



HEPBURN SHIRE COUNCIL

ORDINARY MEETING OF COUNCIL MINUTES

TUESDAY 21 APRIL 2009

***TRENTHAM MECHANICS INSTITUTE
HIGH ST, TRENTHAM
7PM.***

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Hepburn Shire Council Ordinary Meeting of Council

MINUTES TUESDAY 21 APRIL 2009

Trentham Mechanics Institute
High St, Trentham
Commencing 7pm.

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1. WELCOME TO COUNTRY

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.

2. OPENING OF MEETING: The Meeting opened at 7.14pm.

PRESENT: Mayor, Cr Bill McClenaghan, Deputy Mayor, Cr Janine Booth, Councillors Jon Barrell, Tim Hayes, Don Henderson, Sebastian Klein and Rod May.

IN ATTENDANCE: Chief Executive Officer, Kaylene Conrick; Acting Director Infrastructure and Development, Andrew Bourke; Manager Finance, John Traill; Manager Community Services, Martin Walmsley; Manager Governance and Information, Matthew Morgan.

STATEMENT OF COMMITMENT

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

4. DECLARATION OF CONFLICTS OF INTEREST: Councillor Klein declared an interest in the Petition relating to Bakery Lane. Councillor Klein left the Meeting at 7.18pm and returned at 7.20pm.

5. CONFIRMATION OF MINUTES:

Motion

That:

5.1.1 *The Minutes of the Ordinary Meeting of Council held on March 17, 2009 (previously circulated to Councillors and tabled at this Meeting and the Special Meeting of 31 March, 2009) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Cr D Henderson

Seconded: Cr Tim Hayes

Carried.

6. PETITIONS

Three Petitions were received:

Retention of Council Prayer

Retention of Council Prayer

Bakery Lane

Motion

That:

Council receive these Petitions and they be responded to at the next Ordinary Meeting of the Council.

Moved: Cr J Barrell

Seconded: Cr R May

Carried

7. NOTICES OF MOTION

7.1 IMPROVED TELECOMMUNICATIONS FOR HEPBURN SHIRE



NOTICE OF MOTION

Date: 16 April 2009

File Ref:

IMPROVED MOBILE/DIGITAL TELECOMMUNICATIONS FOR HEPBURN SHIRE

Motion:

That:


Council requests the CEO to contact our key telecommunications providers and advocate for improved services across Hepburn Shire from all key mobile and digital telecommunication providers.

BACKGROUND

Hepburn Shire Council recognised the importance and current inadequacies of the current mobile and digital telecommunications networks across Hepburn Shire Council.

Key roles for an effective network include Emergencies, Business, Framing, Tourism and Leisure.

Councillor Name:Jon Barrell

Councillor Signature:..........

CEO Signature:..........

Moved: Cr J Barrell
Seconded: Cr R May
Carried.

7.2 TV TAKE BACK SCHEME



NOTICE OF MOTION

Date: 16 April 2009
File Ref:

TV TAKE BACK SCHEME

Motion

That Council:

Resolve to support the introduction of a national 'TV Take Back' scheme to ensure old televisions are recycled.

Write to the Victorian Minister for the Environment, Climate Change and Innovation, Gavin Jennings, and the Federal Minister for Environment, Heritage and the Arts, Peter Garrett, calling for a decision at the May 2009 Meeting of the Environment Protection & Heritage Council to introduce a national 'TV Take Back' scheme.

Support a motion at the May 2009 Municipal Association of Victoria State Council in support of a national extended responsibility scheme on televisions.

Background

Analogue TV sets going to landfill is a current problem, and one which will increase as analogue units are upgraded to digital in preparation for the switch to digital broadcasting at the end of 2013.

There are materials in analogue television sets which can be salvaged and recycled. Those which cannot, such as lead, should be prevented from entering the waste stream due to health risks.

The problem of "e-waste," which includes TV sets, has been flagged by Federal and State Governments, business and environment groups, but no concrete resolutions or actions have yet been taken.

Councillor Name:Jon Barell.....

Councillor Signature:..........

CEO Signature:..........

Moved: Cr J Barrell
Seconded: Cr R May
Carried.

Amendment

That:

Council also approach both Federal and State Members representing the Shire of Hepburn to support this motion.

Amendment moved: Cr S Klein

Seconded: Cr D Henderson

Amendment carried.

Motion carried.

7.3 GROUNDWATER MANAGEMENT



NOTICE OF MOTION

Date: 16 April 2009

File Ref:

GROUNDWATER MANAGEMENT

Motion

That:

Hepburn Shire seek an urgent meeting with the DSE to discuss the management of groundwater within the Shire.

BACKGROUND

Water allocation, water use, misuse and the future of our dwindling groundwater reserves loom as potential impediments for a sustainable land use in the hepburn shire.


As surface waters become more scarce a much greater burden is now being placed on groundwater for irrigation (and stock, domestic and some urban supply)

Evidence from monitoring indicates dwindling reserves and as recharge reduces, business as usual will not guarantee a future reserve of water

Compounding these factors is the issue of climate change which threatens further drying and reduced recharge.

DSE is ultimately responsible for groundwater management through GMW.

Councillor Name:Rod May.....

Councillor Signature:.....

CEO Signature:.....

Moved: Cr R May

Seconded: Cr D Henderson

Carried.

7.4 CONTAINER DEPOSIT SCHEME



NOTICE OF MOTION

Date:16 April 2009
File Ref:

CONTAINER DEPOSIT SCHEME

Motion

That:

Hepburn Shire Council supports the introduction of a Container Deposit Scheme in Victoria

Writes to the State and Federal Environment Ministers to indicate our support of a Container Deposit Scheme, because of the financial, social and environmental benefits.

Approaches Member for Ballarat East, Geoff Howard and Member for Ripon, Joe Helper, personally in support of such a motion being adopted in Victoria.

Actively promotes the issue in the community.

BACKGROUND

The concept behind Container Deposit Schemes (“**CDS**”) is that the consumer pays a deposit on certain beverage containers that is refunded when the container is returned a collection deposit site.

Container Deposit Schemes have been adopted by a range of jurisdictions across Canada, Europe and the United States and shown to deliver a range of benefits.

Recently the South Australian CDS scheme was increased from 5c to 10c deposit, and the range of containers broadened. 19 million additional containers were returned in the first three months of the new scheme.

The Northern Territory announced a container deposit scheme on 11 March 2009. CDS Legislation is before parliament in Victoria and New South Wales, and the Commonwealth Parliament.

Modelling undertaken by Colleen Hartland MLC* on the implementation of a CDS in Victoria detailed **benefits to Hepburn Shire Council**, including:

- Decrease landfill costs by 483 tonnes;
- Savings in council rubbish and recycling costs of **up to \$47,819** p.a.
- Insulate Hepburn Shire Council’s rubbish and recycling collection from fluctuations in the commodities market.

Ms Hartland’s report outlined benefits throughout Victoria, including:

- Increase recycling rates from 49% to 83%;
- Reduce the volume of litter in our parks, beaches and roadsides by 12-15%;
- Increase recovery of packaging waste (and reduce landfill) by 128,000 tonnes per year;
- Reduce Victoria’s greenhouse gas emissions by over 350,000 tonnes of CO₂e per year (equivalent to over 50,000 Victorian homes switching to 100% renewable energy);
- Save enough water to permanently supply over 12,500 Victorian homes;
- Deliver the same level of Victorian air quality improvements as taking 44,000 cars off the road;
- Save rate payers \$15.2 million per annum; and
- Create 300-400 new jobs.

Currently ratepayers contribute a disproportionate amount to kerbside recycling costs while the packaging industry’s contribution is minimal. CDS addresses this imbalance by capturing away from home beverage consumption, while bolstering the economic viability of kerbside recycling.

A stand-alone Victorian scheme could be fully funded from additional funds generated by unredeemed deposits (as it is funded in California).

This motion also indicates support for a national scheme, which would include Victoria.

It is for these reasons I commend this motion to Council and urge that Council adopt this motion. For further information visit <http://mps.vic.greens.org.au/10cdeposit>

* *Turning Rubbish into Community Money: The benefits of a 10c deposit on drink containers in Victoria*, by the Office of Colleen Hartland MLC (March 2009)

Councillor Name:Rod May.....

Councillor Signature:.....

CEO Signature:.....

Moved: Cr R May

Seconded: Cr T Hayes

Carried.

7.5 CLEAN UP AUSTRALIA CAMPAIGN



NOTICE OF MOTION

Date: 16 April 2009

File Ref:

CLEAN UP AUSTRALIA CAMPAIGN

Motion

That:

An official thank you be sent to the Clean Up Australia Day Campaign group through Barry Elliot the coordinator.

That Council make a commitment to coordinate Shire- wide Clean Up actions next March, in each of the major towns and possibly with schools and Landcare Groups.

Background

Clean Up Australia Day is a well recognised and valuable community activity that cleans up public spaces and builds community.

A group of Trentham residents met on a cold Sunday morning, March the first to tidy up around various roadside coming into Trentham. They collected approximately four tray-

loads of rubbish in about 4.5 hours. The council commitment of rubbish coupons had not been delivered by the day and fortunately the bloke at the WTS was happy enough to let us through.

With appropriate council support of publicity and some central organisation this could be a more productive event throughout the shire, attracting more people and effectively making use of volunteer efforts to clean up litter and raise awareness and ownership of the issue of litter pollution.

Councillor Name:**Sebastian Klein**.....

Councillor Signature:... 

CEO Signature:..... 

Moved: Cr S Klein
Seconded: Cr J Booth
Carried.

8. PRESENTATION OF REPORTS

Mayor's Report:

Since Council's last ordinary monthly meeting, the pace has steadily increased. I attended a Bushfire Recovery Meeting on Fri 20 Mar 09 and a charity cricket match to raise funds for the CFA the following Sunday. I played cricket for the first time in decades with Cr Henderson, several staff and some juniors; collectively known as the "Hepburn All Stars". Although taking three wickets but missing a hat trick, I got bowled out, run out and caught for a duck before succeeding in wiping myself out for several days afterwards. But it was worth it because the "Hepburn All Stars" won, albeit against an under 13 side from Lara, raised funds for the CFA and also because Councillor / staff relations improved out of sight that day. Having recovered physical composure, the Councillors' bus trip was over, as was the final Top Teams training session. Some you win, some you don't.

I later attended a Mayor's training session in Melbourne and then it was Youth Week. Unfortunately several planned events did not go ahead but I was pleased to present the Youth Recognition Awards at the Daylesford Town Hall on Thursday 02 Apr 09. Our young people were reminded that there was no "Young Citizen of the Year" identified this year, so it's time to start thinking about some nominations for next year.

