HAYES - Mayor**  
**20 AUGUST 2008.**

## **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

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

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

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

**IN ATTENDANCE:** Chief Executive Officer, Kaylene Conrick; Director Infrastructure & Development, Rod Conway; Manager Tourism, Recreation & Economic Development, Geoff Ryan; Manager Finance, John Traill; Manager Community Services, Martin Walmsley; Manager Governance & Information, Matthew Morgan. Gallery 21 and Press 2.

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

### **OPENING PRAYER**

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

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

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

This we pray. Amen

1. **APOLOGIES:** Cr David Smith
  
2. **DECLARATION OF CONFLICTS OF INTEREST:** Nil
  
3. **CONFIRMATION OF MINUTES:**
  - 3.1 **ORDINARY MEETING OF 15 July 2008**
  - 3.2 **SPECIAL MEETING OF 29 July 2008**

### **Recommendation:**

*That items :*

*3.1 Minutes of the Ordinary Meeting of Council held on 15 July 2008; and  
3.2 Minutes of the Special Meeting of Council held on 29 July, 2008  
(Attachment 1), be confirmed, as required under Section 93 (2) of the Local  
Government Act 1989.*

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

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

#### **4. PETITIONS AND PUBLIC QUESTION TIME**

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This part of the Council Meeting allows 30 minutes for:

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

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

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

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

Nil Petitions received.

#### **Public Question Time.**

1. **Rod Kirby, Hepburn Springs** - Rates and Media spin.
2. **Jim Elmsworth, Smeaton** - Windfarm issues.
3. **Jack Cooper – Glenlyon** - Delivery of free firewood & recycling
4. **Julie Ingleby** - Bullying issue
5. **Allan McLeod**- Bullying issue
6. **Ken Warren** – Bullying issue

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.1 APPOINTMENT OF CHIEF EXECUTIVE OFFICER

(A/O – Philip Shanahan)

File Ref: Personnel

#### **Synopsis**

A contract of Employment must be entered into for the engagement of Ms Kaylene Conrick as Hepburn Shire Council's, Chief Executive Officer.

#### **Report**

Ms Kaylene Conrick has accepted the position of Chief Executive Officer with Hepburn Shire Council. Ms Conrick commenced duties on Monday 11 August 2008. The Contract of employment with MsConrick is for a term of five (5) years.

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

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

Advertising campaign; community profiling workshops; extensive information circulated to Councillors; updates on the process provided to Council employees and the community of Hepburn Shire.

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

Within Council's Budget.

#### **Recommendation:**

*That Council:*

*Sign and seal the Contract of Employment for Kaylene Maree Conrick, as Chief Executive Officer.*

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

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



## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.2 DISABILITY HOUSING IN DAYLESFORD

(A/O – Community Strengthening Co-ordinator)

File Ref: 34/02/01

#### Synopsis

Further to Council Briefings (6 May & 3 June) about development of disability housing in Daylesford additional investigation of the proposed site at 79A Raglan Street has been undertaken. Issues of optimal use of the site, yield and unit configuration have been considered.

#### Report

##### Site Investigation

The feature survey indicates that approximately 40 metres from the Raglan Street frontage the land drops away steeply and becomes unsuitable for construction consistent with the neighbourhood character. Land on the north east corner of the block is not useable. (Feature survey attached – **Refer Attachment No. 2**)

##### Unit Yield and Configuration

Planning advise that the maximum unit yield for accessible housing and car parking on the useable portion of the site is three units. (See attached photo – **Refer Attachment No. 2**)

While the Department of Human Services (Grampians Region) prefer single bedroom dwellings, both for flexibility and value for money it is recommended that planning approval be sought for two one-bedroom units and one two-bedroom unit.

##### Disability Housing Trust Partnership

The Letter of Intent from the Disability Housing Trust (DHT) sets out the proposed arrangements and confirms the intention of Council and the DHT to enter into a partnership (Partnering Agreement). The letter identifies the key actions required to progress the project and Council's acceptance of conditions outlined. In signing the Letter of Intent, Council is agreeing to negotiate and enter into a Partnering Agreement with the Disability Housing Trust.

#### Relevant Policies / Council Plan implications

Social Plan Strategy 4. Affordability of Housing

#### Community / Engagement / Communication / Consultation

Adjoining and interested neighbours have been invited to a meeting to discuss views about the project and there is a commitment to ongoing dialogue with these people. Broader community consultation will occur via the usual planning processes.

#### Financial & Resource Implications Initial & Ongoing

The one-off cost of sub-dividing the site has been provided for in Council's 2008-09 Budget. Council will have an equitable interest in the properties and the level of this equitable interest will remain proportional to changes in property value.

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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**Recommendation:**

*That Council:*

Approve proceeding to :

- 5.2.1 Commit to transferring a portion of 79A Raglan Street, Daylesford upon subdivision to the Disability Housing Trust
- 5.2.2 Seek planning approval for three units
- 5.2.3 Subdivide property, subject to planning approval
- 5.2.4 Sign the letter of intent from the Disability Housing Trust

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

***Moved: Cr Janine Booth***

***Seconded: Cr Heather Mutimer***

***Carried.***

## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.3 SUPPORTING THE VOLUNTARY WORKFORCE

(A/O – Community Strengthening Co-ordinator)

File Ref: 16/22/10

#### Synopsis

The draft Volunteer Policy was presented to Council at their May meeting and has subsequently been available for public comment. Following this process the policy is being lodged for ratification at the August meeting of Council.

#### Report

Hepburn Shire Council engages a wide range of volunteers directly in areas such as Visitor Information Centres and indirectly via the many committees which operate services/facilities on behalf of Council.

Council was asked to consider the draft Volunteer Policy at their May meeting. It was recommended that the policy be made available for community comment. The draft policy was available for comment until June 27. One anonymous submission was received. The content recommended some preferential language changes and focused on a specific area of interest to the writer. Revisions were recommended by Cr McClenaghan. These have been considered in the attached final draft **Refer Attachment No. 3.**

#### Relevant Policies / Council Plan implications:

- Hepburn Shire Social Plan – volunteerism and providing volunteer options community connectedness.
- Occupational Health and Safety Policy will need to consider the implications of volunteer participation.
- Tourism, HACC, Youth and Transport procedures to incorporate volunteer participation to reflect policy.

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

Engaging and retaining community participation is an important function of this policy. Ongoing and effective volunteer participation must be acknowledged, nurtured and celebrated. The policy recognises this and commits to annual recognition of volunteers.

#### Financial & Resource Implications Initial & Ongoing

Volunteer expenses are associated with the various programs in which they participate and include reimbursement of agreed expenses. As there is no expectation that this policy will significantly increase the current number of volunteer participants there are no anticipated immediate demand on resources.

#### Recommendation:

*That Council:*

5.3.1 *Adopt the attached draft Volunteer Policy*

5.3.2 *Direct officers to develop procedures specific to areas where volunteers participate including a process of induction*

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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

***Moved: Cr Bill McClenaghan***

***Seconded: Cr Heather Mutimer***

***Carried.***

## 5. GOVERNANCE AND STRATEGIC MATTERS

### 5.4 ROAD MANAGEMENT - PROCLAMATION OF A ROAD REAR OF 46-22 ALBERT STREET, CRESWICK

(A/O – Director Infrastructure & Development)

File Ref: 0050

#### Synopsis

The report provides information on an existing access track that services properties at the rear of Albert Street, Creswick from Victoria Street to the north. This access is over crown land being frontage to Creswick Creek. The Department of Sustainability & Environment has requested that Council agree to proclamation of a road and that Council becomes the Responsible Road Authority under the Road Management Act. A planning application for development of land has triggered the issue of existing access and legally formalising access.

#### Report

The existing access track at the rear of Albert Street, Creswick commencing from Victoria Street (Bowling Club) and to the north (rear of 22 Albert Street) is shown below:



Council has received a planning application to develop the site shown cross hatched.

Regardless of this planning application vehicular access has been occurring along this track for many years and the requirement for rear access to allow for future development of properties which are all zoned Business 1 is supported.

Proclamation of a road (of 15 metres width) under the *Land Act* 1958 and transfer of road management functions under section 15 of the *Road Management Act* 2004 is required. The Responsible Road Authority for the road would then be Council.

#### Relevant Policies / Council Plan implications

##### Road Management Plan.

The access track is not listed on Council's Road Register contained within our Road Management Plan. Should Council agree to the proclamation and then transfer of road management functions then this road would be listed on Council's Road Register.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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

Discussions have been held with the applicant for the planning permit and DSE representatives.

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

Council can require the property owners to contribute towards the upgrade of the road to a suitable standard for all weather access via planning permit conditions however the ongoing maintenance costs would have to be borne by Council, the same as other local roads.

### **Recommendation:**

*That Council:*

- 5.4 .1 *Advise the Department of Sustainability & Environment that it agrees to the proclamation of the road under the Land Act 1958 and the transfer of road management functions under section 15 of the Road Management Act 2004 so that Council becomes the Responsible Road Authority for the road.*

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

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

## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.5 ADOPTION OF THE WASTEWISE ACTION PLAN

(A/O – Environmental Sustainability Officer)

File Ref: 46/04/01

#### Synopsis

A Waste Wise Action Plan has been completed and has a series of actions that will lead to Council being accredited as a Waste Wise Council.

#### Report

The Waste Wise Local Government Action Plan demonstrates actions over a two year period to reduce waste to landfill and increase sustainable purchasing. Utilising the Eco Leader program, actions to increase sustainable purchasing will be undertaken across Council in conjunction with community behaviour change.

Council is asked to adopt the Waste Wise Action Plan and support the outlined recommendations.

Appended to this report is a copy of the Waste Wise Action Plan. (Refer **Attachment No. 4**).

#### Relevant Policies / Council Plan implications

Council Plan 5.1 *Promote and practice environmental management and sustainability*

#### Community / Engagement / Communication / Consultation

A Council ethic of sustainable waste reduction practices will be actively promoted to the community to raise awareness and promote behaviour change.

#### Financial & Resource Implications Initial & Ongoing

Implementing sustainable purchasing and waste reduction actions can be integrated into day to day operations.

#### Recommendation:

*That Council:*

- 5.5.1 *Collectively support the Waste Wise Action Plan initiatives.*
- 5.5.2 *Implement waste reduction actions and integrate sustainable purchasing across operations to achieve 10% increase by 2010.*
- 5.5.3 *Engage the community in sustainable purchasing and waste reduction practices.*

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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

***Moved: Cr Bill McClenaghan***

***Seconded: Cr Heather Mumiter***

***Carried.***



**5. GOVERNANCE AND STRATEGIC MATTERS**

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

(A/O – Manager Finance)

File Ref: 30/08/15

**Synopsis**

A summary report on the Council's financial performance for the financial year to the 31 July 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 8.3%.

**Hepburn Shire Council  
Monthly Financial Report July 2008  
Percentage of year complete 8.3%**

	Annual Budget 000's	Actual Jul 08 000's	Percentage of Budget
<b>1. Administration</b>			
Expenditure	4834	437	9%
Income	(12859)	(62)	0%
<b>1. Administration</b>	<b>(8025)</b>	<b>375</b>	
<b>2. Human And Community Services</b>			
Expenditure	2764	165	6%
Income	(1866)	(125)	7%
<b>2. Human And Community Services</b>	<b>898</b>	<b>40</b>	
<b>3. Regional Development/promotion</b>			
Expenditure	2191	159	7%
Income	(1166)	(48)	4%
<b>3. Regional Development/promotion</b>	<b>1025</b>	<b>111</b>	
<b>4. Public Safety</b>			
Expenditure	708	51	7%
Income	(272)	(9)	3%
<b>4. Public Safety</b>	<b>436</b>	<b>42</b>	
<b>5. Recreation</b>			
Expenditure	1672	76	5%
Income	(663)	(2)	0%
<b>5. Recreation</b>	<b>1009</b>	<b>74</b>	
<b>6. Infrastructure Development</b>			
Expenditure	2913	198	7%
Income	(3382)	(145)	4%
<b>6. Infrastructure Development</b>	<b>(469)</b>	<b>53</b>	

**5. GOVERNANCE AND STRATEGIC MATTERS**

**Hepburn Shire Council  
Monthly Financial Report July 2008  
Percentage of year complete 8.3%**

	<b>Annual Budget 000's</b>	<b>Actual Jul-08 000's</b>	<b>Percentage of Budget</b>
<b>7. Waste &amp; Environment</b>			
Expenditure	1476	15	1%
Income	(1498)	(8)	1%
<b>7. Waste &amp; Environment</b>	<b>(22)</b>	<b>7</b>	
<b>8. Unclassified</b>			
Expenditure	6	-	0%
Income			
<b>8. Unclassified</b>	<b>6</b>	<b>-</b>	
<b>10. Depreciation</b>	<b>4477</b>	<b>0</b>	<b>0%</b>
<b>Report Total</b>	<b>(664)</b>	<b>702</b>	

The report has been produced at a summary level to provide Council with a snap shot as at the end of July 2008. There are nine areas where the percentage varies significantly from the year completed percentage they are:-

Administration – Income. Due to the lateness of the Budget adoption rates were not raised until August 2008.

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

Public Safety – Income. This relates mainly to health regulation fees due in January 09 and animal registrations where virtually all income is received by the end of April 09.

Recreation – Expenditure. Swimming Pool operations don't commence until Dec-March.

Recreation – Income. Bathhouse rent not receivable until mid September 2008.

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

Waste & Environment – Income. Due to the lateness of the Budget adoption Waste Management Charge, Garbage Charge and Recycling Charges were not raised until August 2008.

Unclassified – Expenditure & Income. Emergency Grant expected to be paid in October/November 2008.

Depreciation – Depreciation is brought to account at the end of the year.

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## 5. GOVERNANCE AND STRATEGIC MATTERS

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Capital & Projects – Are not included in this report due to the late adoption of the Budget very little has been spent in this area. A more detailed report will be included in September Agenda.

### **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:**

5.6.1            *That the July 2008 Finance Report be received and noted.*

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

***Moved:                    Cr Bill McClenaghan***

***Seconded:                Cr Heather Mutimer***

***Carried.***

## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.7 DESTINATION DAYLESFORD

(A/O – Manager Tourism, Economic Development and Recreation) File Ref: 62/08/08

#### Synopsis

The Destination Daylesford Strategic Tourism Plan has been completed and an interim Tourism Board has commenced implementing the recommendations.

#### Report

Tourism Victoria have funded the total cost of the study, (\$55,000) which has been based on a partnership between Council, the Hepburn Regional Tourism Association, Tourism Advisory Committee, Daylesford Macedon Ranges and the tourism industry.

Tourism is one of the most important contributors to the growth and character of the region. The annual economic contribution of tourism to the region is valued at approximately \$96 million annually. In Daylesford and Hepburn Springs specifically, tourism employment grew by 49.7% over the period 1997-1998 to 2002-2003, by far the largest growth in regional Victoria.

The region has a 4% share of all domestic overnight visitors to regional Victoria (420,000) and receives a substantially higher number of day visitors 1,241,000 representing 6% market share. International visitation has increased by almost 35% from 2000 to 2007, but remains at relatively low levels with 10,753 international overnight visitors recorded in 2007.

The *Destination Daylesford Strategic Tourism Plan* provides the first coordinated strategic and integrated approach to the management, development and marketing of tourism for Daylesford, Hepburn Springs and surrounds.

The report has been prepared by the Australian Regional Tourism Research Centre and is based on extensive research and community consultation three areas have been identified as priorities.

- Improving industry structures and supporting policy advocacy;
- Improving the supply and quality of tourism experiences; and managing sustainability;
- Ensuring the sustainability of tourism on Shire
- Maximising destination marketing opportunities.

The community engagement process used in this study is regarded as the most comprehensive ever used in Australia and involved a community lead executive, steering group, reference group and citizens jury. Local community member Mr Frank Page provided enormous energy, leadership and wisdom throughout the process as chairman of the project executive.

Members of the executive including Nigel Dempster, Carol Hulst, Hepburn Regional Tourism Association, Bill Fox, Peter Keague and Tom Smith, Tourism Victoria, Cr Bill McClenaghan, Victor Szwed and Philip Shanahan have contributed much time and energy to making the project a success.

Meredith Lawrence and Jeremy Buultjens from the Australian Regional Tourism Research Centre worked tirelessly to include all issues raised by the community, industry and other key stakeholders.

Implementation of the Plan has already commenced with the Interim Tourism Board established and is starting to address the short term objectives.

## **5. GOVERNANCE AND STRATEGIC MATTERS**

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Council through its budget process has recognized the importance of the Destination Daylesford Strategic Tourism Plan and has allocated as a seeding grant \$50,000 towards the implementation of the Plan.

One implication of the Plan is the establishment of a new Tourism Board which will take over the role played by the Hepburn Shire Tourism Advisory Committee and the Hepburn Regional Tourism Association. This is proposed to reduce duplication, improve coordination and communication allowing for ongoing industry and Council input into important issues. The terms of reference of the new Tourism Board are being determined by the Interim Board.

The term of appointment of the Council's Tourism Advisory Committee will conclude on August 31 2008. The committee has provided advice on a broad range of issues since 2004 and provided the opportunity for representatives from across the Shire to debate matters ranging from signs and street furniture to marketing and the need for research. It would be appropriate for Council to write to the members of the last committee and thank them for their contribution to the development of tourism.

The Destination Daylesford Strategic Tourism Planning project has been an extensive exercise taking over 15 months to complete. The Plan provides the industry, community and Council with the best opportunity to develop a sustainable and viable tourism industry across the Shire.

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

Council Plan – Statement of Intention for 2008/2009

Economic Development 4.1

“We will adopt a strategic approach to the development of our tourism industry and vigorously pursue the outcomes of the Destination Daylesford Strategy”

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

The Destination Daylesford Strategic Tourism Plan has been lead by the community and involved broad ranging community consultation on all aspects of the project.

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

Council has provided \$50,000 in its budget as a seeding grant to implement the plan. Council's Economic Development Officer will be contributing approximately one day per week to assist with implementing the plan.

The Manager of Tourism, Economic Development and Recreation is also on the Interim Board.

We expect the Plan will be launched in Daylesford, in the near future.

### **Recommendation:**

*That Council:*

5.7.1 *Note the work so far completed to bring the Destination Daylesford Strategic Tourism Plan to the point of a public launch.*

5.7.2 *Congratulate the members of the Steering Committee for their work with the Plan*

5.7.3 *Thank those previously involved in the Tourism Advisory Committee*

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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

**Moved:**        ***Cr Heather Mutimer***

**Seconded:**   ***Bill McClenaghan***

**Carried.**

## **5. GOVERNANCE AND STRATEGIC MATTERS**

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### **5.8 SALE OF LAND – 11 NORTH STREET, DAYLESFORD**

(A/O – Manager Governance and Information)

File Ref: 5/5072/05150

#### **Synopsis**

Council declared 11 North Street, Daylesford (formerly 58A Vincent St North) was surplus to needs and resolved to sell the land. Offers were sought through a public tender process. No suitable offers were received and the matter was then placed with Central Highlands Realty. A conditional Contract of Sale was entered with Ms Rebecca Tait in September 2007.

#### **Report**

The Council intended to sell Crown allotment 14 Section 2 G Parish of Wombat – 11 North Street, Daylesford as 'serviced land' meaning sewer and water main extensions were necessary. The extensions also involved adjoining private land and negotiations with land owners was required for their part of the costs, along with meeting requirements of Central Highlands Water Corporation.

No submissions were received after public notice of intention to sell the land was given.

The land valuation was \$50,000 (not serviced) and \$115,000 serviced. Two tenders were received under the earlier process \$60,000 and \$10,000. Negotiations with the highest bidder still did not result in an offer sufficiently close to the valuation. It was then decided to offer the land through an agent.

A conditional Contract of Sale was executed for \$103,000 (initially \$100,000 offered) to sell the land to Ms Rebecca Tait. The main conditions were the availability of a planning permit for a dwelling – subsequently granted on 1 April 2008; and the provision of the services mentioned above.

The services have now been provided, however, Central Highlands Water Corporation has required that easements be registered on title to cover the service pipes provided. Settlement of the sale is being delayed pending the registration of the easements. Documents to create the easements were prepared and executed by the Acting Chief Executive Officer on 10 July 2008 so that delay in settlement was minimised.

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

The sale of land provisions in the Local Government Act 1989 was followed. Policy # 9 – Management of Council Owned and Controlled Properties allows for the sale of property surplus to need. There are no implications under the Council Plan 2006 - 2011. The Key objective: 3 Asset and Resource Management is relevant.

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

As indicated, public notice was given with no written comment being received.

#### **Financial Implications**

Surplus funds from the sale will go toward meeting Budget requirements. The property will become rateable.

The following summary is provided:

Sale price	\$103,000
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**5. GOVERNANCE AND STRATEGIC MATTERS**

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Less 'estimated' costs*		
Sale costs and legals	4350	
Service costs – includes allowance for easements	<u>25,500</u>	<u>29,850</u>
Surplus funds		\$73,150

\* Estimates at this stage as final costs yet to be absolutely determined.

**Recommendation:**

That Council

- 5.8.1 *Endorse the actions for the sale of Crown allotment 14 Section 2G Parish of Wombat and the execution of a Contract of Sale with Ms R Tait;*
- 5.8.2 *Endorse the action of the CEO in executing and sealing Creation of Easement documents; and*
- 5.8.3 *Authorise the sealing of a Transfer of Land document to complete this matter.*

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

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



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## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.9 2007/2008 FINANCIAL REPORTS & PERFORMANCE STATEMENT – ADOPTION IN PRINCIPLE

(A/O – Manager Finance)

File Ref: 30/08/16

#### Synopsis

The audit of the financial statements, standard statements and performance statement for 2007/08 has commenced. One of the statutory steps in the audit process is for the statements to be officially accepted by Council before they are sent to the Auditor-General by Council's auditors, McLean Delmo Hall Chadwick. Council is asked to give in principle approval to these statements on the understanding that the auditors may still require changes to be made.

#### Report

Attached are the draft financial statements (*refer attachment 5*), draft standard statements (*refer attachment 6*) and the draft performance statement has been included in the report below.

A copy of the statements has also been forwarded to the independent members of the Audit Committee which is scheduled to meet again on Tuesday the 19<sup>th</sup> August 2008.

#### Draft performance statement

##### INTRODUCTION

The use of performance indicators by local government is a significant first step towards achieving an improved capacity to objectively measure council performance leading to better informed local communities and a better set of relationships between state and local government.

The Council's budget for 2007/2008 identified five key strategic objectives that the Council had set for the year. These objectives and Council's performance in achieving the targets set are as follows:

**5. GOVERNANCE AND STRATEGIC MATTERS**

**STRATEGIC OBJECTIVE NO.1  
Strengthening Communities**

<b>Key Strategic Activities</b>	<b>Performance Measure</b>	<b>Achieved</b>	<b>Comment</b>
Enhance community connectedness, capacity building and leadership.	Hepburn Health Communities Project Implementation	The below project actions have been undertaken in each of the main townships as well as whole municipality initiatives; 1. Construction & installation of community notice board in Trentham 2. Creswick Town Hall refurbishment 3. Clunes & Yandoit Community Planning 4. Neighbour Day celebrations in Dean 5. Youth engagement in Trentham, Clunes, Creswick and Daylesford 6. Actions towards improving Men's Shed funding submission for Daylesford 7. introduction of Community Economic Development	The Hepburn Healthy Communities Project is now nearing completion. A significant body of work has been conducted across the shire in line with the related plans and initiatives outlined in the project proposal. The achievements have been based on the structure of the social plan which is the primary document directing this project.

**STRATEGIC OBJECTIVE NO.2  
Service Delivery**

<b>Key Strategic Activities</b>	<b>Performance Measure</b>	<b>Achieved</b>	<b>Comment</b>
Improve Service Delivery	Delivery of Services within budget	After allowing for carry overs Council realised a cash deficit of \$77,302	At the March quarterly review the Council forecast a small surplus of \$9,866. The final cash result has been affected by the reduction of the amount allowed for reimbursement of expenses incurred under one of the Councils insurance policies. In finalising the cash budget a very conservative approach has been taken in respect to this matter. With the exception of this administrative matter services to the community overall were delivered within budget.

**5. GOVERNANCE AND STRATEGIC MATTERS**

**STRATEGIC OBJECTIVE NO.3**

**Asset and Resource Management**

Key Strategic Activities	Performance Measure	Actual Performance	Comment
Improve the management of our assets	Reduction in the infrastructure funding gap	The infrastructure funding gap for 2007-2008 was reduced by \$401k in real terms.	Council's 10 Year Financial Plan set an objective to increase funding on the maintenance and replacement of assets in real terms by \$250, 000 annually to reduce the identified gap in funding the maintenance and replacement of Council's infrastructure (The infrastructure Gap). Councils long range forecasting indicates that in 2015 a pivot point will be reached whereby the cumulative gap will start to decrease as the annual allocation to infrastructure will pass the annual level of expenditure required for that year.

**STRATEGIC OBJECTIVE NO.4**

**Economic Development**

Key Strategic Activities	Performance Measure	Actual Performance	Comment
Promote and market the shire	Number and annual value of planning applications	508 permit applications were received including amendments. The value of these planning permits was \$73,611,217.	The total number of permit applications has increased since the previous financial year. The total value of these applications was \$8,367,612 more than the previous financial year.

**STRATEGIC OBJECTIVE NO.5**

**Heritage and Environment**

Key Strategic Activities	Performance Measure	Actual Performance	Comment
Promote and practice environmental management and sustainability	Projects implemented through the environmental projects budget	Eight projects were budgeted for under this area. Four have been completed with two 25% complete and the other 50% complete. This represents a 75% completion rate.	The eight projects were: Energy Audit Council Buildings (complete) Asbestos Management Plan (25% complete) Domestic Waste Water plan Implementation (25% complete) Clues Preschool Water Tank (Complete) Glenlyon Recreation Reserve Water Tank (complete) Dean Recreation Reserve Water Tank & Stand (50% complete) Creswick Depot Water Tanks (complete) and Environmental Officer Public Awareness initiatives (Complete)

## 5. GOVERNANCE AND STRATEGIC MATTERS

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### SUMMARY OF PERFORMANCE

On review of the 5 key strategic activities Council achieved the following results:

- Enhance community connectedness, capacity building & leadership – Yes
- Improve service delivery - No
- Improve the management of our assets - Yes
- Promote and market the shire - Yes
- Promote and practice environmental management and sustainability – Yes

These results demonstrate that Council is committed to pursuing the goals and objectives as contained in its Council Plan

It is important to view these measures in the context of Council's performance as a whole.

### Relevant Policies/Council Plan Objectives

Local Government Act 1989 – Sect 131  
Local Government Act 1989 – Sect 132

### Financial & Resource Implications Initial & Ongoing

### Recommendation

*That Council:*

- 5.10.1            *Approve in principle the draft financial statements, standard statements and performance statement for 2007/08 for submission to the Auditor-General.*

***Moved the Officer's Recommendation with the following addition:***

- 5.10.2            ***That Council be provided with all details of financial variations.***

***Moved:            Cr Bill McClenaghan***

***Seconded:       Cr Janine Booth***

***Carried.***

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**5. GOVERNANCE AND STRATEGIC MATTERS**

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**5.10 APPOINTMENT OF COUNCILLORS AND OFFICERS TO SIGN THE  
FINANCIAL STATEMENTS, STANDARD STATEMENTS AND  
PERFORMANCE STATEMENT**

(A/O – Manager Finance)

File Ref: 30/08/16

**Synopsis**

This report deals with the appointment of two Councillors to approve in principle the financial and performance statements for the year ending 30 June 2008.

**Report**

As required in sections 131 & 132 of the Local Government Act, the Council must authorise two (2) Councillors to certify the financial statements and standard statements in their final form after any changes recommended, or agreed to by the auditor have been made. Council's convention has been that the two Audit Committee Councillor members be nominated to sign the financial and performance statements, together with John Traill as Council's Chief Accounting Officer.

**Recommendation**

*That Council nominate:*

- 5.10.1 *Councillors Hayes and McClenaghan to certify the financial statements, standard statements and performance statements once they have been approved by the Auditor General.*

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

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

## 5. GOVERNANCE AND STRATEGIC MATTERS

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### 5.11 LEAVE ARRANGEMENTS FOR THE CEO

(A/O – Mayor, Cr Tim Hayes)

File Ref:

#### Synopsis

Councillors would be aware that Ms Kaylene Conrick, CEO was scheduled to commence her duties with Hepburn Shire on 15 September. Due to unforeseen circumstances that arose for the Interim CEO, Mr Philip Shanahan Ms Conrick agreed to commence on 11 August.

#### Report

Council is indeed indebted to Ms Conrick for commencing her duties earlier. Ms Conrick had however committed to taking a vacation commencing Thursday 28 August - Friday 5 September inclusive.

In her absence the Director Infrastructure & Development will be in an acting position as CEO as has been previous practice.

#### Relevant Policies / Council Plan implications:

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

#### Financial & Resource Implications Initial & Ongoing

Leave without pay for Ms Conrick.

#### Recommendation:

*That Council:*

5.11 .1 *Approve the leave of Ms Kaylene Conrick from 28 August – 5 September 2008 inclusive and thank her for commencing her duties early*

5.11.2 *Appoint Mr Rod Conway, Director Infrastructure & Development as Acting CEO for this period.*

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

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

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

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### **6.1 DOMAIN NAME LICENCE AGREEMENT**

(A/O – Manager Governance & Information)

File Ref: 5/4685/00100

#### **Synopsis**

As part of Lease requirements and approvals for the redeveloped Bathhouse, Belgravia Health and Leisure Group Pty Ltd (Belgravia) as nominated Lessee sought Council's approval to use [www.hepburnbathhouse.com](http://www.hepburnbathhouse.com) for its business purposes.

#### **Report**

Council is the owner of the Domain name. Belgravia as part of operating a spa resort and health retreat business from the Hepburn Mineral Springs Reserve under a Lease with Council required Council approval to use the name.

The agreement for Belgravia to use the name will be granted by a Licence commencing from 23 June 2008. The Licence is ongoing with no specified end date, but has particular conditions for its termination. The Licence cannot be transferred to another party. In other words, if the Lessee changes, this Licence becomes redundant, and the domain name continues under Council ownership. Any future Lessee wanting to use the same name will need to negotiate a new licence.

Belgravia is prohibited from acquiring a similar Domain name.

The Licence was negotiated with the June commencing date to allow Belgravia time for 'pre-advertising' of its business.

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

There is no specific Policy covering this matter, however it is imminently sensible to record in a Licence the granting of rights to use the Domain name and the conditions under which it is granted.