The first week in April featured a Waste Management Group business planning meeting, a day in Melbourne interviewing for the Daylesford Macedon Ranges Tourism's new Executive Officer, a Special Council Meeting to receive submissions on Local Law No 1 and a Municipal Emergency Management Planning Committee meeting.

In the second week of April, the reconvened Audit Committee completed the meeting interrupted by our bushfire in February and it was time to have lunch with our valued staff and thank them for their efforts beyond the call of duty during the bushfire emergency and subsequently in relief and recovery operations. The opportunity was taken to present to the staff on our new Draft Council Plan. Many staff received the event well as they have never heard from their Councillors before or attended a meeting and heard us speak.

Last week was really interesting with Council commitments on all seven days. I joined Cr Henderson in a Ward Meeting in Creswick on Easter Monday and it was a short Delegated Planning Committee meeting the next day. Wednesday saw Minister Jacinta Allan (Rural and Regional Development) visit Victoria Park Daylesford to announce a \$127,050 grant to upgrade amenities there. Afterwards, the Minister did a street walk through central Daylesford speaking to some shop and business owners about trade during the bushfires and related issues. Geoff Howard and I had to leave the Minister at 11.00 am to attend the Hepburn Health Service, Daylesford campus (that's the hospital) where the Highlands Regional Waste Management Group was presenting them with their gold Wastewise Award. Congratulations Hepburn Health on a clean, sustainable operation.

Last Thursday was a regional Mayors' and CEOs' Forum in Ballarat where we formulated final plans and timetables for producing a strategic planning document called "Provincial Victoria, the Next Decade" by the end of June this year. This plan will shape how the State and Local Governments will work together to deliver the needs and aspirations of the Grampians Region and incorporate these into the State-wide master plan.

Friday saw the first of two Rural Councils Victoria Forums in Melbourne this year. Rural councils have special needs and challenges such as viability and infrastructure decline, especially after so many of them were affected by the bushfires last Summer. There was a captivating group of speakers including Minister Allan again (twice in one week) and Ms Christine Nixon APM, head of the Victorian Bushfire Reconstruction and Recovery Authority, who spoke in great detail about the two year task this new Authority is undertaking that will involve rebuilding those parts of Victoria destroyed in the bushfires and putting shattered families, businesses, communities and towns back together. For example, in this the worst natural disaster to afflict Australia, 23 Councils were affected, 173 lives were lost with many bodies *still* not released for burial, 61 schools and kindergartens were damaged or destroyed, the towns of Kinglake and Marysville almost totally destroyed with the entire Kinglake National Park burned out.

On Black Saturday, there were 1,000 fires in Victoria, resources were exhausted, help was just not there when it was needed and the change in wind direction saved some communities whilst condemning others. In total, 66,000 people were given initial emergency support in the biggest logistic relief and recovery exercise ever that is still ongoing and which will take two years to complete.

Temporary infrastructure and services have been provided to Kinglake and Marysville at a cost of \$1million per town. Residents have returned to live in caravans, tents and relocatable homes whilst the tough decisions are made of whether to stay and rebuild or leave an area of unbearable human and personal tragedy forever and go elsewhere to live. The Teague Royal Commission has now begun its hearings and we hope that enough will be done before the next fire season, commencing later this year, to prevent or at least minimize the effects of any possible kike disaster. As this Council will be working with our communities to prepare for the next Summer bushfire threat, we have a lot of work ahead of us too. Last year we missed out, this year we got off lightly. Next fire season, we must be better prepared or else the tragedy of Black Saturday may repeat itself.

On a happier note, back at Creswick that afternoon, it was time to have a sneak peek at the newly finished Interpretative Centre and adjacent sustainable toilet block. Local business operators were invited and the new facility was very well received. The following day, I understand that crowds paid a visit and many new tourist info centre volunteers came forward in a new facility in which working for the community is indeed a pleasure. Creswick Info Link has also relocated here.

Lastly and also on a happy note one of Hepburn Shire's high achieving small rural communities staged a landmark event last weekend with "Back to Clydesdale 2009". Clydesdale is in the far North centre of our Shire, in Holcombe Ward and part of an active and successful community plan being put together in the Jim Crow corridor through Yandoit to Franklinford. The Clydesdale community, through their Crown committee of management, have now completely refurbished the former Clydesdale School that closed in 1940 but was purchased on Crown Land by public subscription in 1961. Since 2007, with funding from Heritage Victoria, the Small Towns Program, Hepburn Shire and the Federal Government, a thoroughly magnificent job of hall restoration has been achieved. Council last met there in February 2006 and I was worried that some of us may have disappeared through the white-ant damaged floor, that has been totally replaced as has the roof and rafters. An outside deck and a new kitchen were installed with a good serviceable fridge, found by me at the tip for them

two years ago. Amazingly, it is still working well despite someone's attempt to blow it up with a potent batch of home brew. I understand that beer is now banned from the hall by secretarial decree.

Last Saturday, Geoff Howard, member for Ballarat East, officially opened the restored building. Later at a community picnic on the Sunday, it was roll call for those still alive and able to attend. Six former pupils were present; the oldest was a man going on 91 and still fit and healthy. Each told a few tales of their school days there so long ago like who got the best behaved medal, who dipped the girls' pigtails in the inkwell, who got the cuts, how they got to school on the mail coach, or what they grew in the boys and girls garden. The former pupils then planted a tree together and two laid a wreath at the cenotaph on site. Later on, some locals and visitors played bocce on the former bocce court. People came from all over the state for this never to be forgotten occasion in the small rural community of Clydesdale at its absolute best. I congratulate George Evans and his very hard working committee and band of volunteers who have toiled for over 1,000 volunteer hours on a truly local labour of love.

In closing, let me present Council with two glasses from the Clydesdale School and "Back to Clydesdale 18th – 19th April 2009". A short history of the school, which opened in 1867 and closed in 1940, is inscribed on these glasses together with an image of the historic stone building in its unique Swiss Italian style. These glasses commemorate the magnificent achievements of this small hard working community and should now be held by Council in perpetuity with its other keepsakes and treasures.

Councillors' Reports:

Cr Jon Barrell delivered the following report:

Regarding the ARC Advisory Committee, a "Thank You Event" was held on Monday 30th March 2009 to acknowledge and thank all of the donors and supporters that brought the ARC to life. It was well intended including Member of Legislative Assembly for Ballarat East Mr Geoff Howard. The gymnasium opened 1 week later. *Very successful.*

I have liaised with the ARC Managers and community members regarding access for squash players, formal donor recognition and donor bricks. I expect that these matters will be further discussed at the May 2009 ARC Advisory Committee Meeting.

Regarding the Wombat Hill Botanical Gardens Advisory Committee. I have further discussed progress regarding the Water Re-Use Project and other water re-use options with fellow Councillors and Council officers, and I look forward to discussing this further at the May 2009 Wombat Hill Botanical Gardens Advisory Committee Meeting which will include the annual meeting with stakeholders to progress the Gardens' 5 Year Plan in time for the upcoming sesquicentenary of the gardens.

During the month I have been involved in many formal and informal consultations with many community members regarding the Draft Council Plan, Local Law No 1 Meeting Procedures, and the appropriateness of including prayer within an Ordinary Meeting of Council. I have encountered a wide range of views and I have reflected upon those views in developing my own views.

Cr Rod May delivered the following report:

1. I chaired the Agricultural Advisory Committee in March. The committee considered issues of climate change, water use, rates and further membership. It was agreed that the committee should seek to extend the TOR of the committee to enable new membership. A report by council officers will be forwarded to the next meeting to permit council to consider this change.
2. Joined the council staff for a presentation of the council plan.
3. I joined the council on a tour of the shire.
4. I attended a meeting with the Central Victorian Greenhouse alliance where collaboration was discussed.
5. Attended the Central Victorian Climate summit held at the town hall where some of the recent political developments surrounding Australia's response to climate change was considered and generally dismissed as far less than adequate, especially the carbon pollution reduction scheme.
6. Attended the Audit Committee meeting, a report from which is included later in the agenda.
7. MAV workshop at the Trench Room in Ballarat to discuss issues of planning.

Cr Tim Hayes delivered the following report:

Since the last Council Meeting I have attended a meeting of the Cultural & Arts Advisory Committee, a meeting of the Clunes Bottle Museum Committee of Management and the final session of the MAV Top Teams Program, which I found to be instructive and of benefit, and I thank Madam CEO for arranging same.

I do want to focus on two other meetings I have attended since the last Council Meeting and the first of these was with the Clunes Neighbourhood House Committee of Management on the 19 March 2009.

The CNH has recently entered into an extended License Agreement with the Clunes Former Free Lending Library Committee of Management with a view to relocating the Neighbourhood House from its present location at the Clunes Campus of the Hepburn Health Service to the former Free Lending Library building. This building is in urgent need of restoration and I believe that the tenancy of the CNH (which has \$75,000 in government funding available) will assist in undertaking much needed stabilization works as well as internal refurbishment.

Under the leadership of its new Chairman, Dr Les Eastcott, the CNH is preparing a Management Plan to extend the building so that it can adequately house the Neighbourhood House operations. Following discussions with our CEO and the CEO of the Central Highlands Regional Library Corporation within the context of the need to review how library services are provided to our communities, initial discussions have taken place with the CNH Committee of Management regarding the possible co-location

of the Clunes Library Service with the Clunes Neighbourhood House. A Reference Group will be meeting shortly to explore the feasibility of this concept and I am encouraged by the fact that the Neighbourhood House is excited about the potential of the possibilities.

Last night I attended a Public Meeting to consider the first draft of the Clunes Community Plan. The meeting was attended by about 30 people and, after a 'shaky' start I believe the Clunes Community Plan is now on track. A further meeting is to be held in 6 or 7 weeks time and all organizations will be requested to submit their comments and suggested deletions or additions to the current list of 25 actions. Finally, can I remind Councillors that 'Back to Booktown' is to be held in Clunes on the weekend of 2 & 3 May. We have over 60 book traders setting up shop for the weekend as well as the CFA stall which will have a stock of some 20,000 books to browse through. I hope to see as many Councillors as possible in attendance.

Cr Janine Booth delivered the following report:

This month has been busy again with the usual round of Council meetings. This past month as Councils delegate I attended the annual Victorian conference of ALGWA; the Australian Local Government Women's Association held in Ararat. Algwa is the peak body representing the interests of Women in Local Government across Australia. This Association seeks to assist in furthering women's knowledge, understanding and participation in the function of Local Government. This follows the regional meeting held in Ballarat which I reported on last month.

The conference was well attended by Delegates from various Councils across Victoria who received an update on the "National framework for Women in local government- The way forward" which I will be reporting on further to Council and suggesting Council adopt some of the recommendations as a framework to support strategy 19 in our Council plan, to encourage a more diverse group of candidates to contest the 2012 Council elections. Another initiative which will help Councils achieve this strategy is the recently held Hepburn Shire Youth recognition awards which I am sure Cr Klein will duly report on.

I was pleased to attend the presentation of awards and I would like to offer my congratulations to Cr Klein and Youth Officer Jane Barclay on the support and mentoring work they are doing with the Youth Council and youth across the Shire as they encourage interest and youth participation in Local government.

As Creswick Ward Councillors Cr Henderson and myself have been working with the Creswick Development Committee on the review of the Creswick Development Plan. The Committee welcomes the appointment of Kathleen Brannigan Councils new Community Strengthening Officer and looks forward to working closely with Kathleen as the Creswick Development Plan is progressively reviewed, updated and implemented over the coming months and years. To this end a consultant has been engaged to assist the Committee with the in-house review of achievements and to guide the Community consultation process that will further develop this blueprint for Community development. The Committee is also keen to expand the development plan to include all communities within Creswick Ward including Kingston, Allendale, Broomfield Dean

and Newlyn and will need to work closely and co-operatively with Council officers to establish a framework for Community Planning to enable this to happen.

Council would, of course, recognize the development of the Creswick Interpretive Centre and Amenities block as one of the important Community capacity building stories of Community Planning, as the need was first identified in the first round of Community forums in 2003. Site selection, the successful seeking of funding, unique functional design, and smooth transition of Visitor Information Services and Infolink to this attractive functional new Centre this week was a culmination of strong cooperative partnership between Community and Council. I look forward to the official opening in May and encouraging and supporting Council and the Community to further expand on opportunities and programs within the Centre over the coming years.

Cr Janine Booth.

Cr Don Henderson delivered the following report:

Since our March meeting I have as you know attended all council briefing sessions and meetings most of which have involved discussion around the Council Plan

I have attended the Audit Committee meeting. This meeting was mainly to receive reports on previous business and to set our goals going forward. The new Committee has an expanded role and will be examining OHS issues. OHS and people issues have the potential to impact on the financial and political well being of our Shire and are just as important as our general book keeping and management issues. A full report will be given at the May Council meeting.

I have attended the Creswick Development Committee and can report that this committee is one which is focussed on the future as well as paying attention to our heritage. It is proposed that a name change will be put forward for Council consideration for a number of reasons. The first is that the name is often confused with CDDA which is a local business group. The second is to make it clear that this advisory committee represents the whole Creswick Ward and not just the township. With the development of the structure plan it is envisaged that we will be going out to our smaller satellite communities to include them. It was stressed and noted that all of our small communities have their unique features and aspirations. The committee is mindful to have future goals in line with The Council Plan.

I have also attended a number of community events and of importance to Council is the feedback of our community around actions taken at DLRR. I attended a fundraiser for a young Creswick girl and there were many positive remarks about the Council. Some felt that the Council interest whilst overdue was timely and would provide new hope and energy to get the community fully behind this project.

Thank you for the opportunity to present this report.

Cr Sebastian Klein delivered the following report:

A ward meeting on the topics of footpaths and transport here in Trentham was attended by just three in the first week after the last ordinary meeting. I will attempt to publicise these events

better in future and I will be holding one at the Bullarto Hall tomorrow evening at 6.30 on the topic of public spaces, but other topics are welcome for discussion. I hope to enable some of the more active and passionate community members to act in the communities' interests in both Lyonville and Bullarto.

The Trentham Fire thankyou raised \$860 for the Trentham CFA and Hepburn wildlife shelter and providing a sausage sizzle and musical entertainment on one of the last balmy evenings of March. It was great to see the community come together to celebrate the work done to keep our communities safe.

This event was closely followed by the Central Victorian Regional Climate Summit which saw 200 people from across 6 different municipalities in the region gathering to share ideas and focuses following action from the higher tiers of government that continues to fall short of a serious commitment to the increasingly real and serious threat of climate change. Ideas ranged from marketing and communication, effective community demonstrations, hunger strikes and a group that I was involved with discussing the positive role of agriculture in climate change.

The TRATA Business Support project has met twice in the past month promises to reinforce businesses in the town, contributing as well to the community planning process which is also a step closer after an open space meeting that saw issues such as Transport, Water Supply, Economic Viability, Peak Oil, community centres, tourism product, volunteerism and weed management discussed in a positive and empowering fashion.

The VLGA planning workshop was enlightening and empowering giving some greater insight into our role as councillors and the importance of informed planning activities to the future of our wards.

As a part of National Youth Week, The Youth recognition Awards saw a gathering of residents celebrating an even stronger contingent of young achievers than last year. I was impressed by the representation of young people who have really taken issues important to them in their own hands and contribute so much to their communities. The celebration of Youth Week continued with a film showing at the Trentham Neighbourhood Centre, in partnership with the Trentham Film Society. The films Mask of Zorro and Juno, were charming and entertaining, providing also some valuable themes and role models to our youth.

Motion

8.1.1 That Council receive and note the reports of the Mayor and Councillors.

Moved: Cr J Booth
Seconded: Cr R May
Carried.

9. PUBLIC QUESTION TIME

Community members are invited to submit written questions prior to 12 noon on the day of the Council Meeting. Questions received will be read and answered at the meeting as long as the author of the question/s is in attendance at the meeting and the question/s are not offensive or otherwise in breach of the principles defined in Council's Local Law No. 1 - Meeting Procedures Local Law section 2.11. If time permits, the author may be permitted to ask a verbal supplementary to further clarify the response from Council. Some questions of an operational nature may be responded to through normal administrative procedure.

If you have questions about specific items in this Agenda, Council encourages you to submit a question in writing to the Chief Executive Officer prior to 12 noon on the day of the meeting.

Submitted by: Barry Elliott (President, Trentham and District Landcare) and Ian MacBean (President, TRATA)

Question:

We understand that Council, when approving a sub-division, has the power to require 5% of the area to be set aside for public open space purposes or for a payment equivalent to the value of that area of land to be paid to Council.

Our questions are:

- 1. What is the policy applied by Council in determining whether land is set aside or a payment in lieu is required?*
- 2. Where payment is required, what is Council's policy on the use of that money?*

Reply by Ms Kaylene Conrick, CEO:

Contributions for public open space are collected under the provisions of Section 18 of the Subdivision Act 1988. The Hepburn Planning Scheme outlines the statutory provisions whereby public open space contribution for subdivision of land can be taken as a percentage of land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both).

There is no written policy to determine whether land is set aside or a contribution payment is required. Such determination is based upon the merits of the application, layout of land and size of land. The land must also be of practical use (accessibility) as part of Council network of public open spaces.

In relation to question (ii), the requirements under the Act specify what the contributions can be used for, which is primarily to buy land or improve land already set aside for public recreation. There is no requirement under the Act to spend contributions in the area collected.

It has been Council practice to keep details of where the Open Space Contributions have been collected from and Council generally has spent these funds in the area where the fund were raised.

The distribution of funds is made in accordance with the Council Plan Council policies / strategies on Recreation Land.

Submitted by: Mr Christian Wild, Daylesford

Question 1:

Council claims that it (they really) did not need to amend Local Law No. 1 to remove verbally asked questions from public question time at Ordinary Council Meetings. Council has made the claim that it placed a different interpretation upon existing laws and thus no amendment was necessary.

Why, then, did Council move a motion to amend Local Law No.1 to remove verbally asked questions if no amendment was required?

Mayor, Cr Bill McClenaghan responded:

- Council did not resolve to remove ‘verbally asked questions’ from the current Local Law No 1, there was an allowance for Public Question Time which did not define whether questions ought to be verbal or written.
- Council’s resolution to amend Local Law No 1 relates to providing a clear definition of the process of asking questions during public question time.
- Having this process defined in the Local Law ensures that this process will need to be followed in future.

Question 2:

The Charter of Human Rights and Responsibilities Act 2006 and the Australian Constitution both uphold the sanctity of my religious beliefs and practices. My rights to practice these shall not be denied or called into question. The teachings I follow and the beliefs I hold instruct me to listen and also to question with spoken words those who might act or purport to act on my behalf. As representatives, Councillors and Madam CEO (as the employee of Council) also purport to act on my behalf.

Are Councillors and Madam CEO aware, and to they care, that to deny me the opportunity to verbally ask questions at Council Meetings they are in breach of the Charter of Human Rights and the Australian Constitution?

Mayor, Cr Bill McClenaghan responded:

- Council does care about your views and your ability to express your opinion and that extends to the rest of the community as well.
 - Council does not believe that we are in breach of either the Charter of Human Rights or the Australian Constitution by requiring questions at Council meetings to be in writing. Council is empowered to create local laws to determine the procedures for the conduct of its meeting in accordance with the Local
-

Government Act. Not all municipalities allow questions of any kind at their Council meetings.

- Members of the community have other opportunities to approach and communicate with Council, either through normal contact with administrative staff or through contacting ward Councillors directly or at ward meetings.
- Council is affording members of the community the opportunity to present their views and opinions to Council at Council meetings through a designated process.

Submitted by: Mr Elsworth, Smeaton

Question 1:

Will Hepburn Shire by Formal Motion endorse the decision to no longer publish on the Council page of the Daylesford newspaper, planning applications?

Ms Kaylene Conrick, CEO responded:

- Review of Planning Department in 2008 recommended that the weekly publication of planning applications stop.
- There is no obligation for Council to publish the details of every application received, and by doing so, compromises the privacy of residents.
- The publication of such applications gave the false impression that it is possible to make a submission about the application, when there were no third party rights in place.

Question 2:

Do the Councillors know by passing the above motion they are in conflict with Council's Code of Conduct and the Spirit of Intent of the Code of Conduct? (Item 3)

Ms Kaylene Conrick, CEO responded:

- Council meets all of its obligations in relation to publication of planning applications.

Submitted by: Joan and Graeme Rattray, Glenlyon

Question:

We received a written answer on 17 April to a question we submitted to the Council Meeting held on 17 March at Creswick.

Question 3 has two answers, 1 verbal, 1 written. Which is correct?

The answer given on the night is totally different to the one we received in writing. Why?

Ms Kaylene Conrick, CEO responded:

- This is an error on our behalf, the written response that you have received was the original response which was prepared (pre-meeting); however at the last meeting after consideration of your question, it was acknowledged that Council was referring to the wrong road in response to your earlier questions.
- Council does know the difference between the two roads referred to, and a correct written response will be prepared for you.

Again, apologies for the misunderstanding.

Submitted by: Betty McKenzie, Trentham

Question:

I wish to draw to your attention the appalling state of the footpath south side of the main street (High Street, Trentham) from the Post Office to Bowen Street, which quite a number of residents, both young and old, use daily.