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

The issue of the Licence is considered a normal operations matter with no need for any consultation processes.

#### **Financial Implications**

The Licence requires each party to be responsible for its own costs regarding the preparation and execution of the Licence. Any further changes, requests, surrender of or matters concerning breach will be at Belgravia's cost.

There is an annual Licence fee of \$100 which more than covers Council's costs to maintain the Domain name. The Licence fee may be reviewed and adjusted annually.

#### **Recommendation:**

That Council:

- 6.1.1 *Approve of the action to negotiate the Domain Licence;*
- 6.1.2 *Approve of the Domain Licence and its grant to Belgravia Health and Leisure Group Pty Ltd; and*
- 6.1.3 *Authorise the sealing of the Licence.*

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

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

***Moved: Cr Bill McClenaghan***

***Seconded: Cr Heather Mutimer***

***Carried.***



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

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### **6.2 BASIN RESERVE – DAYLESFORD SPEEDWAY**

(A/O – Manager Governance & Information)

File Ref: 3/0360/00450

#### **Synopsis**

Part of the Basin Reserve, Ballan-Daylesford Road, Daylesford is leased to Victorian Independent Speedway Drivers Association inc (VISDA). The current 2 year term ends on 30 September 2008 but there is option provision for renewal of this Lease for a further 2 years.

VISDA has requested to exercise the option to renew the Lease for a further term.

#### **Report**

The Basin Reserve is Crown land over which Council is committee of management. Part of The Reserve has been leased since at least 1987 as a speedway racing track.

When Council agreed to the current Lease in 2006, it was subject to a number of special conditions which are summarised below.

- DSE standard documents;
- Additional terms and conditions based on business and financial plans proposed by VISDA; existing lease requirements where these are still relevant eg maximum 18 meetings per year/season, daily race times, parking/unloading, racing safety compliance, rubbish removal, public address amplification, racing practice, avoiding clash with other activities at Victoria Park, noise and upgrading works;
- Conduct of at least one activity annually not connected with car racing;
- Provision of risk management plans within 6 months;
- Within the first lease year an up-date of the 1999 ESP Laboratories Site Noise Level Assessment Report – see below;
- Debt reduction (Approx \$8,000) by 30 June 2007;
- Lease term 2 years – allows for VISDA to complete it's re-establishment and provide bench marks to measure ongoing performance; a 2 year option – allows all main priorities to be met; a further 1 year option – the last year to review and give time to plan for the future, a total of 5 which should give reasonable security of tenure, provided obligations are met; and
- No immediate increase of rent i.e. \$5,000pa + GST.

VISDA has not meet all conditions as required, mainly missing time limits imposed and it has not undertaken all upgrading works, mainly due to concentrating on financial performance. However, VISDA has significantly improved its performance as a tenant and most importantly has paid all its debt and met ongoing rent requirements. In other words, financially it is up to date. VISDA is still planning improvement works.

VISDA recently provided the noise level assessment report from Trevor Clarke and Assoc. (Aust.) Pty Ltd. Tests were conducted during a race meeting from locations at Basin Rd, Ballan Rd, Ridge Rd and one other location south of the track. Further tests were done some 35m from the centreline of the track where and when cars were at maximum acceleration. A copy of the full Report is available, but the consultants concluded -

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

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### **7.0 CONCLUSION**

No legislation covers noise emitted from outdoor sporting events. SEPP N2 restricts music noise from outdoor venues to 65dB(A).

EPA Noise Control Guidelines TG 302/92 suggests that public address systems should not exceed the background noise levels at a residence by more than 5dB(A).

The noise levels due to the Daylesford Speedway at noise sensitive areas on 9<sup>th</sup> March 2008 were less than 65dB(A), and the PA was less than 5dB(A) above the background.

The noise levels emitted are not considered excessive.

There are no strong reasons to refuse the request by VISDA to exercise the 2 year option. The Lease has one remaining option for a 1 year term.

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

Speedway is considered a recreation activity. Policy # 7 aims at there being a diverse range of recreation activities for residents and visitors. While the activity is not directly provided by Council, and may not be preferred by all sections of the community, it does meet the general aims and principles of the Policy.

Policy # 9 – Management of Council Owned and Controlled Properties requires proper and relevant arrangements are in place to recognise occupancy. A lease does this.

There are no significant implications for the Council Plan, although Key Objectives 1 (consultation and engagement sections) 3 (asset management section) and 5 (environmental management section) may have varying degrees of relevance.

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

Prior to the granting the Lease in 2006, Council advertised its intention to lease and dealt with submissions at the time. Conditions on the Lease were framed to address some concerns. There has been little if any change and in particular noise levels are considered not to be excessive.

#### **Financial Implications**

The current \$5,000 + GST annual rent has been in place for some years. It is a reasonable return from this Reserve according to the Shire Valuer. Prior to this Lease, VISDA did not pay any rates and charges. It does now and this was considered a reasonable overall increase in 2006. It is not proposed to increase rent this year, but in 2009, this will be considered if the Lease is to be renewed for its final 1 year term.

#### **Recommendation:**

*That Council*

6.2.1 *Approve of the option to renew the Lease for a further 2 year term;*

6.2.2 *Seal the renewal of lease document; and*

6.2.3 *Submit the renewal to DSE for Minister's consent.*

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

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

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

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

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### **7.1 WOMBAT HILL BOTANIC GARDENS ADVISORY COMMITTEE**

(A/O – Director Infrastructure & Development)

File Ref: 5/1330/01950

#### **Synopsis**

This report concerns the appointment of a community representative to fill a vacancy on the Wombat Hill Botanic Gardens Advisory Committee.

#### **Report**

The terms of reference for the Wombat Hill Botanic Gardens Advisory Committee has a provision that appointment to the Committee is for a two year period and that the Friends of Wombat Hill Botanic Gardens are invited to nominate three representatives to be on the Committee and Council publicly invites applications for the two community representatives.

Council in January 2008 appointed the representatives from the Friends of Wombat Hill Botanic Gardens and noted that no submissions had been received for the community positions. Re-advertising was carried out and in April 2008 Council appointed the only interested person to apply at that time.

Council subsequently resolved "*That the Wombat Hill Botanic Gardens Advisory Committee report back to Council on how best to fill the current vacancy for one community representative on the Advisory Committee.*"

The Advisory Committee at its meeting on 31 July 2008 resolved to recommend to Council that John Beetham be appointed to fill the vacant community representative position on the Advisory Committee.

John Beetham is a local resident with extensive arborcultural experience.

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

Wombat Hill Botanic Gardens Advisory Committee Terms of Reference.

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

The Advisory Committee is envisaged not to require any specific funding for meeting purposes other than a venue for meeting and some minor catering (tea, coffee). The Advisory Committee however will make recommendations to Council which will require Council funding to a higher level than in the past.

#### **Recommendation:**

*That Council*

7.1.1 *Appoint John Beetham as a community member of the Wombat Hill Botanic Gardens Advisory Committee for a period of two years.*

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

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

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

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### **7.2 YOUNG PEOPLE'S PARTICIPATION IN HEPBURN SHIRE**

(A/O – Community Strengthening/Youth Development Co-ordinators) File Ref:34/22/03

#### **Synopsis**

This report highlights the contribution the Youth Advisory Committee makes to Council and identifies some of its key achievements over the past 12 months. It includes recommendations relating to out-going, current and future committee members.

#### **Report**

Since its inception five years ago the Youth Advisory Committee (YAC) has been an important means of informing Council of youth opinion and need. It has also been instrumental in the administration and allocation of Council Youth Grants. The past 12 months has seen members and membership grow from strength to strength as the YAC has focussed on the themes of Information Sharing and Community Leadership. The development of the youth presence on the Council Web pages, the inaugural Youth Recognition Awards, National Youth Week Community Groups Funding Program and the YAC Logo Competition have highlighted not only the motivation and commitment of YAC members, but the range and diversity of youth ability and contribution across all young people in the Shire. YAC will continue in its dedication to support youth community and working closely with Council in 2008/09, embarking on an across Shire youth consultation to determine priorities for Council and the YAC to consider.

The YAC is especially important in representing the views of our Youth. As a community young people are vulnerable to being overlooked by modern democracy. A significant number of our young citizens do not have the power to voice their opinion via a vote and therefore their ideas, innovations and needs maybe disregarded in the face of more powerful voices. The existence of the Hepburn Shire YAC provides a direct link between those that govern and young citizens. The YAC promotes the empowerment of young people encouraging them to speak their mind and act on their own behalf, provides leadership opportunity and teamwork development. It is a catalyst for young people to engage more closely with their communities, is a forum for consultation, initiative, celebration and information sharing. This is to the benefit of Councillors, Council Officers, the broader community and young people themselves.

There are 1914 people in the Hepburn Shire between the ages of 12 and 25 years, with people aged 15-24 making up approximately 10% of the total population (ABS 2006). The Youth Advisory Committee has 11 places for young people who live, learn, recreate or work in the Hepburn Shire to be Youth Representatives to Council. The aim is to get representatives from across the Shire to contribute with the experience from their particular region, lifestyle and experience. A variety of means have been employed to achieve across-shire representation including assertive outreach and targeted invitations where there hasn't been a significant response to advertising.

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

Youth Policy (43)

Communication and Consultation Policy (4)

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

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

The YAC has a strong focus on empowerment and participatory decision-making. Young people are encouraged to employ these techniques when working with their peers in the community. Their role to Council is to inform.

**Financial & Resource Implications Initial & Ongoing**

\$5000 Budget allocation ongoing

**Recommendation:**

*That Council:*

7.2.1 Continue to support young people's participation in decision-making by appointing the following as Youth Representatives to the Youth Advisory Committee:

Jordan Cole-Sinclair	16	Smeaton
Tarquin Anderson	16	Daylesford
Brittany Fontana	18	Creswick
Georgia Biggs	14	Daylesford
Oliver Johanssen	17	Daylesford/ Korweinguboorra
John Howell	13	Hepburn
Sarah Fogus	14	Clunes

7.2.2 Thank current members who are mid-term:

Emma Martin	Wattle Flat
Sebastian Klein	Daylesford
Thomas Shaw	Newlyn
Morgan Kaye	Glenlyon

7.2.3 In recognition of their contribution the Hepburn Shire Council thank outgoing Youth Advisory Committee members:

Erin Dowling  
Michael Bruce  
Ruth Knowles  
Huong Thai-Nguyen  
Thomas Woodroffe  
Rachel Coleman

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

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

## 8. STATUTORY MATTERS

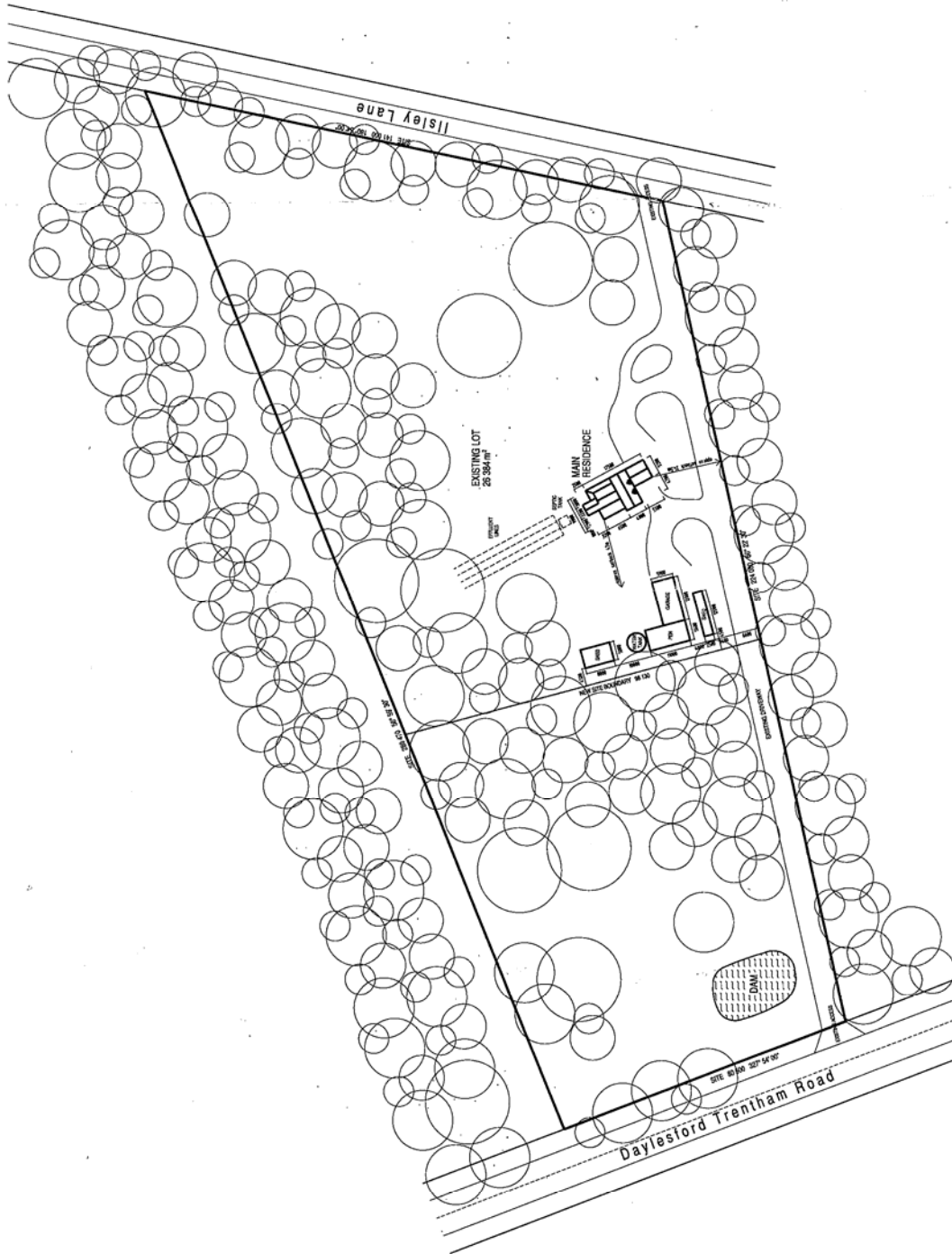
### 8.1 PLANNING APPLICATION 2008/9661 – PROPOSAL: TWO LOT SUBDIVISION AT 371 DAYLESFORD-TRENTHAM ROAD, DAYLESFORD (A/O – Planning Officer 2) File Ref: 4/1930/01800/P

#### Synopsis

Applicant:	Con Tsourounakis
Location:	371 Daylesford-Trentham Road, Daylesford
Proposal:	Two Lot Subdivision
Zoning:	Farming Zone
Overlay Controls:	Environmental Significance Overlay Wildfire Management Overlay
No of Objections Received:	None
Recommendation:	Refusal to Grant a Permit



8. STATUTORY MATTERS



<p><b>ALEXANDROU</b>                  &amp; ASSOCIATES</p>	<p>Michael Alexandrou DP-AD 305                  B.Arts Architecture B-Architecture                  4/707 Mt Alexander Rd, Moonamee Ponds 3039                  1 8372 7188 f 8372 7159 m 0419 827 014                  michael@alexandrou.net.au</p>	<p>EXISTING PROPERTY                  371 Daylesford Trentham Road,                  Daylesford, Vic. 3460.</p>	<p>EXISTING SITE PLAN</p>	<p>DATE: 19 FEB 2008                  TIME: 10:30 AM                  DRAWN: M.A.C.                  SHEET NO: 0680                  DATE: TP-01</p>
	<p>NORTH</p>			



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## 8. STATUTORY MATTERS

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### Report

#### INTRODUCTION

This report has been prepared to assist Council in reaching a determination on the proposed two lot subdivision at 371 Daylesford Trentham Road, Daylesford.