*Please take a walk on the south side and note the dangerous spots.
Could this topic be addressed, and discussed at the Council meeting please, and considered top priority for upgrading.*

Ms Kaylene Conrick, CEO, responded:

- Council is responsible for 52,000m² of footpath within the municipality and allocates \$56,000 per annum to footpath maintenance and repairs. This equates to approximately 600m² per year.
- To prioritise its works, Council applies a ranking system whereby paths are afforded a ranking between 1 and 10; 1 is excellent, 10 is very poor.
- Council is aware of the condition of the path between Market and Bowen Street in Trentham, which was inspected in 2004, 2006 and 2008.
- Maintenance program currently focuses on poorer standard paths i.e. paths ranked from 6 to 10.
- Path will be upgraded once the other higher ranked and riskier paths are repaired and replaced.
- Having said all that, this Council in its Draft Council Plan has acknowledged the need for good pathways in support of our ageing population. Council will be considering ongoing footpath maintenance as part of the annual budget process.

Submitted by: Ms Gayle Osborne, Glenlyon

Question:

Why has there not been a reply to the two attached letters to Mr Andrew Bourke and Ms Kaylene Conrick dated 18 January 2009?

Ms Kaylene Conrick, CEO, responded:

The assessment of the trees referred to in your correspondence has been undertaken by an independent arborist and in accordance with management of the risks within the road reserve, the recommendations of the arborist are to be implemented; in fact, work has already commenced.

I apologise on behalf of the organisation. It would appear that for some reason both letters have slipped through the net.

The works commenced include the removal of some trees, and weight reduction dead-wooding undertaken for reduction of the risks to the public road users and abutting landowners on other trees.

I understand a copy of the arborist's report, as originally requested, has been forwarded to you.

Submitted by: Brenda Blackmore, Denver

Question:

Traffic hazard of tree limb removed by local resident, however, large pile of tree branches left on the nature strip of 56 Springhill Road, Denver, STILL remains despite an assurance in the last line of your letter which clearly states, "Council will arrange for clean up ASAP."

Why, some two months on, has this not been undertaken?

I will remind the acting infrastructure officer of the Shire's own Road Management Plan 2009 on page 15, Section 5 re maintenance / vegetation:

"aesthetically pleasing roadside, minimise infestation and prevent fire hazards."

Will the CEO please ensure the officer concerned immediately arranges the removal of this aesthetically unpleasing infestation of a fire hazard as soon as possible.

Ms Kaylene Conrick, CEO, responded:

- Unfortunately due to recent re-deployment of staff in responding to recovering from the bushfire at Muskvale some of our works are behind schedule.
- Traffic hazard will be inspected by Councils Road Inspection officer in accordance with the Road Management Plan.

- Based on that inspection Council will undertake works to remove the hazard.
- Bulk of tree may remain if it does not constitute a traffic hazard.
- Council traditionally does not remove all trees from the roadside that fall due to age, wind or natural events.
- It does not have the financial resources to undertake this task.

10. GOVERNANCE AND STRATEGIC MATTERS

10.1 NEW DAYLESFORD DEPOT – MONTHLY REPORT

(A/O – Acting Manager of Infrastructure and Development) File Ref: 4/1930/09650

Introduction

A progress report on the construction of the New Daylesford Depot located on the Daylesford Trentham Road is provided.

Report

Council commenced works for the New Daylesford Depot project in August 2008.

Briefing report was provided to Councillors at the September 2008 Councillor Briefing Session and further works have progressed since, which are as listed below:-

Project works that have been completed are:

- Earthworks and vegetation management on site;
- Erection of Two sheds and minor shedding;
- Erection of Security fencing and farm fencing;
- Concreting for Shed 1;
- Main electrical supply;
- Some internal stormwater drainage and services for Depot operation.

Works in progress and to be commenced in next month:

- Clearance of damaged trees from Muskvale fire;
- Office and meeting room fit out;
- Electrical installation;
- Shed stormwater and fire service installation;
- Entrance works

Project planning in progress:

- Fire storage facility and pump metering system;
- Workshop facilities

Relevant Policies / Council Plan implications:

Council Plan – Service Delivery

Community / Engagement / Communication / Consultation:

The construction of the Daylesford Depot is mayor project for Council’s Budget 2008/2009 Capital Works Program. The Budget was determined following an extensive public consultation period.

Financial & Resource Implications Initial & Ongoing

As at 17 March 2009

NEW DAYLESFORD DEPOT COST SCHEDULE RECONCILIATION			
Expenditure 9510700	Actual 2008_2009	Budget 2008_2009	Total Projections
Building Permit Mechanical Services	\$2,712.65	2,500.00	2,500.00
Buildings Shed 1 & 2	\$359,990.49	356,500.00	360,000.00
Earthworks Arterial Road Access	\$96,650.57	91,000.00	96,000.00
Service Authority	\$4,030.00	129,500.00	125,000.00
Fencing	\$57,284.00	67,000.00	67,000.00
Electricity	\$727.27	45,000.00	45,000.00
Concreting	\$668.15	105,000.00	105,000.00
Water and Fire Service	\$40,156.99	91,500.00	92,000.00
Septic and Stormwater		17,000.00	17,000.00
Internal Fitout	\$23,046.34	96,000.00	95,500.00
Incidental Services	\$8,751.55	131,000.00	131,000.00
Internal Access		155,000.00	155,000.00
Washdown Bay	\$1,458.29	110,000.00	110,000.00
Office Fitout		20,000.00	20,000.00
Relocation		16,500.00	16,500.00
Totals	595,476.30	1,450,000.00	1,450,000.00

Income 9510928	Actual 2008_2009	Budget 2008_2009	Total Projections
		-1,450,000	-1,450,000

Motion

10.1.1 That Council note and receive the report.

Moved: Cr J Booth

Seconded: Cr S Klein

Carried.

10.2 CRESWICK TOURISM & INTERPRETIVE CENTRE – MONTHLY REPORT

(A/O – Acting Director Infrastructure & Development)

File Ref: H 193

Introduction

A progress report on the construction of the Creswick Tourism & Interpretive Centre, being built at Coppers Reserve, Creswick.

Report

Council awarded the building contract to Nicholson Construction Pty Ltd of Ballarat at its meeting on the 21 October 2008.

Nicholson Construction has been undertaking construction since mid November 2008 and works are now complete with a final inspection of the works on the 5 April and issuance of a practical completion certificate.

The public amenities are now operational and the Interpretative centre is still undergoing final fit out which were not part of the contractor's obligations.

The Department of Resources, Tourism and Energy visited the site on the 12 April to appraise the project in preparation for the official opening of the facility sometime in May.

A final report on this project will be presented at the June 2009 Council meeting.

Relevant Policies / Council Plan Implications

Council Plan – Service Delivery

Community / Engagement / Communication / Consultation:

Extensive community consultation and engagement has occurred with this project

Financial & Resource Implications Initial & Ongoing

As at 8 April 2009

CRESWICK TOURISM & INTERPRETIVE CENTRE EXPENDITURE - 9510 724	ACTUAL 2006/7	ACTUAL 2007/8	BUDGET 2008/2009	ACTUALS 2008/2009 19-Mar-08	TOTAL PROJECTIONS 19-Mar-08	TOTAL BUDGET
Architect	\$5,000.00	\$25,930.00	\$63,870.00	\$64,109.91	\$97,000.00	\$94,800.00
Subconsultants	\$1,313.18	\$1,856.26			\$3,169.44	\$3,169.44
Contract Admin			\$3,200.00	\$91.37	\$3,200.00	\$3,200.00
Building contract Variations to Building Contract			\$755,000.00	\$709,693.16	\$717,347.00	\$755,000.00
Planning Permit	\$851.89		\$450.00		\$1,301.89	\$1,301.89
Tender costs			\$3,000.00	\$2,813.14	\$2,813.00	\$3,000.00
Consultation costs			\$529.00		\$529.00	\$529.00
TOTAL EXPENDITURE	\$7,165.07	\$27,786.26	\$877,049.00	\$796,368.98	\$911,360.33	\$912,000.33
INCOME -						
COUNCIL	\$7,165.07	\$27,786.26	\$215,048.67	\$215,048.67	\$250,000.00	\$250,000.00
FEDERAL GRANT			\$450,000.00		\$450,000.00	\$450,000.00
STATE GOVT GRANT			\$212,000.00		\$212,000.00	\$212,000.00
TOTAL INCOME	\$7,165.07	\$27,786.26	\$877,048.67	\$215,048.67	\$912,000.00	\$912,000.00

Contract H 193 – original amount \$ 717,347.00
 Progress payments to builder \$ 709,693.16
 Claims to be processed \$ 7,653.84

Approved variations to project to date: \$ 19,661.00
 Total approved contract value for H193 \$ 737,008.00

Motion

10.2.1 That Council note and receive the report.

Moved: Cr J Booth
Seconded: Cr D Henderson
Carried.

10.3 Part Road Discontinuance Government Road adjacent THE SEC 21A CA5, 12 Eighteenth Street Township of Hepburn.

(A/O –Acting Director Infrastructure and Development) File Ref: 3/2180/90100

Introduction

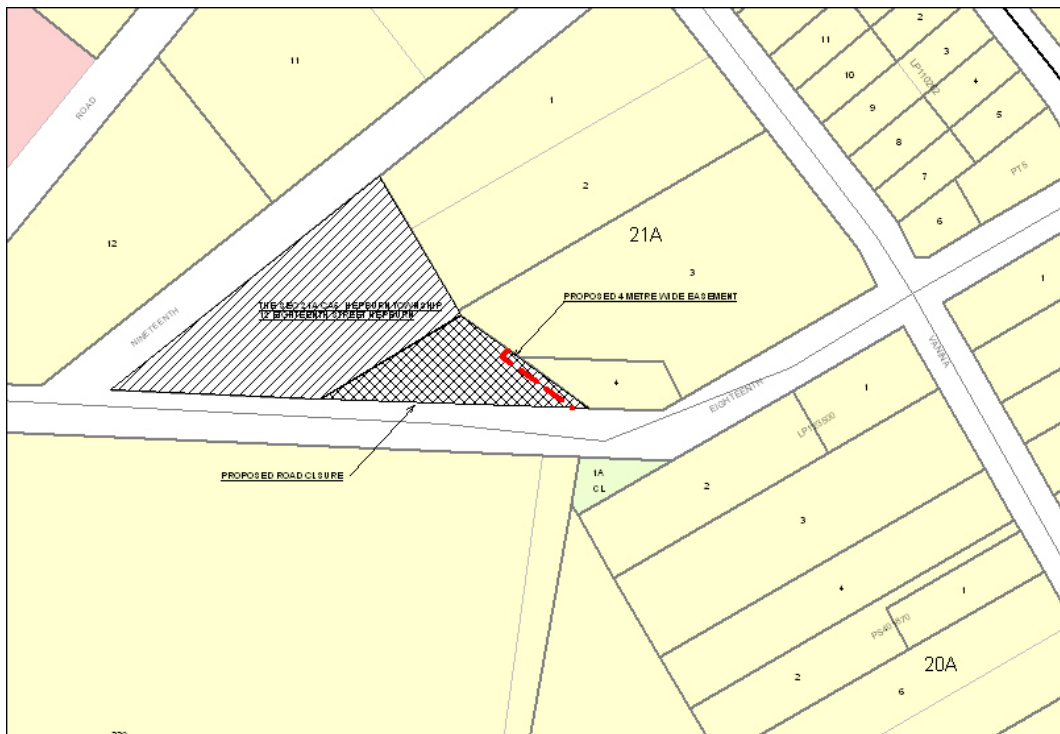
This report provides information on the proposal for discontinuance of part of a government road reserve located adjacent to lot THE SEC 21A CA5, 12 Eighteenth Street Township of Hepburn.

This discontinuance is required to enable purchase of this piece of road reserve by the property owner of 12 Eighteenth Street from Department of Sustainability and Environment (DSE).

This triangular piece of road reserve is currently occupied by the property owner of No 12 Eighteenth Street through a licence from DSE.

Report

Council has received correspondence from the Owner of THE SEC 21A CA5, 12 Eighteenth Street Township of Hepburn requesting Councils' consent for the closure of part of a road under Section 349 of the Land Act 1958. (copy attached). The part of the road reserve is off Eighteenth Street and is located to the South East THE SEC 21A CA5, 12 Eighteenth Street Township of Hepburn and is shown on the plans below. Council has also received information and correspondence from DSE including a form "Consent to Closing of Road" under Section 349, Land Act 1958, with the description of the section of road proposed for closure being a triangular piece of road reserve 2110 square metres in size shown on the survey plan from TGM. The current access to the property, No 12 Eighteenth Street is through this piece of road reserve and also includes outbuildings belonging to and used by property owner of No 12 Eighteenth Street.



Background

The road reserve of Eighteenth Street is 20 metres wide except for this triangular section and the transfer of triangular piece of road reserve land, highlighted above, will not affect the road reserve for its intended purpose as a street. Rear access currently exists to properties of No. 8 and No. 10 Eighteenth Street from the triangular section of

road reserve proposed for closure. Access to both properties will remain and be legally provided for via proposed 4 metre carriageway easement that is shown on the attached plan from TGM. Both Landowners have signed consent forms for the closure of this triangular part of road reserve being closed with the requirement that a four metre carriageway easement is provided to ensure these two properties retain legal rear access to Eighteenth Street.

Relevant Policies / Council Plan implications:

Objective One - Recognise the diversity of the communities and their aspirations;
Objective Two – Protect and improve the natural and built environment;
Objective Three – Manage Council finances and resources consistent with responsible governance

Financial Implications

Nil

Motion

That Council:

- 10.3.1 *Having considered the request from the owner of Number 12 Eighteenth Street Hepburn Springs, the Department of Sustainability and the agreement the property owners of number 8 and number 10 Eighteenth Street South of Lot 3 PS411716 Township of Daylesford, consent to the closure of this section of Government Road.*
- 10.3.2 *Having determined that the triangular section of the road is not reasonably required for public traffic accordance with Section 206, Schedule 10, Clause 3 of the Local Government Act 1989.*
- 10.3.3 *Authorise the Chief Executive Officer to sign the consent to closing of road under Section 349 of the Land Act 1958*

Moved: Cr J Barrell

Seconded: Cr R May

Carried.

Attachment 1



Survey Plan of Road of Proposed Road Closure

10.4 DAYLESFORD VICTORIA CARAVAN PARK – LEASE OPTION

(A/O – Manager Governance and Information)

File Ref: 3/0360/00420

Introduction

This report recommends that Council extend the term of the Daylesford Victoria Caravan Park Lease in accordance with Lease Conditions for 3 years.

Report

The Lease for Daylesford Victoria Caravan Park is structured in such a way that it contains 3 year option periods for renewal. The operators and lessee - BJEC Pty Ltd - have exercised the option to renew the lease for a further term.

This 18 year (6 x 3 year terms) lease was entered in 1997 and while assigned from the original operators has been renewed each 3 years. The current renewal period dates from 11 June 2009 to 10 June 2012. The lease is due to end in 2015, meaning after this term only one 3 year term remains on this lease. There is no lease provision for extension beyond 2015.

The lessee has given appropriate notice of renewal within the required time period.

The lease provides for the lessee to exercise the extension and Council must agree unless the lessee is in breach. There is no breach of lease terms and conditions. BJEC Pty Ltd took over the Lease in 2005 and has been an excellent tenant.

Relevant Policies / Council Plan implications

The requirement for Council to extend the Lease is dictated by the terms of the original Lease.

Community / Engagement / Communication / Consultation

This is an ongoing commitment for operation of the Caravan Park.

Financial Implications

The exercise of the option to extend the lease also triggers a review rent process. Current rent is \$41,650pa. After review with the operator, as part of lease administration, rent will be increased by 20% to \$50,000pa. The new rent is now comparable with recent valuation and tender process for Jubilee Lake Holiday Park.

The Lease contains provisions for automatic 5% rent increases in the two intervening years between option periods.

Motion

That Council :

- 10.4.1 *Acknowledge the exercise of the option to renew the Daylesford Victoria Caravan Park Lease for the term to 10 June 2012 and authorise the sealing of the lease renewal document.*

Moved: Cr R May

Seconded: Cr S Klein

Carried.

**10.5 CENTRAL HIGHLANDS REGIONAL LIBRARY CORPORATION – DRAFT
BUDGET 2009/10**

(A/O – Manager Community Services)

File Ref: 40/04/01

Introduction

The Central Highlands Regional Library Corporation (CHRLC) is in the process of preparing its Draft Budget Plan for 2009/10 and seeks Council's confirmation of financial contribution for 2009/10.

Report

CHRLC was established in April 1997 to provide library services to the municipalities of Ballarat, Hepburn, Moorabool, Pyrenees, Southern Grampians and Central Goldfields. It is governed by a Board that consists of representatives from each of the member municipalities. The library service has twelve static branches and a mobile library service.

At its December Council Meeting on 17 December 2008, Council considered a request from the CHRLC to incrementally increase staffing levels at all Hepburn Shire libraries. Council resolved to:

“Staff the Daylesford Library with two staff at all times with an additional 25 hours from January 2009 at a cost of \$15,800.

Over three years from 2009/10 to 2011/12 meet the minimum staffing standard to eliminate the risk of staff working alone and increase services provided to the community:

- 1. 2009/10 Creswick – additional 18 hours at a cost of \$23,671 per annum***
- 2. 2020/11 Clunes – additional 6 hours at a cost of \$7,890 per annum***
- 3. 2011/12 Daylesford – additional 10 hours at a cost of \$13,151 per annum.”***

Council has provided additional funding to the CHRLC for staffing at the Daylesford Branch since January 2008.

However, since this time, the Board has begun to prepare its annual budget. A key influencing factor is the development a sustainable financial strategy as recommended by the Auditor General in the 2007/08 audit report.

At its meeting on the 23 February 2009, the Board recommended substantial increases in council contributions for the Corporation costs for the 2009/10 financial year (Attachment 1).

Council’s contribution comprises two parts:

1. Service Level contribution. Specific to the number of branches the Council operates, the staffing level and other unique costs;
2. Corporation contribution. This amount is further divided into two parts
 - 30% of Corporation costs are shared evenly by 7 Councils
 - 70% of Corporation costs are apportioned by the % equity of each Council.

Corporate costs include the costs of running the Library Corporation, IT, Administration, book stock and other costs.

Hepburn Shire Council has 7.9% equity in the Central Highlands Library Corporation.

Therefore, given that Council at its December Meeting resolved to increase the staffing levels in Daylesford immediately and further committed to annual staffing increases commencing with an increase in the staffing level at the Creswick Library of 18 hours in 2009/10, and since then the Corporation has resolved Corporation increases in accordance with its Strategic Plan, the increases for Hepburn Shire Council result as follows:

Financial Year	Service Level	Service Level Cost	Corporation Costs	Total
08/09	Increase staffing Daylesford by 25 hrs			317,400
09/10	Increase Creswick by 18 hrs	316,477	91,240	407,717
OR				
09/10	Increase Creswick staffing by 6 hrs	299,442	91,240	390,682
OR				
09/10	Service Level to remain the same	290,924	91,240	382,164

Given that Council was unaware of the Corporation increases when it resolved to increase staffing levels in branches over the next few years it is considered reasonable that Council reviews this decision.

The CEO of CHRLC has indicated that the Corporation will be undertaking a systematic review of its operations and the operations of the branches over the next 12 months to identify productivity savings and efficiency opportunities.

Should Council determine to maintain staffing levels as they currently stand (remembering Daylesford has already increased) the 2009/10 Council contribution to the Library Corporation results in a total increase of \$80,543 from 2008/09 in real terms.

Relevant Policies / Council Plan implications:

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

Community / Engagement / Communication / Consultation:

Council's contribution to the CHRLC forms part of the Hepburn Shire Council 2009/10 Budget which is subjected to section 223 of the Local Government Act inviting public submissions.

Financial & Resource Implications Initial & Ongoing

Financial implications are outline above.

Motion

That Council:

- 10.5.1 *Having increased the staffing hours at the Daylesford Library in 2008/09 to address occupational health and safety concerns determines to maintain service levels as they currently stand;*
- 10.5.2 *Allocate \$382,164 for the 2009/10 financial year as its contribution to the Central Highlands Library Corporation;*
- 10.5.3 *Invite the Chief Executive Officer of the Central Highlands Regional Library Corporation to meet with Council to discuss strategies and options to efficiency opportunities in the delivery of the library service in Hepburn Shire to lessen future contributions increases to the Library Corporation.*

Moved: Cr T Hayes

Seconded: Cr S Klein

Carried.

Attachment 1

Title

Draft Central Highlands Regional Library Corporation Budget Plan 2009-10 to 2012-13

Summary

The report outlines the recommendation by CHRLC Board at the meeting held on 23 February 2009 for Councils to consider for 2009/10 a 16.6% increase in funding of the Central Highlands Regional Library Corporation, to provide a sustainable financial strategy as recommended by the Auditor General in the 2007/08 audit report.