The application site lies approximately three and a half kilometres east of Daylesford, and has an area of 2.6Ha. The land is one of 11 lots of similar size created by the subdivision of a 24Ha parcel at some time in the not too distant past. The effect of this subdivision has been to create a small stand alone rural living enclave straddling the main road, with at least seven of the lots developed with dwellings. The site has a moderate covering of native vegetation, with neighbouring lots having a more dense tree canopy. The site has been developed with a dwelling and shedding, on the cleared south eastern part of the land. Access to the land is from both the main road, and Ilseley Lane, an unsealed road at the rear of the land on the eastern boundary.

Land in the wider vicinity is generally cleared and farmed, though there is also some timbered land. Despite the rural living nature of the use of the application site, it is zoned farming, as is all the land in the vicinity.

#### PROPOSAL

The proposal is to subdivide the land into two parcels. A proposed lot1 with an area of 0.9Ha would front the main road, and contain the existing small dam. A proposed lot2, containing the existing dwelling and shedding, with an area of 1.67Ha would be accessed by Ilseley Lane.

#### REFERRAL AUTHORITIES

The application was referred to the CFA and Goulburn Murray Water as section 55 referral authorities. The CFA had no objection to the granting of a permit. Goulburn Murray Water requested a Land Capability Assessment from the applicant. Once this was supplied, they advised that they had no objection as they were satisfied that wastewater from the existing dwelling was being managed in a satisfactory manner, and that all wastewater from any future dwelling on the proposed vacant allotment could be managed in accordance with the current Septic Tanks Code of Practice.

#### REFERRAL WITHIN COUNCIL

The application was referred to Council's Environmental Health Unit, who had no objection.

#### ADVERTISING/NOTICE OF APPLICATION

The application was advertised by letter to adjoining owners and occupiers. No objections were received.

#### Relevant Policies / Council Plan implications:

##### STATE PLANNING POLICY FRAMEWORK (SPPF)

Clause 12.03-2 Seeks to control development in rural areas to avoid inappropriate rural residential development by reducing the proportion of new housing development in rural areas, discouraging development of isolated small lots in rural zones from use for rural living and by encouraging consolidation of existing isolated small lots in rural zones.

## 8. STATUTORY MATTERS

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### LOCAL PLANNING POLICY FRAMEWORK (LPPF)

Clause 21.08 – Rural Land Use and Agriculture – objective 2 seeks to ensure that development in rural areas addresses important local environmental and landscape issues. Strategies to achieve this include recognising existing scope for development according to land capability and limiting ongoing fragmentation of rural land.

Clause 22.04 – Rural Land – states that where a permit is required for subdivision, it is policy to discourage the subdivision of lots that can result in a concentration of lots likely to change the use and character of the area.

### ZONE AND OVERLAY PROVISIONS

**Farming Zone - A** permit is required to subdivide land.

#### **Environmental Significance Overlay Schedules 1 and 2 – Proclaimed Catchment and Mineral Springs Protection.**

A permit is required to subdivide land.

While the subdivision itself will have no impact on the environmental objectives of the overlay, consideration must be given to the likely future development as a result of the subdivision. Consideration has been given to the suitability of the site to contain and treat all wastewater generated by a future dwelling on the proposed lot 1, as well as the existing dwelling on lot 2. It is considered that such development would not have an adverse effect on groundwater or surface water quality in the catchment.

**Wildfire Management Overlay - A** permit is required to subdivide land. The application was referred to the CFA, and it is considered that it meets the protection from wildfire objectives of the overlay.

### GENERAL PROVISIONS

Clause 65 states a number of other matters which must be considered when an application is made to subdivide land. The following are relevant to the current proposal:

- The orderly planning of the area.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The density of the proposed development.

Clause 65 also states that because a permit can be granted does not imply that a permit should or will be granted.

### ASSESSMENT

The applicant was advised on receipt of the application, and again on 6<sup>th</sup> May, that the application was unlikely to be successful, as it lacked policy support under the provisions of the Hepburn Planning Scheme. On both occasions, the applicant wished to proceed. The fact that the proposal has been shown to meet the objectives of the overlays applying to the land does not change the situation. The following assessment will expand upon the lack of policy support.

**Zone Provisions.** The provisions of the Farming Zone state that for a proposed subdivision, each lot must be at least the area specified in a schedule to the zone (in this case 20Ha), but that a permit may be granted to create smaller lots if the subdivision is to create a lot for an existing dwelling. This is what is commonly referred to as an excision, though the term does not appear as such in the scheme. Typically, an excision is used to assist in farm succession planning, whereby a landowner can continue to live in their farm house, with a small parcel of attached land, while selling off the balance of land as a still viable farm. It is unfortunate that the zone provisions give no guidance in deciding on such an application, beyond the guidance given for subdivision and development in general. In this case, consideration of the effect of the subdivision on current or future agricultural use is largely irrelevant, as the existing lot

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and its neighbours are already of such a limited size as to be unlikely to support any meaningful agricultural activity. It should be noted in passing however, that there is no question of maintaining a parcel of land viable for farming as is the implied intention of the “excision” provision.

**State Planning Policy.** Clause 12.03-2. In seeking to control development in rural areas, state policy does not support the development of isolated small lots in rural zones. Policy encourages the *consolidation* of existing isolated small lots, which is diametrically opposite to supporting further subdivision.

**Local Policy.** Clause 21.08 – Rural Land Use and Agriculture – objective 2 seeks to ensure that development in rural areas addresses important local environmental and landscape issues. Strategies to achieve this include recognising existing scope for development according to land capability and limiting ongoing fragmentation of rural land. It can be argued that fragmentation has already occurred with the creation of the original 11 lot subdivision. This does not alter the fact that the proposal is for further fragmentation of rural land, and as such is not supported by clause 21.08.

Clause 22.04 – Rural Land – states that where a permit is required for subdivision, it is policy to discourage the subdivision of lots that can result in a concentration of lots likely to change the use and character of the area. As with clause 21.08, the concentration of lots has to a large extent already occurred. With the existing lot density, the character of the immediate area has already changed from one of farming to one of rural living. By creating lots even smaller (0.9Ha), the area will begin to take on the character of a low density residential development. This is not supported by the local policy expressed in clause 22.04.

### **Clause 65 – Decision Guidelines.**

Three relevant matters which must be considered have already been mentioned. I will now consider each in turn.

- The orderly planning of the area. The further fragmentation of the land effectively starts to give the area the character of a low density residential development. Without strategic support for such a development at some distance from Daylesford town, this cannot be considered as orderly planning.
- The availability of subdivided land in the locality, and the need for the creation of further lots. There is already available subdivided land in the immediate vicinity. No need has been demonstrated either by the applicant or through Council’s strategic planning for the creation of further lots.
- The density of the proposed development. The density of the existing lots is already well in excess of that appropriate to the location of the land. Further subdivision would exacerbate this.

**Conclusion.** Past subdivision has effectively created a rural living enclave in a location which would no longer be considered appropriate or be supported by State or Local Policy. The proposal to further subdivide one of the lots compounds the problem. By setting a precedent it would lead to a low density residential pattern of development in a location with no connection to established residential infrastructure. It is not supported by the zone provisions, or the decision guidelines of clause 65.

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

None undertaken.

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

Costs associated with possible appeal.

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### **Recommendation:**

*That Council having caused notice of Planning Application No. 2008/9661 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 21.08, 22.04, 35.07, and 65 of the Hepburn Planning Scheme in respect of the land known and described as 371 Daylesford Trentham Road, Daylesford, for the Subdivision in accordance with the endorsed plans, with the application dated 18/01/2008 for the following reasons:*

- 1            *The proposal does not support the objectives of clause 21.08 – local policy, rural land use and agriculture.*
- 2            *The proposal is contrary to state planning policy clause 12.03-2.*
- 3            *The proposal is contrary to local policy clause 22.04, rural land.*
- 4            *The proposal is contrary to the provisions of the farming zone.*
- 5            *The proposal is contrary to the orderly planning of the area.*
- 6            *The proposal does not demonstrate the need for the creation of further lots.*
- 7            *The proposal would create an unacceptable lot density.*

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

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

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### 8.2 SECTION 173 AGREEMENT BETWEEN HEPBURN SHIRE COUNCIL AND ANDREW GEOFFREY HITCHMAN, PLANNING PERMIT NO 2005/8438

(A/O – Planning Administration Officer)

File Ref: 4/1875/00100/P

#### Synopsis

This report concerns a Section 173 Agreement that provides for the owners of the land to acknowledge and accept the possibility of odours, dust or noise from the Daylesford Abattoir. Council is indemnified against any liability regarding the above.

Applicant: ANDREW GEOFFREY HITCHMAN

Property: 54 DAIRY FLAT ROAD, MUSK  
LOT 1, 2 LP 124948 PSH PGL

#### Report

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

The agreement provides for the owners of the land to acknowledge and accept the possibility of odours, dust or noise from the Daylesford Abattoir. Council is indemnified against any liability regarding the above.

#### Relevant Policies / Council Plan implications:

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

#### Financial Implications

Nil

#### Recommendation:

*That Council:*

8.2.1 *Sign and seal the Section 173 Agreement between Hepburn Shire Council, and Andrew Geoffrey Hitchman, as detailed under item 8.2.*

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

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

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### 8.3 HEPBURN PLANNING SCHEME AMENDMENT C38, TO INCORPORATE THE REVISED STRUCTURE PLANS AND AMEND THE MUNICIPAL STRATEGIC STATEMENT, REPORT ON SUBMISSIONS

(A/O - Senior Strategic Planner) File Ref: 66/20/11, 66/20/04C38, 3/2830/00100P

#### Synopsis

This report was considered at the July Ordinary Meeting of Council and deferred to enable further Councillor discussion. The report is now re-presented.

There was an up-date report on this amendment to Council's meeting in April 2008, which summarised the previous reports and processes, details of recent progress, sought verification of Council's extension of the lodgement date for submissions, and gave some details of the submissions received thus far. A memo was circulated 12 May, giving up-dates on public meetings and submissions.

There are now nearly fifty submissions, including from the two water authorities, Coliban for information, CHW querying several zonings with servicing difficulties, and DSE, which requested stronger wording in respect to forest interfaces with development. There were nine submissions from Daylesford, two for which agreement could be reached; four for Hepburn, of which two could possibly be agreed; nine for Creswick, of which three could be agreed; and fifteen for Clunes, of which one could be agreed, the others recommended for referral to a panel. Nine were received for Trentham, and most of these should be agreed.

At the July 2008 Ordinary Meeting Cr McClenaghan foreshadowed that he proposed some changes to the officer recommendation, which lead to Council deferring this item to enable Councillors to discuss Cr McClenaghan's proposed changes.

#### Report

##### Formal exhibition of the planning scheme amendment

DPCD accepted further revisions as satisfactory responses to its conditions (referred to in the April report). Exhibition under the Act commenced on 21 February 2008. Given the time elapsed from the original public workshops, another one was held for each of the five towns during the exhibition period, from 7 to 21 April. A two month exhibition period meant a closing date of 22 April 2008, extended to a preferred date of 2 May, and final date of 16 May 2008, due to some last-minute adjustments in the documents.

***Refer Attachment No. 3)***

##### Submissions

Submissions which cannot be resolved by changing the amendment in the manner requested will need to be referred by Council to a panel appointed by the Minister (through DPCD), in accordance with the provisions of the Act, before making the final decision whether or not to adopt the amendment.

The April Council report and an up-date memorandum the following June included summaries of submissions which had already been lodged. All formal submissions, including some 'consensus items' from the public meetings are reported below. There are also some notes about enquiries that did not lead to submissions.

##### Trentham public meeting

The proposed areas for residential investigation received lengthy, mostly positive discussion, the western areas including 11 Falls Rd discussed below. It was

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suggested that the medium density guideline could be extended toward these areas, within the 20 minute walking distance from the town centre.

The proposed residential area near the schools was also generally supported.

Industry was a complex issue. There was some debate about whether retention of Township Zoning might provide enough flexibility to forego the need for more industrial zones; however, getting industries out of backyards also had appeal.

It was agreed that the industrial areas shown on the plan appeared large, but their further use by others is limited, eg possibly by contamination, awkward access, etc; also, industry would be better located on the highway, avoiding the need for trucks to come into the town centre. The recently completed unit factories in Station St are available, so need for the additional areas to be zoned for industrial use in this area was questionable.

These points turned attention to the recent nursery/garden supplies proposal in Kyneton Road, on part of a triangular property of 18ha and 900m frontage to Kyneton Rd. There was some support for the investigation of this land for light industrial/business zoning. Care would need to be taken to minimise points of access, to protect the line of native trees along the frontage, and any zoning structured for minimal impact to surrounding land.

Some enquired about the possibility of a motel or caravan park being developed in Trentham, and it was suggested that nominating an appropriate location may spark interest from developers. Reference could be made to this idea in the report; an appropriate location might be on Falls Road, near the sports oval. The meeting also wanted a note in the report about improving access to the sports oval, because the current entry does not cater for safe queuing.

Colin Bowden, submitted for Carol & Ken Morris, concerns 'Feldspar Gallery' and accommodation; **No.11 Falls Road**, Trentham; is on a 1.16ha 'L-shaped' lot. The smaller portion fronts Falls Rd, in Township Zone (TZ), while the larger rear portion is in Low Density Residential Zone (LDRZ). It is requested to extend the TZ to the whole property.

The property contains a manager's residence and two studio/galleries, with an accommodation unit. The owners received permission for more cottage development, which included strict conditions, in particular no subdivision, given that the lot sizes would be smaller than as prescribed for LDRZ. The owners are hoping that a more flexible permit would be granted if the land is re-zoned, which may be possible.

Most nearby properties have dwellings on urban-sized lots, except to the west, which has accommodation units at similar density; beyond to the west is under-developed land, used mainly for small-scale agriculture. The LDRZ portion is amongst land west of Trentham town centre which could be fully serviced, verified in Coliban Water's submission, is proposed for investigation to become TZ (possibly R1Z), and could therefore be accommodated by the proposed amendment.

David Wilson, an owner of land between Victoria St (No.43) and the rail line has indicated a strong preference for remaining in TZ, and lodged a submission along the lines of the discussion at the meeting.

Tom and Lynne Madden are in a similar situation, and reside on one of the TZ lots 'to be investigated for industrial use', to the east of the existing IN1Z land. They have given similar amenity reasons for opposing any re-zoning.

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Corina Sabo owns and resides on TZ land, to the west of the existing INIZ, and prefers it to stay in TZ.

Vanessa Webb owns one of the IN1Z lots, which is vacant, between Victoria St and the railway line, and intends to develop it with a design studio in future, so would benefit from an inclusion in TZ, or re-zoning to a business zone. She has included a detail of how the proposed open space link traversing her property could be developed.

This request is consistent with the views expressed by other owners in that area, and could be supported by Council.

Barry Elliot who resides on the northern edge of Trentham, in Falls Rd, lodged a submission addressing most of these issues, and suggests some adjustments of text in the report, mainly to do with protecting biodiversity, and focusing on the Kyneton Rd site to investigate for light industry.