Background

The Auditor General has raised financial sustainability of the Corporation as a concern over the past two years. The Corporation ended 2007/08 with a deficit budget of \$336,000 and as of 31 January 2008 will only retain \$10,000 of an expected budget surplus of \$100,000. This result continues to deplete the cash reserve, the staff entitlement funds and the financial viability of the Corporation.

The CHRLC Budget Plan 2008-2009 as prepared by the former CEO and Board recommends 5% growth each year, which is not sufficient to meet the financial requirements of the CHRLC. The outcome is that collection and service standards fall, cash reserves are depleted and leave entitlements for staff will be maintained below the planned minimum cash reserve of \$150,000.

At the recommendation of the Board a Finance Officers Committee was formed to provide advice to the Board, and met on the 26 November 2008 and 5 February 2009. The committee includes the CHRLC CEO and Operations Manager and senior council finance officers Glenn Kallio - City of Ballarat, Belinda Johnson - Southern Grampians Shire Council and Shane Marr -Moorabool Shire Council.

The financial concerns identified are:

- Collection funding is 60% below optimum funding levels
- Staffing levels are 17.7 EFT below the staffing standard
- Operating costs are 20-25% below expenditure needs
- Cash reserve funds are not being maintained at levels for sustainable financial planning
- Council Contributions are below the average expenditure of 6% of rate revenue
- The total expenditure is around \$2,000,000 below similar sized library services

Issues

Budget pressures for CHRLC

Council contribution

The CHRLC is currently being funded between 2%-4% of Council rate revenue. The suggested average level of funding is between 3%-6% and best practice at 10% of rate revenue, which is highlighted in the MAV report *Dividends* by Alan Bundy p 11. (See Attachment 1) CHRLC services could be sustained between 6%-7% of rate revenue.

Rate Expenditure of CHRLC Member Council 08/09 total \$92,922,166

4%	3,716,887
5%	4,646,108
6%	5,575,330
7%	6,504,552
8%	7,433,773

The predicted 5% growth indicated in the CHRLC Library Plan 2008/09 will not provide financial sustainability.

Expenditure

Library Materials

"Regional library corporations (RLCs) operate with little discretionary revenue. As a consequence, some RLCs continue to report underlying deficits and most do not spend enough to maintain collections at their current level."

Local Government: Results of the 2007-08 Audits page 29

The recommended rate of purchasing to replace the library materials every 8 years is 2 items per capita. The current level of expenditure of \$420,000 is meeting 1.55 items per capita which would replace the asset over 12 years. The *Strategic Asset Audit of Victorian Public Libraries, July 2006*, recommends that for CHRLC with a population of 176,051 in 2006, the collection expenditure should be \$1,063,221. The 08/09 collection budget is \$405,000, or 38% of the recommended collection standard.

Staffing

CHRLC is currently funding 41.8 EFTs. The staffing standard of 1 per 3000 population requires staffing levels of 59.7 EFTs for a population of 179,278. This is a shortfall of 17.9 staff, which if funded at Level 3 is a minimum additional cost \$874,528. The Board in 2008 has received reports and discussed the risks of staff working alone and work pressures due to staffing levels across the organisation. Increasing staff by 10 would eliminate staff working alone. Hepburn Council in December 2008 has approved additional staffing in response to staff safety issues. Low staffing levels limits the opportunities to meet the strategic goals of member Councils as library staff are restricted to lending books at counters rather than providing a range of services and programs from early literacy to Internet training.

Alternatives to increasing staff include co-locating libraries with other Council or community services and investment in technology. Investment in Radio Frequency Identification (RFID) technology relieves staff from routine desk tasks and reduces occupational risks, as customers check out materials unaided. RFID is a capital expense and should be considered for large branches, all Ballarat libraries, Hamilton, Bacchus Marsh and Daylesford, and implemented over a number of years.

Future planning for co-locating libraries with other services and introducing RFID technology will free existing staff to assist customers and increase the range of programming in the library and community engagement activities outside of the library. Programming extends the library from a book lending service to being actively engaged in the community. Libraries are able to deliver a wider range of services to meet Council priorities that increase library use and maximise the value for money from the investment made by each Council.

Operating

In general operating expenditure indicates underfunding by a minimum of 20%-25% as budget lines overrun to meet service expectations, causing the budget deficits over the last three years. Of significant concern are:

- Mobile library operating costs
- IT and data costs are increasing as internet services expand and demand increases
- Professional services are inadequately funded to meet compliance needs in financial services, human resource management, internal audits and occupational health and safety areas.
- Professional development is inadequate to meet legislative requirements for first aid, occupational health and safety training, working with children checks and the development of a workforce made up of part time staff, which greatly increases training costs.
- Programming funds to deliver services that reach and engage the community and meet Council strategic priorities such as early literacy, active aging, engaging youth, climate change and sustainability are poorly resourced.

There is limited capacity to manage budget overruns or for new initiatives to be developed. Past budgets have been depleted of contingency funds to meet any variances in operating expenditure that may occur each year.

Asset Management

Planning for future library buildings, replacement cycles and refurbishment requires new systems established and greater communication with member Councils so that facilities grants like Living Libraries are maximised. Planning for co-locating libraries with other Council services will increase sustainability.

Areas for Review

In addressing financial sustainability each member Council will need to consider:

- Future sustainability of the mobile library service
- Collection funding at an adequate level to maintain collection standards
- Staffing levels that meet service needs and reduce risks to staff working alone
- Number of libraries and opening hours
- Introduction of technology (RFID) to improve customer service.

The Board has indicated that a review of services be completed in 2009/10.

Financial Implications

Libraries add value to your community and support Councils strategies for community wellbeing.

Libraries are:

- one of the most used Council services with membership by 55% of the community
- used by all sectors of the community from toddlers to seniors
- able to deliver on Council strategic priorities especially in community engagement areas
- providing strategies that increase early literacy, school years support, job readiness and computer and internet skills that assist in increasing skill levels across the community
- reaching isolated members of the community – home services for the aging, disengaged youth, young mothers, new arrivals, older men, retirees
- a safe place in the community for people to visit and seek advice and connect to other Council, community and government services
- information services provided from a quality collection, extensive range of online materials and internet based services for learning and living
- providing heritage services that care for our history, build knowledge of the past and collect the stories and images of our communities today for the future
- attractive places for your community, for events and high visitation by tourists and new residents
- a show case and access point for Council information and services

Financial Principles

Three budget options were prepared for the CHRLC Board and were based on the following principles:

1. Maintaining a budget surplus to provide a cash reserve for increasing entitlement reserves and future priorities
2. Collection expenditure to meet the standard of 2 items per capita and turnover after 8 years estimated at \$1,060,000
3. Staffing standard of 1 staff per 3000 population
4. Expenditure to meet compliance needs for occupational health and safety, staff entitlements, staff development, internal audits and financial and HR responsibilities
5. Controls be placed on the collections budget so that it is not used as a cash reserve
6. Comparative funding levels to other library services (See Attachment 2 and 3)

To address the financial sustainability the CHRLC Board considered three options:

- Option 1: 25% increase to meet expenditure and standards for staffing, collections and entitlements within 4 years
- Option 2: 20% increase to meet expenditure and reach staffing and collection over time
- Option 3: 15% increase to meet expenditure, end the mobile library service and reach staffing and collection standards over time.

The Board considered the three options and suggested that a Board Option be developed based on targets against the financial principles:

That the Board present to each of their member councils a 2009/10 budget based on:

- an end of year surplus of \$80,000 for the Corporation
- 50% increase in funds available to cover employee entitlements, \$50,000 per year
- 2009/10 budget incorporating CPI increase of 5% and an additional \$50,000
- 40% increase in collections spending by \$180,000 in first year, then \$50,000 per year
- individual service improvements for individual councils

Budget Assumptions

- Growth in the state government grant by 3%
- Enterprise bargaining agreement, staff increments, annual leave, long service leave, penalty rates loading for weekends applied each year are a minimum of \$300,000 per year.
- 08/09 expenditure \$ 4,174,702 of and Council contribution of \$2,868,370

CHRLC Budget Board Option: 16.6% Increase Reduced Staff and Collection				
	2009-2010	2010-2011	2011-2012	2012-2013
Population 179,278				
Total Income	1,534,626	1542,965	1,597,416	1,667,689
Employee Cost Total	3,109,718	3,436,420	3,701,885	4,068,591
Materials and Contracts Total	617,246	647,841	677,828	713,641
Other Expenses Total	419,890	437,327	459,929	492,649
Capital Expenditure				
Lending Materials	550,000	555,000	605,000	655,000
Capital items	51,472	49,905	50,201	50,285
Capital Total	601,472	604,905	655,210	705,285
Expenditure Grand total	4,748,326	5,126,492	5,494,852	5,980,165
Less income	1,534,626	1,542,965	1,597,416	1,667,689
Surplus	130,000	130,000	130,000	130,000
Council Contribution required	3,343,701	3,713,528	4,027,436	4,442,476
% Increase in Contribution	16.6%	11%	8%	10%
Cost per capita	\$18.65	\$20.71	\$22.46	\$24.89

Budget Notes

CHRLC Board Option 16.6 % Increase

- Provides a surplus of \$80,000 to build the cash reserves for a sustainable cash flow
- Provides \$50,000 each year to increase the staff entitlement fund to meet 50% of liabilities by 2012/13.
- Provides an additional \$50,000 and CPI of 5% to meet expenditure obligations and address the risk of deficit budgets
- Provides 40% increase in collection expenditure of \$180,000 in 2009/10 and \$50,000 per year in future years to improve the collection asset to meet 62% (\$655,000) of the collection standard of \$1,060,000. Collection turnover achieved in 10 years.
- A Service Review will be completed in 2009/10 to determine the service needs for each Council and the staffing levels required. An indication of staffing has been included from 2010/11 and includes gradual increases in FTEs from 41.8 to 49.1 over four years to meet 82% of the standard of 1 staff member per 3000. Some increases relate is for new services at Bacchus Marsh and possibly Sebastopol and staffing approved by Hepburn Council in December 2007.
- Increases staff development and compliance with occupational health and safety training
- Increases the ranking against all Victorian Libraries, 8th of 46 in population, with funding at 38th of 46 services. Raises funding levels to mid range ranking from \$13.38 to \$24.78 per capita. (See Attachment 3)
- All libraries to provide mobile library, home library service, and an increased range of programs to meet Council priorities