Bill O'Connell of Pearsons Rd, East Trentham, submitted that it was important for some site(s) to be investigated for industry. He also asked for a reference to a suitable accommodation site; and requested that properties on the south side of **Rahills Rd**, which forms the southern UGB, be included within the UGB; however, the latter would be considered unjustifiable, given the ample undeveloped land already within. This aspect would have to be referred to a panel.

Ian MacBean of Blue Mount Rd, Trentham, prepared a submission with a group including similar attendees as the public meeting. It endorses the view that the existing industrial land be held to its existing boundaries, with any future industry located on the highway (possibly the Kyneton Rd site, but not necessarily). It endorses the medium density guideline, provided this did not lead to multi-storey development (the text says that any first floor development must be sensitively designed); and endorses an open space network, with some suggestions.

Other suggestions include a vehicle link between **Mulcahys Rd** and **Blue Mt Rd** (could be created as part of subdivisions); elimination of a low-lying parcel of land for residential investigation; and more forested areas shown on the plan along the east, as shown for the south (which would be consistent with DSE's request). Most of the submissions for Trentham above can possibly be agreed.

Henk Bak of 14 Forest St, Trentham lodged a submission expressing concern about future businesses that may not be independently owned and operated by local people, particularly those based on industrialised agriculture and biotechnology, which would threaten the natural environment, held in esteem in the community vision statement. Objective 5 in the report is:- *To encourage a greater diversity of economic activity in Trentham*, and the particular strategy appears to be:- *Encourage the establishment of value added industry and business based on sustainable agriculture, rural town lifestyle, heritage and townscape.*

Explicitly stating that we seek to exclude specific types of businesses should be avoided; however, it would be consistent with the vision statement to include:- *sustainable agriculture which is compatible with natural systems in the environment*. He is also requesting several other text changes along the same lines.

This will likely need to be referred to a panel.

### Daylesford public meeting

Participants discussed the proposed re-zoning of No.1 Vincent St, which is reported below; but no firm views were expressed. Possible future growth areas were discussed, and the meeting was generally content with the way this aspect is depicted



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on the proposed structure plan. The controls at town entrances and how extensively they should be shown was debated, which came out in submissions, below; and whether abandoned rail lines for cycling paths were still available was discussed.

Con Tsourounakis for EN Comelli concerns **No.1 Vincent Street**, south-east corner of Raglan Street, Daylesford, has a 40m frontage to Vincent St, 23.5m to Raglan St, area of 940m<sup>2</sup> (all approximate). It slopes slightly up from the corner, excavated to just above street level, to have enabled its use as a motor garage many years ago. It is surrounded on all sides by similar-sized lots with dwellings, the south-adjointing lot being narrower and deeper, dwelling set behind the adjacency to the subject lot. The R1Z - Business 1 Zone (B1Z) boundary follows the rear of the lots on the south side of Raglan St, like the subject lot, continuing 5 more lots east, then becomes Business 1 Zone where Howe St joins Raglan St. Further east, Raglan St resumes R1Z on both sides.

A proposal to use the land for a 3-bay car wash was unsuccessful at VCAT in Nov 2004. The owner now seeks to have the B1Z extended north to his land. The submission includes that a retail ground floor with parking and residence above is planned for the site.

Despite the zoning change on the site's southern boundary, along Vincent St there are 2 dwellings; a commercial building (antiques) follows, then the hardware (considered peripheral uses) on Burke Square. In this way, the Square can be considered as the northern end of the retail core, which extends south along Vincent St to Central Springs Road. Outside of the core, business activity becomes mixed with peripheral and residential uses. However, a permit was granted last year to re-develop the dwelling site opposite, at No.10, for three shops, and the dwelling at No.12 is used for commercial purposes, and a permit has been granted to build a shop in front of the dwelling at No.14.

Keeping the retail core compact, inside the ample B1Z around it for some future expansion to the west, is an important principle in the Daylesford Structure Plan. However, the existing year 2000 structure plan shows the Business Zone extending north to Raglan St, suggesting new retail front onto that street. This would appear to be consistent with relatively recent retail developments on the north side of Howe Street; although Raglan St would lose its 'all residential' classification.

The submission states that the B1Z to the south of the owner's land has various retail uses, and surrounding area consists of tourist accommodation and spas.

The nearest retail use is south of the subject land, towards Burke Square, and an extension of the retail core so far north may not have been considered favourable by the drafters of the 2006 version of the plan, since accommodation, spa and even a small restaurant can be proposed in R1Z.

However, business and even retail development on the south side of Raglan St could be compatible with the residential character of the north side, with appropriate controls. A recent survey of retail premises in Daylesford town centre showed that there are very few retail premises currently available, although the 'Rex' project in Vincent St should provide some 19 shops when completed, in addition to the permits mentioned above. Although the town appears to be losing permanent residents, it is very busy on weekends, in most every respect.

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One owner on the west side of Vincent St, near the corner of Raglan St, expressed concern about commercial intrusion from the three proposed shops at No.10, when obtaining a permit to extend the dwelling at No.4, around the same time.

However, it is considered that Council could support the re-zoning to B1Z request, and to include the other 5 lots to the east, subject to strict overlay controls. Having Raglan St as a boundary to the B1Z could provide more access options to the under-developed land to the south, eg for parking.

The complexities involved suggest referral to a panel may be necessary.

Ron Liversidge of Leonards Hill submits that the re-zoning of No.1 Vincent St should be supported, because of its commercial history (which also includes the site of the town electricity generator) and will be required for commercial growth (albeit mainly for weekend trade).

It is also submitted that the importance of extra controls for town entries is overstated; and that building lots are costly because of lack of supply, sending people to build outside of the town; making Crown land available for development is suggested.

Although there is ample zoned land for residential development, particularly opposite the secondary college on **Smith St** through to **Jamieson Street**, there is 25ha to the north, still in a Farming Zone, which CHW submits may be fully serviced. Surrounded by zoned and partially developed residential land, it would be an infill, near the secondary college, not a new direction of growth.

By noting this land for investigation for residential development on the structure plan, it may be possible to at least partially satisfy this submission.

Christina Read, Catherine Jones & Carol Hulst lodged a submission pursuant to public meeting discussions. It is requested that the visual control on dwelling design be extended for Ballan Road, from the UGB. It is already shown as 'maintain rural and forest setting,' but it is requested to use the 'residential design to address town entry' control,' like the Raglan St entry. This conflicts with the views of the submission directly above, and suggests referral to a panel for both parties.

Another proposal is to convert the disused Jubilee rail line branch to a cycle track; although not a high priority, this could go on the plan for investigation.

The last request is to show a coding on planning scheme maps for the status of roads. This would be helpful, but as a priority probably beyond Council's resources.

Brendan Murray, resident of **Ridge Road, Sailors Hill**, south-west of Daylesford, has lodged a submission concerning the Crown subdivision on this road and Hoaths Rd. It is relatively level grazing land, most of it bordered by State forest, the forest coming within private land in places. It consists mainly of 2ha lots (a few as small as 0.4ha – 0.8ha), over 20 in number, some owned in multi-lot parcels. It is in a Low Density Residential Zone (LDRZ), with a similar zoning prior to the advent of the 2000 planning scheme. It is about 1.5km from Daylesford town centre, but few owners have chosen to subdivide. Recently, a proposal to subdivide down to the minimum lot size of 0.4ha has been under consideration; servicing costs were found to be prohibitive, and the owners settled for subdivision of a 2ha lot into halves.

There appeared to be some consensus amongst the other owners that keeping ownerships down to 2ha (existing lot sizes) would be preferable; but there appeared to be some acceptance of future development pressure in Brendan Murray's submission, provided that a range of development controls is imposed, eg minimum lot sizes of 0.8ha, retention/enhancement of native vegetation, building design, and no commercial uses, which could be considered. The list suggests some items beyond planning

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control, eg agricultural use not to require intensive water. Although it may be possible to satisfy some of this submission, parts of it conflict with others below.

Keith Pyers of **Hoaths Road**, also part of this LDRZ, has lodged a similar submission, suggesting a minimum lot size of 0.9ha, and other similar controls, eg retention of native vegetation.

Michelle Ainley & Mark Taylor of **Hoaths Road** includes details of why the LDRZ area should be kept rural, not earmarked for urban development, mainly because of its context, ie bordered by State forest and recreation opportunities. The submission appears to tolerate minimum lot sizes of 0.8ha, but specifies that lot sizes adjoining the State forest should remain at 2ha. This is consistent with DSE concerns, noted below.

J Ratcliffe of **Ridge Road** has lodged a submission similar to Ainley & Taylor, also making the point that its forest surrounds separates it from other development. It also states that any lots adjoining the forest should be at least 2ha in area.

Shirley Hinkley of **Hoaths Road** has also lodged a similar submission, including the forest context, requesting that a control of 2ha lots adjoining the forest be imposed.

Ian Esmore, owner of land in **Ridge Road**, has lodged a submission in support of the LDRZ provisions as they exist in the planning scheme, implying the usual minimum lot size of 0.4ha, but accepting that controls to address fire risk and impacts to habitat must be imposed on any development. All of these Ridge Rd / Hoaths Rd submissions should be referred to a panel.

CHW, whose submission is covered in general near the end of this report, strongly advocates imposing a 2ha minimum for this area. Although it cannot be sewered, it could have a water supply; but only coping with a small yield of dwellings.

DSE - Keeping lot sizes to 2ha may respond better to DSE concerns about fire risk, explained below, and such a limit could be imposed in a schedule to LDRZ.

**No. 4719 Midland Highway**, is a 180ha property known as 'Wombat Park' in FZ, east of the Daylesford Secondary College, St Michaels School and R1Z. Adjoining to the south is a 4ha R1Z on the corner of Raglan St and the Midland Highway, No.4732, on a separate lot, but apparently grazed in conjunction with No. 4719.

Informal contacts were made by a consultant some time ago, about developing the 4ha R1Z land, and keen to have R1Z and development extended north into the Farming Zone. There was discussion with CHW, and issues would have to be addressed. The consultant was informally advised of the structure plan exhibition, but investigation beyond the existing R1Z land was considered premature, given the ample supply of zoned and serviced land, particularly in this area, and the slowing in Daylesford's permanent population growth. Nothing further has emerged, and no further response is required.)

### Hepburn public meeting

There was discussion about the existing Business 1 Zones (B1Z) and how they relate to the larger Town Centre Activity Precinct. Any commercial activity can locate in B1Z, and it tends to become the retail core within the larger activity precinct along the main road, which can only have accommodation and food premises, deemed to be more

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compatible with residential uses than shops (more intense traffic generators). There was some indication that more B1Z should be considered, especially for community items, eg chemist.

The participants were keen that parking and access be looked at in detail. An idea previously advocated was to alternate parking areas and building areas along Main Rd. It was advised that these items will be included in the Council study to be carried out. Participants said it should include bus transport considerations, and possibly locate a site for a town square. There was apparently an idea for one opposite Eighth St, a vacant lot/garden area owned in conjunction with 'Warwick Lodge.'

The group was searching for ways to halt the domination of Hepburn with dwellings being used for accommodation. There was consensus that the activity precinct should stop at Tenth St (apparently requested in earlier meetings), eg to ensure that areas to the north and west are used mainly for permanent dwellers, particularly the elderly. Meeting participants were advised that use of dwellings were difficult to control in this way. Some suggested that Council keep tight control on the way the depot is developed when it ceases its current function.

The exhibited report already contains reference to encouragement of developing smaller dwellings for the elderly, proximate to facilities. In order to close the Hepburn depot, funds would have to be realised, for the construction of a new depot, and Council would decide what to do with the site as part of such a project.

Bill Guest of Mineral Springs Crescent, lodged a submission, which focussed on some of the above issues, particularly the Tenth St northern limit of the activity precinct.

Gary Lawrence, also of Mineral Springs Crescent, lodged a more detailed submission which covered all of the items above. There is reference to the 2002 urban design framework study done by consultants for Hepburn. It is suggested that little from that study was implemented; however, the study was the basis for a renovation of the footpath system in Hepburn, which included the pedestrian/bicycle link with Daylesford. This also included special treatment of Tenth Street, a focal point, with its adjacency to the RSL Memorial on the east, and its link to old Hepburn to the west. The study likens Tenth St to a 'town square,' especially when closed for special occasions.

The submission calls for a neighbourhood character study for Hepburn, like the one for Daylesford. Council may give consideration to funding such a study in future, but principles in the urban design framework study on town character, and the Daylesford neighbourhood character study have been helpful in determining development proposals for Hepburn in recent years.

In general, the submission is concerned that the structure plan and report are not sensitive enough to expressions from the community, calls for many changes to the text and plan, and it will need to be referred to a panel.

Earlier, Gary Lawrence advised that some concern was raised about possible impacts of developing the land at No.6 Fourteenth Street. It is 4.6ha in area, with 203m frontage to Fourteenth St, one of the vacant properties already in R1Z, near the northern edge of Hepburn. The land slopes down from the street, mainly from 5% to 10%, becoming as steep as 20%, down to the forested gullies. It is one of the areas mentioned in the submissions by DSE and CHW, discussed below.

Some servicing investigations were carried out for the land in 2003, by a consultant, which suggested difficulties in servicing the lower (north-western) one-third of the land. Fresh investigations would have to be carried out by any developer and CHW, who

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advise that only the upper 2/3 can be serviced. The consultant has been contacted about this matter, and has apparently not heard from the owner since those preliminary investigations.

It is considered that the most appropriate response to the expression of concern is to give an undertaking to investigate the appropriate development controls for this property. This action is integral to the Structure Plan, which includes the investigation of the use of overlays to control development on this site, as well as most other new sites. The need for referral to a panel for this item should not be required.

Other properties further northwest, which are in R1Z and appeared to have further development potential, have now also been discussed with CHW. Only a hectare (or so) of that area is worthwhile investigating for further subdivision. The other land is too steep, dissected by watercourses and/or too low-level to be further subdivided. This land is also indicated in the DSE submission. The structure plan should be amended accordingly. This was conveyed to the Hepburn public meeting.

In discussing these matters with CHW, it has come to notice that the pine plantation across from the Hepburn Hotel may be a candidate for development, but is in a Rural Conservation Zone; CHW advise that development is possible, but very difficult. Also, a late informal enquiry has requested that Council investigate land at the end of Eighteenth St, near the blowhole, for LDRZ, and this is being discussed with the relevant referral authorities. It also appears possible, but needing extra controls.

Con Tsourounakis for E N Comelli concerns **97 Main Road**, corner of Ninth St, Hepburn Springs, proposing to re-zone from R1Z to B1Z. This would accord in principle with the possible future minor extension of the existing B1Z, as shown in the exhibited structure plan. It was envisaged to happen when the access, parking and traffic study nears completion.

The land has a 50m frontage to Main Rd and 36m to Ninth St. It already contains 3 dwellings, one having a food premises built to the front boundary of Main Road. Like the site itself, surrounding properties are mainly occupied by accommodation dwellings, with the post office opposite and restaurants further north.

Parking provisions may be difficult to address, with the site so fully developed already. While there is parking available in Main Road, it is said to be heavily used, particularly by tourists on weekends, many enjoying the food and drink outlets, especially at peak times of the day.

Council could possibly support investigation of this site for business purposes, subject to positive outcomes from the parking and traffic study, in due course.

Hepburn Springs Golf Club is submitting a proposal at **No. 36 Golf Links Road**. The Club owns some 44ha of previous forest, west of the Hepburn Springs residential areas, in Special Use Zone 1 (SUZ1), the southern portion mistakenly in a Public Use Zone (to be corrected in Am C16). The property is surrounded by mainly native forest in Rural Living Zone (RLZ), Rural Conservation Zone (RCZ) and Public Park & Recreation Zone (PPRZ), with some R1Z on the east side. Much of the subject property is cleared for fairways, clubhouse and parking, but substantial stands of large gums were retained between fairways and along the boundaries.

The club first contacted Council around April 2002, wishing to re-zone a 2ha triangle of heavily forested land between its eastern boundary and an access track running south from the clubhouse through to the edge of the property, to R1Z, to create lots to sell. There were concerns about the proposal, and it was suggested to the club that rather

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than mount a costly application for a 'one-off' re-zoning, wait and lodge a submission to the Structure plan review.

There has been correspondence over that period, the most recent being a site inspection with Club, Council and DSE representatives, and letter in August 2007, stating (inter alia):-

'One advantage of looking at your proposal as a submission to the structure plan review is that the question of demand for more housing in this area can be assessed on a broad scale. Projections based on recent past population figures will accompany the report. At this stage, it appears that there is an ample supply of land already zoned for future residential purposes, mainly in the northern portions of Hepburn. Also, there are many opportunities to build on separate vacant sites throughout Hepburn. These opportunities come under the category of infill of ready-zoned land. There is a distinct State and Council preference for infill development, in contrast to zoning more land, particularly in environmentally sensitive areas.

The site has been inspected by Council officers and an officer of DSE, accompanied by the Club's Ken Penny. It appears that construction of dwellings and access as proposed, would require substantial earthworks, involving removal of substantial native vegetation, and would likely cause stress on much of the remaining vegetation in the immediate area, some of which may not survive.

Under these circumstances, it would be difficult to recommend favourably about your proposal to Council. You are welcome to lodge a submission addressing all of these matters when the structure plans go on exhibition.'

Since that time, Council has become aware of a levelling off of residential growth, and the environmental issues are still of concern. The recommendation is that the submission be put to a panel. (The Club has been in contact about the process.)

(Related by locality is an enquiry from the owners of 7.6ha adjoining the Club's Southern boundary, with access from Ajax Rd, No.73. Prior to the operation of the 2000 planning scheme, it was in a 'Landscape Interest Zone,' enabling consideration of subdivision down to 0.4ha lots. Because of the high quality of forest on and around the land, it was translated to Rural Conservation Zone (RCZ), together with other properties nearby, only allowing one dwelling on each, which the subject owners already have. Apparently, a panellist at the time mentioned the possibility of allowing applications for second dwellings to be considered, but nothing came through in the translated scheme. No submission has been received to date.)

### Creswick public meeting

The owner of Tumblers Green attended the public meeting, and urged Council to include both the reception rooms and the resort within the Urban Growth Boundary (UGB); his submission is discussed below. This issue is touched upon in the Forest Resort submission, also discussed below.

Other issues arose which question the proposed UGB. An owner of around 40ha of undulating grazing land 2.5 km west of the town centre, on the northern side of Ascot Rd, east of Fisher Rd, has made enquiries about its development possibilities. This included a site visit with planning officers. His submission is set out below. He was advised that a strong, recurring theme in the structure plans is compact development, and there is ample land north of Bald Hills Rd already appropriately zoned. This could yield some 80 dwellings, plus LDRZ land south of Bald Hills Road could yield another

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80 dwellings if re-zoned to R1Z; there are also two R1Z areas on the northern edge that could yield at least 20 and 50 dwellings respectively, able to be serviced by CHW, within a rational UGB. (CHW advise that the 2ha lot on the western tip of this area is not serviceable.)

However, the idea of encouraging north-western growth beyond this boundary appears to have had some support at the meeting. In this case, the land is located within a Local Planning Policy Area based on its proximity to CHW treatment ponds. The owner hoped that this Policy Area could be removed in the near future, because pumping to northern Ballarat is planned. However, CHW advised that this process is complex, exploration into options will be lengthy (at least 5 years), and CHW wishes the policy area to remain firm.

It is suggested that an appropriate response to the concern about adequate opportunities for residential development, is to designate the LDRZ area south of Bald Hills Rd for immediate investigation for R1Z, rather than in a 5-10 year period, as shown on the exhibited structure plan. Other residential areas to be investigated with CHW are included in the discussion on its submission below.

About 1km closer to town on Ascot Rd is the Industrial 1 Zone (IN1Z), which attracted much discussion. Some are opposed to the prospect of this zone being developed, concerned about its 'wet areas' and proximity to residential areas. Three submissions were lodged mainly on this issue, set out below.

In response, the industrial zoning pre-dates the 2000 planning scheme; the 'wet areas' were man-made, and necessary drainage work is being carried out. Access to the western side of the land (away from the most concerned parties in Anne St) has been constructed, Ring Rd. The report accompanying the proposed structure plan states that a master plan is to be prepared to address the 'wet areas' with drainage works and landscaping features; their role could include some buffering to residential areas. The preparation of the plan will include native title checks, as well as referral to the North Central Catchment Management Authority, concerning water flows, and the report text may be enhanced accordingly.

There were also concerns about adequate zoning for shops, access and parking; these items will be addressed in detail in the study on these items to be undertaken within the next five years. There are current planning applications for 700 – 1500sqm of retail floor area, within the current B1Z, indicating capacity for ample retail expansion, particularly given the low population growth.

Some wanted to know why moving the football oval was being investigated; the community has been discussing a move of the facilities to Lindsay Park for some time, and a master plan has been prepared. Reference to this can be included in the report. Submissions on most of the above points are discussed below.

Geoff Cole of Creswick, lodged a brief submission. He identified some minor drafting errors, and a suggestion to include two strips of land along the west sides of the primary school and hospital in the 'green wedge' system, which should be included in the plan, to link Raglan St with Calembeen Park.

Ian Kronberger of **Gardiner Street**, Creswick, similarly submitted a suggestion that a strip of road reserve in his street, which appears to be in excess of what is required for the road, could be shown as part of the 'green wedge' system, which could link Raglan St, via Napier St with State Forest to the south.

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Ken Kronberger of **Gardiner Street**, lodged a similar submission, ensuring that the strip of land along Gardiner Street becomes part of the 'green wedges.' The submission also includes support for the concerns expressed at the public meeting about the industrial zone.

Mark Shalless of Tumblers Green, **1550 Midland Highway**, lodged a lengthy submission, wanting his land and Forest Resort included within the UGB, also wanting growth corridors to be shown. Much of the submission urges stronger, enhanced wording in the report to cover mainly tourism themes, but criticism extends to other text as well, and should be referred to a panel.

Mike Kaufmann has written to Council on behalf of Forest Resort, **No.1500 Midland Highway**, Creswick, submitting that the Structure Plan Review report should have more coverage of the resort; that it is not just a golf club-based resort important to Creswick as a major employer of more than 100 persons; but a state-of-the-art facility, with on-site water treatment, unique for the wider region. Further expansion to the south is being explored, and it is wished that this be reflected in the new proposed structure plan.

Forest Resort is outside of Creswick's proposed UGB, separated by about 300m of Crown forest and Tumblers Green Receptions, which is in Rural Living Zone, a zone not normally included within a UGB. Also, further southern expansion of the resort appears to conflict with DPCD's preference for keeping the corridor between Ballarat and Creswick free of development, while seeing Creswick grow mainly by infill, and perhaps slightly on its northern edge.

In any case, it is suggested that this submission is best referred to a panel.

Rosalie Billson for John Austin, land at **217 Ascot Road**, corner of Fisher St, northwest of Creswick, submits that consideration should be given to indicate where growth is to occur after the ten-year planning period. As discussed above, the structure plan is all about encouraging infill and consolidation. Anticipation about expansion should only follow more substantial development within already-zoned areas, and spurred by stronger population growth. Therefore, this should be referred to a panel.

Geoff Phillips of **20 Anne Street** submits that the adjacent land in IN1Z was established in error; that the way it is depicted on the maps is misleading and deceptive, and that watercourses traverse the land.

Michele Potter of **20 Anne Street** has similar concerns about the IN1Z land, submitting that proper access to it has not been established. Concerns also include lack of attention to some heritage and historical sites; and the extension of the UGB to encompass Forest Resort is supported.

Julie Skeyhill of **14 Anne Street** expresses concern about the IN1Z land, that it is not suitable to meet future demand for industrial use. Inclusion of Forest Resort in the UGB is also supported, and the western entries of Bald Hills Rd and Ascot Rd should have similar controls to those shown for the others.

As described above, some access and drainage have been constructed for the IN1Z, and a master plan is to be prepared for the further development of the site; more detail of preparing such a plan included in the report could help towards agreement with the parties; plus, the references to historical sites and more entry control could be



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positively considered. However, given the intensity of the areas of disagreement, these submissions should be referred to a panel.

### Clunes public meetings

Ken & Elayne Perry attended the first meeting, and constructive discussion about Clunes and its future took place. This included a need to:- promote gold mining themes; improve Esmond Park; and promote Clunes' identity with Creswick and Ballarat. The proposal to use railway land for some community use appeared to have some support, and there was discussion about the existing small industries scattered around the town. They have lodged a submission in regard to the improvement of the central parks, including the expansion of the skate park in Bailey St toward Fraser St; and have asked that traffic works and signs be reviewed to better promote tourism. The open space north and west of Council's skate park is managed by DSE; however, their ideas will need to be considered by Council, with DSE and VicRoads. Contact will be made with the Perrys for further discussion.

A second meeting was held, which also discussed parkland and walking tracks, more particularly Queens Park along the Creek; some expressed a need to be more selective about removal of vegetation.

The meeting focused more on light industry. Enquiries with VicTrack have indicated its preference for leases, limiting its value for some business hopefuls (negotiations with an interested party are continuing). Most are hoping to see the station reactivated with passenger service, although some form of community use was not ruled out.

The meeting took a strong interest in land to be investigated for light industry/business use on Victoria St, part of the main truck route, particularly between Suburban St and Templeton St. The meeting chose to adopt this land as a preferred alternative to the railway land for such investigation.

There was also some discussion about expansion of the town centre/retail/business area in future, with most appearing to indicate acceptance of the exhibited plan in this regard. There are three individual submissions about the business area(s) below. Some of the formal submissions have included the railway precinct issue, see below. In any case, it is recommended that Council agree to amend the structure plan in regard to investigating land for light industry/business purposes, as indicated above.

M & J Tozer of 17-21 Camp St, lodged a submission with T Binns and H Ronaldson of 25 Camp St, I & W Harris of 2 Sutherland St, J Sayers of 2 Canterbury St, J Paine of 8 Suburban St, and M & C Freeman of Criterion Ct.

The last three also lodged their own submissions, with similar concerns expressed. Primarily, they are concerned that the medium density housing guideline could lead to a dominance of the central area by modern buildings.

The objectives and strategies in the report specify that the encouragement of small dwellings is in response to a growing need, including for retired people, that need preferably to be met closer to the town centre, and that such dwellings must respect the integrity of heritage places and buildings, ie there must be sufficient space on the site.

The submissions are sceptical that the current planning process will produce heritage-sensitive outcomes.

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Concern is also expressed about the potential impact of introducing industry to the railway precinct, including visually dominating the station building, especially for tourists as seen from road and rail (on excursion days).

These issues were touched on at the public meeting, which led to the undertaking to look at alternative sites, especially Victoria St/Thornton St.

Sue Kelman of 10 Hill Street focuses mainly on the concerns about medium density housing, but also posed several questions about the future of Clunes, some of which relate to information in the structure plan report.

Chris Miers and Geoff Moorby of 15 Carter Road lodged a submission similar to the medium density housing portion in the joint submission discussed above.

Jane Clark of 9 Fraser Street submits that medium density housing would be invasive to the central area, preferring to see rural growth.

Roma Sayers-Wiseman of 60 Talbot Road submits that medium density housing would be totally out of character with the heritage nature of Clunes.

The strategy is considered to be correct, responds to social issues raised at earlier meetings, eg *Ensure that all ages are valued and supported*, and the submissions should be referred to a panel. The wording could be adjusted, to put more emphasis on providing alternative housing, while respecting the existing heritage buildings and places. These submissions should go to a panel.

John & Robyn Young of 55 Criterion Court, vigorously oppose the medium density housing, but also oppose adapting the historic commercial buildings on **Fraser St** for new businesses, preferring the establishment of a new centre on **Victoria St**, corner of **Suburban St**, near the possible investigation area for light industry/business, taking 'pressure' off historical Fraser St; apparently this idea was submitted to an earlier workshop.

The exhibited plan shows retention of the retail centre remaining in Fraser St, to ensure its vitality. Any restoration for a new business would be done sensitively, under the guidance of appropriate professionals. The Victoria St area, if it became a reality, should only be for more intensive business, requiring large spaces. This should be referred to a panel.

Jim Robinson of 130 Beckworth Court Road (west of Clunes), submits in support of the Victoria St light industrial investigation; but similar to the previous submission, is also advocating the re-zoning of new business areas, including near the existing shop and other small commercials near the south-westerly corner of Bailey St and Suburban St (opposite the bottle museum), extending existing B1Z south to Bailey St, while ceasing B1Z west of Templeton St.

Aaron Gay of 45 Fraser St lodged a similar submission.

Again, the strategy is to encourage the vitality of the existing centre, based on Fraser St and the corners with Service St; although B1Z west of Templeton St is not developed, and could be investigated for residential use; otherwise, these aspects of the submission should be referred to a panel.

Ramon Jimenez for A & J Medical Supplies is requesting that the UGB be extended north-easterly to include land fronting **Flood St**, Clunes, currently in RLZ. It would be more consistent with the north-westerly part of Clunes to leave the land outside of the UGB, and would not affect its development in any case. This will be conveyed to the parties involved, and referred to a panel if they wish to pursue the point.

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Central Highlands Water (CHW) is undertaking a detailed investigation of potential development areas in Daylesford, Hepburn, Creswick and Clunes, which forms the basis of their submission. CHW is obligated to ensure orderly provision and co-ordination of water and sewerage services, ie land that is more readily serviceable should be considered for development as a priority. The submission details the following areas:

**Sailors Hill** is discussed with the **Daylesford** submissions above. CHW would prefer a back-zoning from LDRZ to RLZ, because only limited water could be supplied; but would consider extra controls (eg minimum lot size of 2ha, vegetation protection) instead.

**Tipperary Rd** area is in LDRZ; some existing lots are even smaller than the minimum of 0.4ha, and this land is within a mineral spring catchment. Most lots already have one dwelling, but there is at least one lot re-structure opportunity, as suggested on the exhibited plan; plus, extra controls could impose some limits on further dwelling development, and CHW supports this.

**Table Hill Rd** area was the subject of two development proposals approved by VCAT. CHW is seeking to limit the effect of this decision by back-zoning adjacent land from R1Z to LDRZ, which may be acceptable to some of the residents, or extra controls may be sufficient.

**Jamieson St and Smith St**, land to north, is in FZ, but surrounded by residential zones, as discussed in the Daylesford submissions above, as being suitable for residential development, requiring minimal investigation and works. CHW prefers to see this developed to other areas, particularly those to the **north of Hepburn House** (aged care), already in R1Z, but heavily vegetated and not feasible to service. Extra controls may address the latter, but CHW would prefer the land in a rural zone.

**Fourteenth St, Eighteenth St and Nineteenth St, Hepburn** are discussed in the Hepburn submissions above. Much of the Fourteenth St land can be serviced, subject to stringent controls; but only a small portion of the Eighteenth/Nineteenth St land can be further developed. CHW prefers to see the balance in a rural zone.