FTE	Ara	Bal	Cent Gold	Hep	Moor	Pyr	Sth Grap	Admin	Mobile	Total	Target to meet standard	% met
2008/09	2.1	13.9	1.6	2.9	1.9	1.2	3.4	13.0	2.0	41.8	59.8	70%
2009/10	2.1	14.8	1.6	2.9	1.9	1.2	3.4	13.0	2.2	43.1	59.8	72%
2010/11	2.2	14.8	1.6	3.6	2.1	1.2	3.4	14.1	2.2	45.2	59.8	76%
2011/12	2.3	15.2	1.7	4.4	2.9	1.2	3.4	14.1	2.2	47.4	59.8	79%
2012/13	2.6	15.8	1.9	4.4	2.9	1.3	3.9	14.1	2.2	49.1	59.8	82%

Council Contributions:

16.6% Increase Council Contribution	Current 2008-2009	2009-2010	%	2010-2011	%	2011-2012	%	2012-2013	%
Ararat Rural City	243,144	282,249	16%	315,136	12%	335,363	6%	370,426	10%
Ballarat City	1,264,536	1,475,827	17%	1,620,482	10%	1,727,209	7%	1,907,843	10%
Central Goldfields	215,560	251,036	16%	272,325	8%	296,456	9%	326,489	10%
Hepburn Shire	301,621	352,164	17%	421,337	20%	491,590	17%	524,886	7%
Moorabool Shire	300,534	351,119	17%	401,012	14%	463,845	16%	505,243	9%
Pyrenees Shire	143,328	166,567	16%	181,720	9%	191,216	5%	213,518	12%
Southern Grampians	399,647	464,737	16%	501,516	8%	521,757	4%	594,072	14%
Total	\$2,868,370	\$3,343,701	16.6%	\$3,713,528	11%	\$4,027,436	8%	\$4,446,476	10%
Per Capita	\$13.38	\$18.65		\$20.71		\$22.46		\$24.78	

Service Improvements

2009/10 – 2012/13

- Undertake a review of library services and the service levels required for each Council
- Alignment of CHRLC priorities with Council plans and strategies
- Increase in purchasing from 15,000 new items to 26,000 over 4 years.
- Increase in library use by 5% each year
- Early literacy programs increased to weekly in all libraries
- Home library service for the aged introduced in all libraries
- IT training offered at all libraries
- Holiday activities offered at all libraries
- Increase libraries role in providing Council information to the community
- Priorities established for increased heritage services, collection, preservation and community partnerships with history groups across each Council area
- Sponsorship and new funding partners actively targeted
- Specific strategies developed for youth, aged and families linked to Council priorities
- Asset plans developed with each Council for library facilities with a focus on shared services and co-location to increase sustainability
- Living Libraries funding to develop libraries developed at Bacchus Marsh, Sebastopol/ Delacombe and possibly refurbishment for Daylesford, Clunes and Avoca.
- New partnerships to increase the use of the library and links to the community developed each year
- Increased community consultation and reporting to Member Councils
- Reduced risk through increased staff development and compliance with occupational health and safety areas
- Improved financial sustainability to provide library services to meet member Council expectations

Recommendation/s

1. That each Council confirms their position with the CHRLC CEO by the 27 March 2009 for the development of the full budget plan for the 27 April CHRLC Board meeting.

10.6 MONTHLY FINANCIAL REPORT 1/7/08 – 31/03/09

(A/O – Manager Finance)

File Ref: 30/08/17

Introduction

A summary report on the Council's financial performance for the financial year to the 31 March 2009 is provided for information.

Report

This report provides information on Council's operating performance for the 9 months to 31 March 2009 against the revised budget adopted by Council in February 2009. The report considers year to date budgets against year to date actual for each operating program and for all capital works.

Statutory Requirements

Under Section 138 of the Local Government Act 1989, at least quarterly a report comparing expenses and revenue to budget must be presented to the Council.

Variance Report

Corporate Services:

Variance (Deficit)/Surplus 000's:

\$ 73

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 MARCH 2009 PROJECTED AS AT 31 MARCH 2009					
	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's	Note
CORPORATE SERVICES					
<i>INCOME</i>					
Revenue Services (Rates & M/C)	9,810	9,819	9,819	0	
Grants Commission	2,219	2,219	2,219	0	
Other Income	385	379	451	72	1
`Total Income	12,414	12,416	12,489	72	
<i>EXPENDITURE</i>					
Council	556	797	802	(5)	2
Financial Services	533	712	712	0	
Technical Services	727	974	970	3	
Governance & IT	715	918	918	0	
Organizational Development	156	223	226	(3)	
Other Administration	385	562	555	7	3
`Total Expenses	3,073	4,185	4,184	1	
NET	9,341	8,231	8,305	73	

Notes

- 1 Corporate Services \$30k additional interest on investments from grants received early, Technical Services \$13k bus stop supervision fee, Information Technology \$7k traineeship grant, Customer Services reimbursement of legal fees \$24k
- 2 Telephone costs forecast increase of \$6k, Unbudgeted Bush Fire donation \$10k, Meeting expenses forecast increase of \$2k, Council communication costs forecast reduced by \$5k, Community directory project deferred to 2009/10 \$8k
- 3 Revised Postage expense decrease \$7k

Community Services:

Variance (Deficit)/Surplus 000's:

\$1

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 MARCH 2009 PROJECTED AS AT 31 MARCH 2009					
	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's	Note
COMMUNITY SERVICES					
<i>INCOME</i>					
Community Development	237	228	227	(1)	
Family & Children's Services	70	101	101	0	
Aged & Disability Services	873	1,101	1,099	(2)	
Housing	39	47	47	0	
Contract Services	264	247	322	75	4
Total Income	1,483	1,724	1,796	72	
<i>EXPENDITURE</i>					
Community Development	503	718	721	(3)	
Family & Children's Services	149	260	260	0	
Aged & Disability Services	945	1,346	1,346	0	
Housing	32	41	41	0	
Contract Services	244	239	307	(68)	5
NET	(390)	(881)	(880)	1	
Notes					
4 Increase in contract services fee income due to extra demand mostly offset by increased costs, see note 5					
5 Increase in contract services provided due to extra demand covered by increased fee income, see note 4					

Regional Development:

Variance (Deficit)/Surplus 000's:

\$ 43

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 MARCH 2009 PROJECTED AS AT 31 MARCH 2009					
	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's	Note
Regional Development					
<i>INCOME</i>					
Planning & Heritage Services	129	186	186	0	
Building Services	104	128	128	0	
Tourism & Economic Development	146	195	196	1	
Public Halls	4	6	6	0	
Total Income	383	515	516	1	
<i>EXPENDITURE</i>					
Planning & Heritage Services	541	793	794	(1)	
Building Services	109	198	155	42	6
Tourism & Economic Development	255	345	350	(5)	7
Community Amenities	107	164	158	6	8
				0	
Library Services	268	340	340	0	
Other Cultural Activities	54	69	69	0	
Public Halls	49	83	83	0	
Total Expenses	1,383	1,991	1,949	42	
NET	(1,000)	(1,476)	(1,433)	43	
Notes					
6 Operating expenditure will be less than forecast due to temporary cover for extended annual leave not required this financial year \$42k					
7 Tourism Information Centre printing & stationery revised forecast by \$2k Jubilee Lake Caravan Park building maintenance revised forecast costs by \$3k					
8 Cleaning contractor's costs lower than anticipated forecast revised downwards by \$5k					

Public Safety:

Variance (Deficit)/Surplus 000's: (\$36)

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 MARCH 2009 PROJECTED AS AT 31 MARCH 2009					
	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's	Note
Public Safety					
<i>INCOME</i>					
Fire Prevention	47	25	38	13	9
Animal Control	44	76	75	(1)	
Compliance	27	32	32	0	
Health	113	134	129	(5)	10
School Crossing	4	8	8	0	
Total Income	236	275	282	7	
<i>EXPENDITURE</i>					
Fire Prevention	44	36	47	(11)	11
Animal Control	16	29	19	10	12
Compliance	188	254	254	0	
Health	204	260	297	(38)	13
Environmental Initiatives	79	114	116	(2)	
School Crossing	18	26	25	1	
Emergency Management	2	6	10	(4)	
Total Expenses	551	726	769	(43)	
NET	(315)	(451)	(487)	(36)	
Notes					
<p>9 Fire prevention activity higher than anticipated offset by higher costs, see note 11</p> <p>10 Health fees forecast revised downwards by \$5k</p> <p>11 Fire hazard removal fees and charges up due to increased activity mostly covered by increased income, see note 9</p> <p>12 Pound operating costs forecast revised downwards based on activity level year to date</p> <p>13 Increased costs to cover extended leave</p>					

Recreation:

Variance (Deficit)/Surplus 000's: (\$98)

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 MARCH 2009 PROJECTED AS AT 31 MARCH 2009					
	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's	Note
Recreation					
<i>INCOME</i>					
Parks & Gardens	1	1	1,	0	
Reserves	9	9	10	1	
Mineral Springs Reserves	296	385	385	0	
Total Income	306	395	396	1	
<i>Expenditure</i>					
Parks & Gardens	139	159	183	(23)	14
Reserves	512	688	706	(18)	15
Mineral Springs Reserves	197	209	255	(46)	16
Swimming Areas	222	229	243	(14)	17
Recreation Management	70	92	90	2	
Indoor Recreation	12	30	30	0	
Total Expenditure	1,151	1,408	1,507	(99)	
NET	(845)	(1,013)	(1,111)	(98)	
Notes					
<p>14 Increased level of maintenance required for Daylesford Parks & Gardens \$22K</p> <p>15 Increased level of maintenance required for Clunes Reserves \$5K and Other Reserves of \$12k</p> <p>16 Costs associated with the trade mark protection project \$10K and increased maintenance costs of \$36</p> <p>17 Additional building maintenance required at Clunes \$6K, Creswick \$6k and Daylesford \$2k</p>					

Infrastructure:

Variance (Deficit)/Surplus 000's: (\$7)

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 MARCH 2009 PROJECTED AS AT 31 MARCH 2009					
	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's	Note
Infrastructure					
<i>INCOME</i>					
Road Maintenance	1,751	1,774	1,774	0	
Other Transport	819	1,080	1,049	(31)	18
Total Income	2,570	2,854	2,823	(31)	
<i>EXPENDITURE</i>					
Road Maintenance	1,404	1,900	1,888	12	19
Depots	39	51	53	(2)	
Other Transport	337	448	433	14	20
Total Expenses	1,780	2,398	2,374	24	
NET	790	456	449	(7)	
Notes					
18 Forecast based on expected level of plant hire usage/income					
19 Anticipated savings in street lighting forecast revised downwards by \$10K					
20 Expected level of costs associated with plant hire usage/expenditure relates to note 18					

Waste Management:

Variance (Deficit)/Surplus 000's:

\$ 109

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 MARCH 2009 PROJECTED AS AT 31 MARCH 2009					
	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's	Note
Waste Management					
<i>INCOME</i>					
Waste Revenue	1,502	1,506	1,528	22	21
Land Management	10	20	20	0	
Total Income	1,512	1,526	1,548	22	
<i>Expenditure</i>					
Street Cleaning	77	124	124	0	
Waste Management	875	1,321	1,234	87	22
Land Management	2	34	34	0	
Total Expenditure	954	1,479	1,392	87	
NET	558	47	156	109	
Notes					
21 Increased level of activity at transfer stations resulting in higher fee income					
22 Revised forecasts for savings in waste levy and transport and contractor costs.					