**Angus St/Cambelltown Rd, Clunes**, land north and east of the Primary School, as shown on the structure plan, could readily be serviced for residential development.

**Maryborough Rd**, land to north shown for residential infill can also be so developed. Land south of Maryborough Rd shown for infill development will be more difficult to service, and a 100m wide buffer must be left to Kilkenny Creek.

**Cloundon St** area can only be provided with minimal services, so CHW prefers to see it back-zoned from R1Z to LDRZ. Possibly extra controls may suffice.

**Bald Hills Rd, Creswick**, north and south sides, are discussed above in the Creswick public meeting and submissions, as areas to be reasonably in-filled with development, as opposed to anticipating growth in 'corridors.' CHW verifies that most of this land is readily serviceable, with the exception of the westernmost 2.4ha property, which is not feasible to service, having a rising elevation; CHW prefers it to be in a rural zone.

**Bridge St**, R1Z land at the north-eastern extremity of the UGB, is also too high to service well, has vegetation and bushfire issues; should be in LDRZ or even a rural zone; possibly could impose extra controls, eg with Design & Development Overlay .

**King St**, land further to the north-west, CHW advises needs more investigation, as to serviceability, and given its forest interfaces and vegetation will also need extra controls.

**Creswick-Newstead Rd**, land further west, could be readily serviced, and CHW endorses its R1Z and development.

**White Hills Rd**, land at the south-east end of Creswick UGB, in LDRZ, will need larger lots, perhaps 1ha-2ha to develop this area, which can be done with a schedule in the current zoning.

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Dept of Sustainability & Environment (DSE) has requested stronger wording in respect to forest interfaces with new development, on the forest edges of Creswick, Daylesford and Hepburn Springs. Locations are cited where R1Z and LDRZ interface with State forest; said to be inappropriate; but in most cases, the zoning is not proposed, but long-existing zoning, for which encouragement for infill development is being given. Also in most cases, DSE concerns have been anticipated, and the necessary controls for fire risk and habitat impacts have been included on the structure plans. In the case of the Fourteenth St land in Hepburn, the development edge will have to be pulled back for servicing reasons, as well as environmental concerns. The Sailors Hill residents are requesting similar controls. DSE has provided similar comments on the late enquiry about developing property at the south-east end of Eighteenth St

The submission acknowledges Council's proposed control details, but requests stronger wording. DSE also wants the document to acknowledge the need to confer with itself and Parks Victoria in the construction of foot tracks and the like. Any new development or project is referred to DSE for comment and consultation in any case; but the wording could be strengthened with simple changes to the documents, if Council agrees.

### Conclusion

There are now nearly fifty submissions, including from three authorities, Coliban and CHW providing information, CHW and DSE also concerned about suggested and existing zonings; some of which can possibly be agreed to be dealt with using additional controls, others requested to be back-zoned, therefore to be referred to a panel. DSE mainly wants stronger wording in regard to addressing fire risk and impacts to habitat at forest interfaces, and to acknowledge the need for project consultation; which can probably be agreed.

**Trentham** had nine submissions, of which eight are either partially or fully concerned with the future industry/business aspects, most agreeing that general industry is already provided for, that any future industry/business should be light, and on the highway, not near the town centre. This should be agreed by Council to go to the panel for amendments to the exhibited plan, with the area north of the LDRZ on Kyneton Rd shown to be investigated for light industry/business use. Similarly, the vacant IN1Z lot at No.8 Victoria St should be investigated for a business zone to allow a compatible office development. A slightly expanded special housing guideline should also be included. The other matters in these submissions are minor, but some will need panel referral. Also in Trentham, in Falls Rd is the 'Feldspar' proposal for re-zoning the land to TZ from LDRZ, which corresponds with the exhibited plan, and can be agreed.

**Daylesford** had nine private submissions, including the proposed re-zoning of 1 Vincent St & Raglan St; which could be agreed in principle, but imposing the requirement for progress on the parking study and special controls could be queried, and cause referral to a panel, along with R Liversidge's submission. Designating the FZ surrounded by residential zone north of Jamieson St and Smith St for future residential investigation should be agreed by Council as a change in the structure plan. The six private submissions for Sailors Hill, with involvement by DSE and CHW, should be referred to a panel, along with the other areas of concern by CHW, ie Tipperary Rd and Table Hill Rd.

**Hepburn** had four private submissions, two concerned about mainly business and residential aspects of the plan, some of which could possibly be agreed; Hepburn Golf

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Club's proposal for residential use should be referred to a panel. The proposed re-zoning of 97 Main Rd and Ninth St to B1Z could be agreed in principle, but is also subject to special controls and progress on the parking study, and may cause referral to a panel. Agreeing to this re-zoning responds positively to the request for more businesses. Discussions with G Lawrence led to the need to revise the areas for investigation for residential development, are the subject of concerns by CHW and DSE, and should go to a panel. Council should agree to ceasing the activity precinct north of Tenth St, as requested.

**Creswick** had nine private submissions, and most are critical about a range of matters, mainly concerning provisions for residential growth and the industrial zone, for which some positive responses can be given, but in general should be referred to a panel. The Forest Resort issues should also be referred to a panel; and two suggesting minor corrections could be agreed. The areas of concern by DSE and CHW should go to a panel.

**Clunes** had fifteen private submissions, of which twelve are concerned mainly about medium density housing or using railway property for industry or both, which all should be referred to a panel. The public meeting strongly supported the investigation of land between Victoria St and Thornton St in Clunes for light industry/business, in preference to the railway precinct, which Council should support. However, the two submissions also wanting to include new business areas should go to a panel, together with the one wanting a north-easterly extension of the UGB.

The one regarding park and tourist access improvements need to be discussed within Council and other relevant authorities.

It is recommended that Council accept this as a report on all of the submissions; that Council agree to certain submissions (or parts thereof) as discussed above and recommended below; that Council continue to pursue agreement where it appears possible; and that Council request that the State Government appoint a panel to hear any that cannot be resolved.

### **Further Information:**

#### Trentham light industry/business area on Kyneton Road

The idea of investigating this area grew out of the Trentham public meeting, finding a site (to investigate only at this point, not necessarily seeking re-zoning) which is close to Trentham, and accessible on the highway without having to go through the town centre. Land at 145 Kyneton Road was the subject of a variation to the Planning Scheme in early 2006 (Scheme Amendment C36) for the Rural Living Zone, to enable the subdivision for a relatively small piece of land, to be developed for a plant nursery. Possibly another site in this same ownership parcel at No. 145 can be identified for light industrial/business use of relatively low impact, ideally related to agriculture, similar to that of a plant nursery.

#### Trentham expansion of Special Needs Housing Guideline

This refers to the dotted-line areas marked as Medium Density Housing on all of the exhibited township structure plans, strategically established by a reasonable walking distance from the town centre, eg for the elderly, within which development of smaller dwellings could be encouraged. The term Medium Density Housing raised concern amongst some in the community on the possibility of over-development. It is suggested that the term Special Needs Housing has less connotations of impact on amenity.

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It was suggested by several people at the Trentham public meeting that land further to the west was of a similar distance to the town centre, and could also be included. This has been indicated on the diagram of Trentham township structure plan accompanying the report, and now further clarified with additional notes.

### Minimum lot size

A minimum lot size of 600 square metres was discussed with the Department of Planning and Community Development (DPCD), who responded that it is considered by DPCD a strategic importance to keep the ResCode provisions consistent across Victoria, including lot sizes. DPCD pointed out that even 600 square metre lots can be further subdivided by the State provisions, and that the best way to control over-development is by the Neighbourhood Character provisions, eg distances between and around buildings for landscaping/tree preservation.

This additional point in the report has already been summarised in the technical report accompanying the Structure Plans, page 10, 3rd paragraph from the end of page.

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

Hepburn Planning Scheme

Council Plan Objectives No. 2 - Service Delivery, No. 3 – Asset and Resource Management, No. 5 – Heritage and Environment

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

The review of the Structure plans was first informally undertaken with extensive community consultation, mainly in workshops.

Further community consultation is being undertaken as part of the formal exhibition of the amendment to the planning scheme process, including workshops for each town in early April.

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

There is a current budget allocation for the review and amendment of the Hepburn Planning Scheme.

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### TABLE OF SUBMISSIONS TO AM C38, STRUCTURE PLAN REVIEW

Name	Address	Item	Possible To agree?	Comment
<b>TRENTHAM</b>				
Bowden for Morris	Falls Rd	Re-zone to TZ or R1Z	yes	subject to discussion
David Wilson	Victoria St	Industry	yes	subject to discussion
T & L Madden	Victoria St	Industry	yes	subject to discussion
Corina Sabo	Victoria St	Industry	yes	subject to discussion
V Webb	Victoria St	Industry to office	yes	subject to details
O'Connell	Pearsons Rd	Industry, Rahills Rd	Industry yes	Rahills Rd no
Henk Bak	Forest St	Specify type of Business	not likely	
Barry Elliot	Falls Rd	Industry and other	yes	subject to discussion
MacBean & others		Industry and other	yes	subject to discussion
<b>DAYLESFORD</b>				
Con Tsourounakis for Comelli		1 Vincent St cnr Raglan St	yes	subject to conditions
Liversidge	Leonards Hill	More R1Z, B1Z	yes	subject to conditions
Read, Jones & Hulst		Extend entry various control & other	yes	subject to discussion
B Murray	Sailors Hill	More controls	not likely	conflicting views
K Pyers	Sailors Hill	More controls	"	conflicting views
Ainley & Taylor	Sailors Hill	More controls	"	conflicting views
J Ratcliffe	Sailors Hill	More controls	"	conflicting views
S Hinkley	Sailors Hill	More controls	"	conflicting views
Ian Esmore	Sailors Hill	Retain existing control	"	conflicting views
<b>HEPBURN</b>				
Bill Guest	Mineral Springs Cr	Activity precinct	yes	subject to discussion
G Lawrence	(same)	Activity precinct and other	yes	subject to discussion
Hepburn Springs Golf Club		Residential development		not likely
Con Tsourounakis for Comelli		97 Main Road cnr Ninth St	yes	subject to conditions
<b>CRESWICK</b>				
Geoff Cole	Creswick	mapping	yes	subject to conditions

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Name	Address	Item	Possible To agree?	Comment
I Kronberger	Gardiner St	mapping	yes	subject to conditions
K Kronberger	Gardiner St	mapping & industrial zone		not likely
M Shalless	Tumblers Green	urban growth boundary (UGB), tourism & other		not likely
M Kaufman for Forest Resort		UGB and Resort		not likely
R Billson for J Austin	217 Ascot Rd	UGB and future growth		not likely
G Phillips	Anne St	IN1Z 'unsuitable'		not likely
M Potter	Anne St	IN1Z & heritage sites		not likely
J Skeyhill	Anne St	IN1Z & western entries		not likely
<b>CLUNES</b>				
K & E Perry	Camp St	Park & tourist info	yes	subject to discussion improvements
M & J Tozer	Camp St	Medium density housing (MDH) & industry		not likely
T Binns	Camp St	MDH & industry		not likely
Ronaldson	Camp St	MDH & industry		not likely
I & W Harris	Sutherland St	MDH & industry		not likely
J Sayers	Canterbury St	MDH & industry		not likely
J Paine	Suburban St	MDH & industry		not likely
M & C Freeman	Criterion Ct	MDH & industry		not likely
Sue Kelman	Hill St	MDH & other		not likely
Miers & Moorby	Carter Rd	MDH		not likely
Jane Clarke	Fraser St	MDH invasive		not likely
Sayers-Wiseman	Talbot Rd	MDH threat to heritage		not likely
J & R Young	Criterion Ct	MDH & new business area		not likely
J Robinson	Beckworth Court Rd	New business areas		some aspects
Aaron Gay	Fraser St	New business areas		some aspects
Jimenez for A & J Med Sup		UGB around land in Flood St		not likely
CHW	Ballarat	serviceability of land	yes	subject to discussion
DSE	Ballarat	bushfire/habitat risks	yes	subject to discussion



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### Recommendation:

That Council resolve to:

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*In **Trentham**, agree to*

*Delete the investigation areas for further industry, and noting an area for investigation for light industry/business on the Kyneton Road;  
Delete 'existing industry' at No.8 Victoria Street, substituting 'investigate for low intensity office development, compatible with the surroundings';  
Expand the guideline for special housing slightly to the west;  
Delete the 'residential infill' coding from the parcel of land on north side of West St, east of Stoney Creek;  
Show 'Native Vegetation Protection' between the Coliban River and the railway; and in the text, mention Falls Road opposite the Golf Course as suitable for accommodation.*

*In **Daylesford**, agree to*

*Investigate inclusion of No.1 Vincent Street into the business area, together with No's.66, 68, 70, 70A and 72 Raglan Street, subject to special development controls, and parking standards to arise from the parking and traffic study to be carried out as referred to in the text;  
Investigate use of closed railway reservation for bicycle/walking path;  
Designate the land north of Jamieson Street and Smith Street as 'Investigation for future residential development'; and  
Extend coding for 'Residential design to address town entrance character' south to the Urban Growth Boundary.*

*In **Hepburn**, agree to*

*Cease the activity precinct north of Tenth Street;  
Delete 'potential residential infill' from areas too difficult to service, in Fourteenth, Eighteenth and Nineteenth Streets; and  
Investigate inclusion of No.97 Main Road into the business area, subject to special development controls, and parking standards to arise from the parking and traffic study as per above.*

*In **Creswick**, agree to*

*Add 'green wedges' on west side of hospital, primary school and Gardiner Street, and correct errors at Gardiner and Lt King Streets;  
Respond to submissions about 'growth corridors' by including land in Low Density Residential Zone south of Bald Hills Road with Potential residential infill, ie to be investigated within 5 years; and  
Elaborate details to be included on the master plan for the IN1Z.*

*In **Clunes**, agree to*

*Show land on north side of Victoria Street as preferred area to investigate for light industrial business uses, and  
Qualify most references to 'medium density housing' as 'dwellings for small households, eg the elderly.'*

*Attempt to reach agreements with submissions as noted in this report, and request that the State Government appoint a panel to hear any submissions which cannot be resolved.*

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

**Motion:**

That Council resolve to:

1

In **Trentham**, agree to

Delete the investigation areas for further industry, and noting an area for investigation for light industry/business on the Kyneton Road;  
Delete 'existing industry' at No.8 Victoria Street, substituting 'investigate for low intensity office development, compatible with the surroundings';  
Expand the guideline for special housing slightly to the west;  
Delete the 'residential infill' coding from the parcel of land on north side of West St, east of Stoney Creek;  
Show 'Native Vegetation Protection' between the Coliban River and the railway; and in the text, mention Falls Road opposite the Golf Course as suitable for accommodation.

In **Daylesford**, agree to

Investigate **appropriate zoning** for No.1 Vincent Street together with No's.66, 68, 70, 70A and 72 Raglan Street, subject to special development controls, and parking standards to arise from the parking and traffic study to be carried out as referred to in the text;  
Investigate use of closed railway reservation for bicycle/walking path;  
Designate the land north of Jamieson Street and Smith Street as 'Investigation for future residential development'; and  
Extend coding for 'Residential design to address town entrance character' south to the Urban Growth Boundary.

In **Hepburn**, agree to

Cease the activity precinct north of Tenth Street;  
Delete 'potential residential infill' from areas too difficult to service, in Fourteenth, Eighteenth and Nineteenth Streets; and  
Investigate **appropriate zoning** of No.97 Main Road subject to special development controls, and parking standards to arise from the parking and traffic study as per above.

In **Creswick**, agree to

Add 'green wedges' on west side of hospital, primary school and Gardiner Street, and correct errors at Gardiner and Lt King Streets;  
Respond to submissions about 'growth corridors' by including land in Low Density Residential Zone south of Bald Hills Road with Potential residential infill, ie to be investigated within 5 years; and  
Elaborate details to be included on the master plan for the IN1Z.

In **Clunes**, agree to

Show land on north side of Victoria Street as preferred area to investigate for light industrial business uses, and  
Qualify most references to 'medium density housing' as 'dwellings for small households, eg the elderly.'

Attempt to reach agreements with submissions as noted in this report, and request that the State Government appoint a panel to hear any submissions which cannot be resolved.

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

## 9. COUNCILLOR REPORTS AND CONGRATULATIONS

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### **Cr Heather Mutimer Coliban Ward.**

Cr Mutimer highlighted activities attended over the past month.

### **Cr Bill McClenaghan Holcombe Ward.**

I am pleased to report firstly that Council has been re-appointed as Committee of Management over the Hepburn Springs Bathhouse. The new tenant, Belgravia Leisure, is now occupying the building, setting up and training staff. The opening date has been set for Saturday 13<sup>th</sup> September.

Since our last meeting, I have attended more Destination Daylesford meetings and have accepted an invitation to join the interim tourism board or working party. The launch of Destination Daylesford will be next week.

I have also been active with two meetings of the Yandoit Action Group which is the name of the working party that is putting together a Community Plan for Franklindale, Yandoit & Clydesdale. The group is coming to meet Council next month and is staging a community film night on Saturday 30<sup>th</sup> August in the Yandoit Hall. There is interest from the Glenlyon and Drummond communities also and these folk are coming over to join in. It's really great to see sharing and cross-pollination between our small rural communities.

Congratulations again to the Glenlyon Progress Association for staging another Glenlyon Fine Food Fayre on Sunday, 27<sup>th</sup> July. This year the revenue is up and the crowds were good, despite the inclement weather. Another small community at its very best.

After bringing in the Budget on July 29<sup>th</sup>, the next day saw another Community Café where numerous local people got together in informal surrounds to discuss the theme "sustainable community". What impressed me is how little many people know about available public transport, times & services. After a workshop, various groups reported back on community sustainability projects they would like to see happen in Daylesford. One group wanted to see a community well where people could go for free fresh water. How often we already have what we seek to create; the group was amazed at what they already really knew. We don't have a well but we have a spring, in the Smith Ck. Reserve. Fortunately, no road was ever built over the eye of that spring and it remains a sustainable water source to this day.

On a Words in Winter theme, I attended a book launch in Hepburn Springs where Peter O'Mara and Patrick Jones made public their latest literary creations. I bought a copy of probably the most unconventional book, entitled "Words and Things" suitably signed by the author. The next day on the 1<sup>st</sup> of August, I attended the official Words in Winter opening at the Convent Gallery with some very interesting works on display. I was pleased to present some prizes awarded to five secondary students for their wonderful short stories and I look forward to seeing them in print.

Early August saw the changing of the guard in the CEO's unit. It was goodbye and thank you to Phil and hello to Kaylene. We all now look forward to another new beginning and a fresh perspective applied to the management of our Shire, so Kaylene...Welcome!

## **9. COUNCILLOR REPORTS AND CONGRATULATIONS**

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Last Wednesday I attended the 2008 Infrastructure Australia expo in Melbourne at Jeff's Shed. There was an amazing array of equipment, innovations, materials and gadgets on display. A million bucks or so would have brought a truckload of goodies home but I had to be satisfied with what felt like a ton of promotional material. It started with one horrible plastic bag and that got so full that a decent re-useable bag for safety footwear was a godsend. All I needed then was a pack mule to lug it all back to the train station. There were so many ideas on display that ought to interest Hepburn Shire if we are serious about sustainability, cutting our operating costs and energy consumption and increasing our operational efficiency. I will be passing on the good ideas collected to relevant Council Officers and also to various community groups who would love to learn more about better insulation, solar heating and lighting, better bird-scaring devices that don't attract crows, safety equipment, solar hot water, low energy lighting (demo), drainage that filters out litter, better road signs, heat shielding paint, recycled concrete and even a trickle release irrigation system that we might like to put into the gardens on Wombat Hill. In fact with the sum total of just the ideas in this bag, I think we should have a Hepburn Shire sustainability expo right here. I'm sure that the community would welcome one.

So - Good ideas that turn rubbish like polystyrene boxes (demo) into effective insulating foam that halves energy bills. Rather than chuck boxes like this into landfill, they can be recycled and reused in homes and commercial buildings. Gadgets, give-aways (demo) and a variety of nick-nacks like this one (demo).....what is it? It's a stress releaser. I move we are all issued with one ASAP.

### **Cr Janine Booth Creswick Ward.**

In my role as Creswick Ward Councillor I have represented Council at various meetings and functions over the past month.

As well as the usual monthly forward planning, Agenda and budget meetings, last month I attended meetings with Officers, user groups and the Architect drawing up final design plans for the Creswick Toilet Block and Interpretive Centre. Plans should be completed shortly so that tender documents can be drawn up and advertised.

I attended a meeting with the public and Vic roads representatives at Creswick where residents were raised various matters of concern in relation to vehicle safety, truck and transport issues and upgrades to the Midland Highway and main arterial roads in our area.

I attended a meeting with representatives of the Doug Lindsay Recreation Reserve, Sport and Recreation and user groups to co-ordinate details of a major capital works application for the development of a sports oval which is the next stage of development identified in Councils Master plan for the reserve.

On 21<sup>st</sup> July as chairperson of the Councils Advisory Committee the CDC I held an information evening launching the Creswick Marketing and Tourism Plan and introduced our new economic development officer Mr. Doug Hunt to the 50 Creswick business operators attending. This information evening was well received and provided an update of new business and building projects, and property developments happening in and around Creswick.

## **9. COUNCILLOR REPORTS AND CONGRATULATIONS**

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I attended a meeting with officers and members of the Creswick Magic pudding playground who will be lodging an application for minor capital works funding to Sport and Recreation for stage one of this component of the Creswick of the Lindsay's Arts Trail.

On 26<sup>th</sup> July I joined the Creswick Bald Hills Land care group onsite at Doug Lindsay Recreation reserve to plant 400 trees on the reserve.

I have attended Councils Youth council meeting and also joined members of Creswick Friends of the Town and Council officers in meeting with Heritage Victoria lighting and restoration officers as we prepare to spend Grant monies on the restoration of the Creswick Town Hall.

I have also endeavored to continue to expand my professional development by attending Councillor Workshops with the Australian Local Government Women's association and the Victorian Local Government Associations Leading Edge forum held recently at Bacchus Marsh.

I was fortunate to be asked to attend the celebration of 100 years of scouting with the Creswick 1sts Scout Group where along with 5 other Community representatives I accepted the honour of becoming a honorary scout and received a scout scarf in recognition of services to my community in relation to support for youth.

All in all it has been a busy month and I would like to thank all the officers of Council who have assisted me in my role as Creswick Ward Councillor to support my Community and support many of the important projects that are happening in my ward.

### **Recommendation:**

*That Council:*

9.1 *Receive and note the reports of Councillors.*

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

***Moved:*** ***Cr Bill McClenaghan***

***Seconded:*** ***Cr Heather Mutimer***

***Carried.***

### **CONGRATULATIONS.**

**Motion moved:** That letter of congratulations be forwarded to Newlyn resident, Jared Tallent – Bronze medal winner, 2008 Olympic Games

**Moved:** Cr Heather Mutimer

**Seconded:** Cr Janine Booth

**Carried.**

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**9. COUNCILLOR REPORTS AND CONGRATULATIONS**

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**Motion moved: Congratulations to Trentham “Clever Town” in the Words in Winder section.**

**Moved: Cr Heather Mutimer**

**Seconded: Cr Janine Booth**

**Carried.**

**CLOSE OF MEETING**

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**CLOSE OF MEETING.**

*The Meeting closed at 8.22pm.*

**ATTACHMENTS**

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- ATTACHMENT 1** (Item 3) Council Meeting Minutes
- ATTACHMENT 2** (Item 5.2) Disability Housing in Daylesford
- ATTACHMENT 3** (Item 5.3) Supporting the Voluntary Workforce
- ATTACHMENT 4** (Item 5.5) Adoption of the Watewise Action Plan
- ATTACHMENT 5** (Item 5.9) Annual Financial Report for the Year ended 30 June 2008.
- ATTACHMENT 6** (Item 5.9) Annual Financial Report for the Year ended 30 June 2008.



**ATTACHMENT 1**

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**3.1 Minutes of The Ordinary Meeting of Council  
held on 15 July 2008**

**And**

**3.2 Minutes of The Special Meeting of Council  
Held on 29 July 2008.**

The minutes will be tabled at the meeting.

**ATTACHMENT 2**

**Item 5.2 DISABILITY HOUSE IN DAYLESFORD**





**ATTACHMENT 3**

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**Item 5.3 – SUPPORTING THE VOLUNTARY WORKFORCE**

**Policy No:**

**HEPBURN SHIRE COUNCIL**  
**VOLUNTEER POLICY (Draft)**

**Adopted:**

**Last Amended:**

**Next Review:**

**Responsible Officer: Manager Organisational Development**

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**Introduction:**

Hepburn Shire Council recognises that the co-operative relationships formed between volunteers, paid staff, individuals, families, groups and local government, promote personal growth and development, social cohesion and contribute to the development of strong, resilient and sustainable communities and community centres.

Volunteers of Hepburn Shire Council ensure a direct link between the community and Council.

Volunteer Programs forge a strong bond between the Hepburn Shire Council and the local community by encouraging:

- Community participation
- Personal growth and development
- Skill development
- Access to resources and information
- Social interaction and satisfaction
- Participation in Council services and events

**Related Policies:**

Equal Opportunity Policy and Bullying and Harassment Prevention Policy (No 33)

Occupational Health and Safety (No 001)

HACC Transport Services Policy (Home and Community Care Policy No 2)

Privacy Policy (No 30)

Youth Policy (No 43)

Risk Management Policy (No 24)

Human Resources Policy (No 8)

**Purpose and Scope:**

This policy provides guidelines to both the staff and volunteers of the organization, on the role, responsibilities and expectations of volunteers within the organization.

Hepburn Shire Council recognises, genuinely values and supports the role played by volunteers in the provision of services to the community and is committed to developing and promoting a quality volunteer management program.

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**ATTACHMENT 3**

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**Definition:**

Volunteer's give freely of their time, experience, knowledge and expertise, to the organizations services, without expectation of financial remuneration.

Volunteers complement but do not replace the services provided by paid staff, however may be utilised to perform activities that extend and enhance services provided by Council.

**Volunteer Management:**

Hepburn Shire Council's Human Resource management policies apply to volunteers. These include the Occupational Health and Safety, Human Resource polices and related procedures.

Council's, Manager Organisational Development, through Council's volunteer coordinators and/or managers will provide volunteers with the relevant documentation which encompasses volunteers' rights and responsibilities within the Council, as part of the induction process.

**Induction and Training:**

All volunteers will undergo induction and relevant training for their volunteer role which will include training pertinent to their position and the provision of a volunteer information kit.

**Council's Responsibilities to Volunteers:**

- Recognise the different roles, rights and responsibilities of volunteers;
- Create a climate of mutual respect;
- Provide a safe work environment;
- Be recognised and included as a valued team member;
- Provide sufficient induction and training related to the various activities the volunteers will undertake;
- Assess volunteer skills to match tasks with expectations, interests and time commitments;
- Ensure that volunteers are not used to replace paid staff;
- Require volunteers to work under the direction and supervision of paid staff, volunteer staff and/or appointed co-ordinators
- Appropriate insurance cover is provided for volunteers who are identified as registered volunteers of Hepburn Shire Council whilst working in clearly defined activities that are approved and controlled by Council;
- Advise volunteers of the organizations relevant program policy on travel reimbursement;
- Inform and consult on matters that directly or indirectly affect volunteers and their work place;
- Make volunteers aware of grievance procedures within the organization
- To manage volunteers' confidential and personal information in accordance with the principals of the Privacy Act 1988 and Local Government Act 1989.
- Provide all volunteers with all necessary technical support, including IT support to facilitate them carrying out their duties easily and efficiently
- In designated programs or where a volunteer is placed in a sensitive program and has contact with young people, elderly or those considered venerable community members, the volunteer must agree to have a satisfactory 'police check' or 'working with children check' undertaken by council prior to commencing their volunteer placement.  
(Cost met by Council).

Hepburn Shire Council has the discretion to refuse a volunteer placement or end a placement if:-

### **ATTACHMENT 3**

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1. There is a perceived risk to the customer's or volunteer's health or welfare or staff workplace safety.
2. Suitable volunteer duties are not available or are no longer available.
3. The volunteer does not comply with Hepburn Shire Council Policies or funded program procedures.
4. The volunteer fails to fulfil the required tasks and responsibilities they are intended to undertake.

#### **Responsibilities of Volunteers:**

Volunteers have obligations to Hepburn Shire Council and are required to:

- Respect confidentiality
- Be committed to the organization and the volunteer position they hold
- Carry out the duties specified in their volunteer position description
- Have a non-judgemental approach
- Provide feedback to their supervisor which will assist in the development of the service or program being provided
- Respect and acknowledge decisions made by Council
- Address areas of concern or conflict with their immediate supervisor or appropriate staff member
- Undertake training when requested and available
- Exercise a duty of care in relation to Occupational Health and Safety, including informing others of potential and existing hazards.
- Ask for support when it is needed
- Give informal and if possible, timely notice of your intention to leave the service/program
- Take due care with all Council equipment and property.
- Carry out work you have agreed to do responsibly and ethically
- All volunteers will be required to wear a Hepburn Shire Council or applicable identification badge when on duty.
- Act in accordance with associated State and Federal requirements and legislation i.e. Equal Opportunities and Disability Discrimination Act, OH&S Act, Local Government Act and Disability Discrimination Act.

#### **Volunteer Programs:**

Hepburn Shire Council operates a number of volunteer programs to ensure that the community has access to cover Council services.

#### ***Volunteer programs include:***

- Planned Activity Groups
- Community Visitors Scheme
- Visitor Information Centres
- Transport Connections program
- Youth programs
- Recreation and Events
- Advisory Committees/ Section 86 Committees
- Project volunteers: i.e. 'Friends of Creswick Town Hall', 'Australia Day activities' and 'Emergency Recovery'.

#### **Recognition and or acknowledgements:**

Volunteers will be acknowledged for their participation with Hepburn Shire Council on an annual basis and in an appropriate and timely manner.

**ATTACHMENT 3**

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**Staff as Volunteers:**

Hepburn Shire Council supports its staff to volunteer within the Hepburn Community. Corporate volunteering can improve Hepburn Shire Councils visibility, team building, staff training, staff morale and loyalty as well as help Hepburn Shire Council contribute to its community in a positive way.

Endorsed by:

Date adopted by Council:

**ATTACHMENT 4**

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**Item 5.5 – WASTE WISE**



**ATTACHMENT 5**

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**ITEM 5.9  
ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2008.**

**ATTACHMENT 6**

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**ITEM 5.9  
ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2008.**