Unclassified:

Variance (Deficit)/Surplus 000's: (\$63)

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 MARCH 2009 PROJECTED AS AT 31 MARCH 2009					
	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's	Note
Unclassified					
<i>INCOME</i>					
	0	0	0	0	
Total Income	0	0	0	0	
<i>Expenditure</i>					
Unclassified	63	0	63	(63)	23
Total Expenditure	63	0	0	(63)	
NET	63	0	0	(63)	
Notes					
23 Relates to expenditure on February bushfire some costs will be reimbursed however to early to predict how much assumed full cost for the present.					

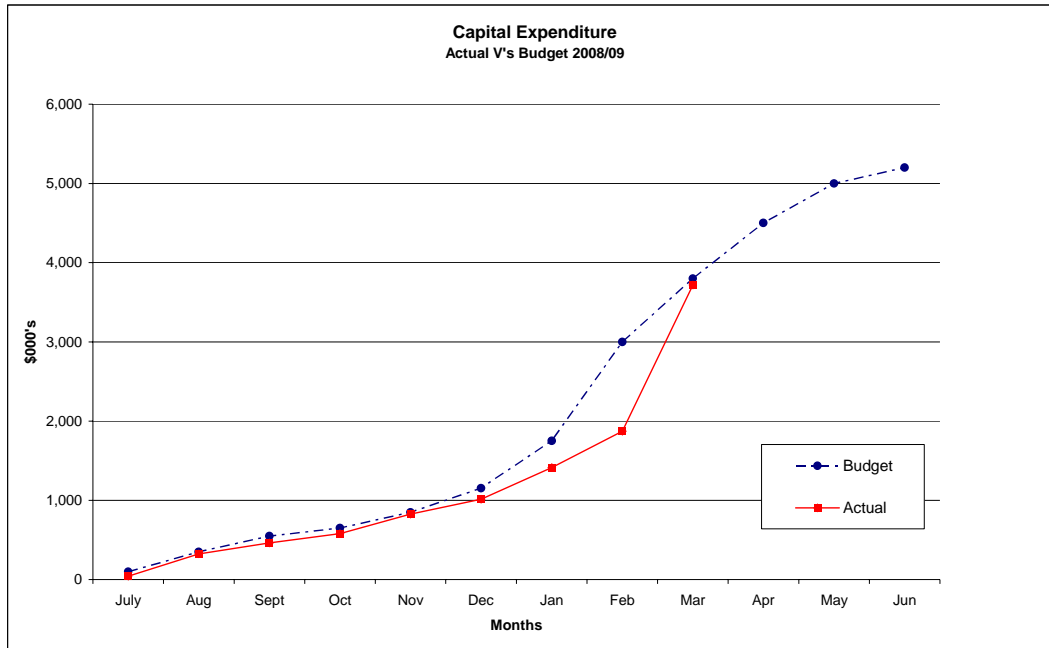
Operating Summary:

The forecast when measured against the revised budget adopted in February, following the mid year review, currently indicates a small positive variance of \$22k. As we head towards the financial year end the forecasts will be updated and monitored on a monthly basis to ensure that the overall budget is met by year end.

Capital Works and Major Projects:

Program	Major Activities	YTD Actual 000's	Revised Budget 000's	Forecast 000's	Budget Variance 000's
9 Capital Income					
Buildings	Buildings	1,823	2,226	2,226	0
Environment	Environment	0	0	0	0
	Daylesford, Trentham &				
Federal Stimulus Package	Clunes Public Toilet Upgrade	0	425	425	0
Mineral Springs	Mineral Springs	0	38	0	(38)
	Debt Redemption & Sale of Land/Springs				
Other	Medical Centre	300	447	447	0
Parks & Gardens	Parks & Gardens	0	29	29	0
Plant & Equipment	Plant & Equipment	55	312	312	0
Recreation	Recreation	176	365	365	0
Roads & Pavements	Roads & Pavements	145	45	177	132
Swimming Areas	Swimming Areas	0	0	0	0
Waste Management	Waste Management	0	0	0	0
Total Capital Income		2,499	3,887	3,981	94
9 Capital Expenditure					
Buildings	Buildings	1,404	2,891	2,894	(3)
Environment	Environment	24	106	106	0
	Daylesford, Trentham &				
Federal Stimulus Package	Clunes Public Toilet Upgrade	10	82	82	0
Mineral Springs	Mineral Springs	144	233	233	0
	Debt Redemption & Sale of Land/Springs				
Other	Medical Centre	489	942	942	0
Parks & Gardens	Parks & Gardens	89	173	173	0
Plant & Equipment	Plant & Equipment	501	1,115	1,115	0
Recreation	Recreation	134	627	627	0
Roads & Pavements	Roads & Pavements	1,288	2,712	2,800	(88)
Swimming Areas	Swimming Areas	51	140	140	0
Waste Management	Waste Management	0	78	78	0
Total Capital Expenditure		4,134	9,099	9,190	(91)
Net		(1,635)	(5,212)	(5,209)	3

The 2008/2009 capital works program is progressing most projects have been scoped and designed with some contracts let and works undertaken. Main variations in this area relate to a grant for the Hepburn Mineral Springs Reserve that had been accounted for in last financial year of \$38k, an additional grant received in relation to the construction of bus stops of \$138k increased expenditure in the roads area in respect to the construction of the bus shelters of \$88k. These along with a couple of minor adjustments result in a small net variance of \$3k.



Balance Sheet

The Balance Sheet as at 31 March 2009 is as follows:-

Balance Sheet		
As at 31 March 2009		
	000's	000's
	30-Jun-08	31-Mar-09
	\$	\$
Assets		
Current assets		
Cash and cash equivalents	2,715	4,409
Trade and other receivables	1,400	4,343
Accrued income	8	8
Prepayments	5	0
Inventories	61	89
Non-current assets classified as held for sale	66	66
Total current assets	4,255	8,915
Non-current assets		
Trade and other receivables	2	2
Financial assets	955	955
Investments in associates accounted for using the equity method	375	375
Capital Works and Income for 2008/09	0	1,634
Property, plant and equipment, infrastructure	150,160	150,160
Total non-current assets	151,492	153,126
Total assets	155,748	162,042
Liabilities		
Current liabilities		
Trade and other payables	(1,524)	438
Trust funds and deposits	(808)	(768)
Provisions	(1,378)	(1,415)
Interest-bearing loans and borrowings	(372)	(372)
Total current liabilities	(4,082)	(2,118)
Non-current liabilities		
Provisions	(716)	(716)
Interest-bearing loans and borrowings	(2,162)	(2,162)
Total non-current liabilities	(2,878)	(2,877)
Total liabilities	(6,960)	(4,995)
Net Assets	148,787	157,047
Equity		
Accumulated surplus	(83,373)	(83,373)
Operating result for period	0	(8,147)
Reserves	(65,414)	(65,527)
Total Equity	(148,787)	(157,047)

Current Assets:

Cash and investments at 31 March total \$4.4 million and includes \$0.95 million for the Long Service Leave Provision. Also included is the early payment of the fourth Grants Commission instalment of \$0.84 million.

Net current receivables are \$4.3 million including \$3.4 million in rates. Trade debtors at 31 March are \$0.68 million which includes claims for government grants relating to the Glenlyon Hall and the pensioner rate rebate. Debtors are being monitored and regular follow up action taken to minimise any write offs.

Council is generally owed money for the GST input tax credit and BAS's are lodged monthly. All legislative requirements are being met.

Current Liabilities:

The major items here are the creditors control, current loan liability, provision for landfill rehabilitation and employee provisions. Deposits and Securities are reviewed quarterly and refunds or transfers made where applicable.

Non-Current Assets:

These include all infrastructure assets and for the purpose of this report the net cost of current capital and major works has been treated as works in progress and added to the balance sheet here.

Non-Current Liabilities:

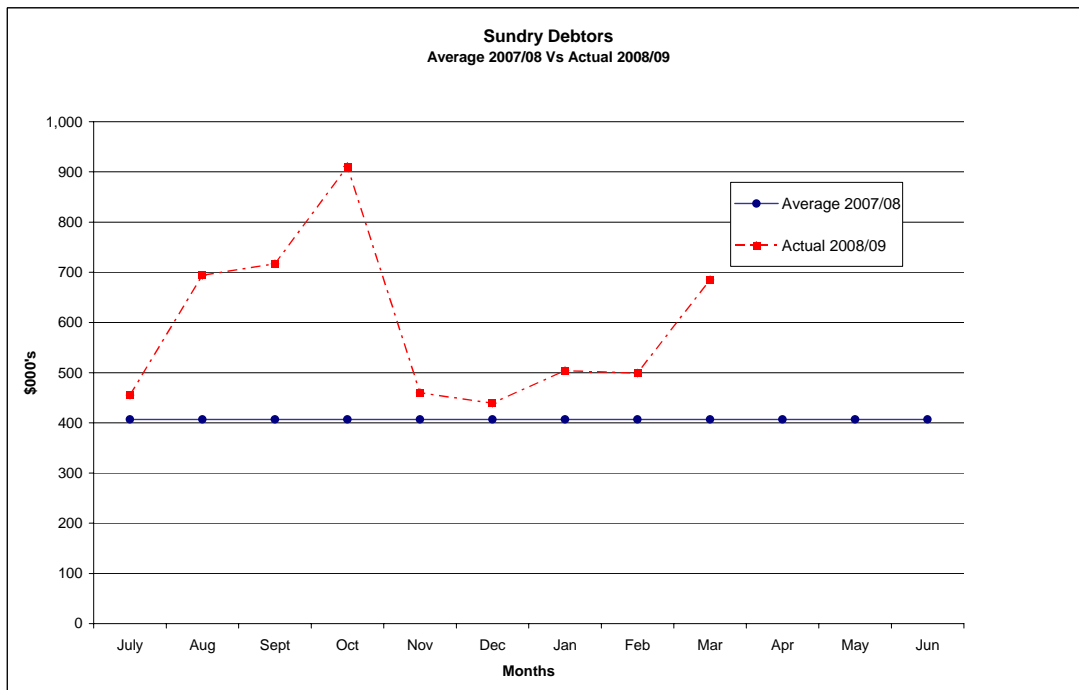
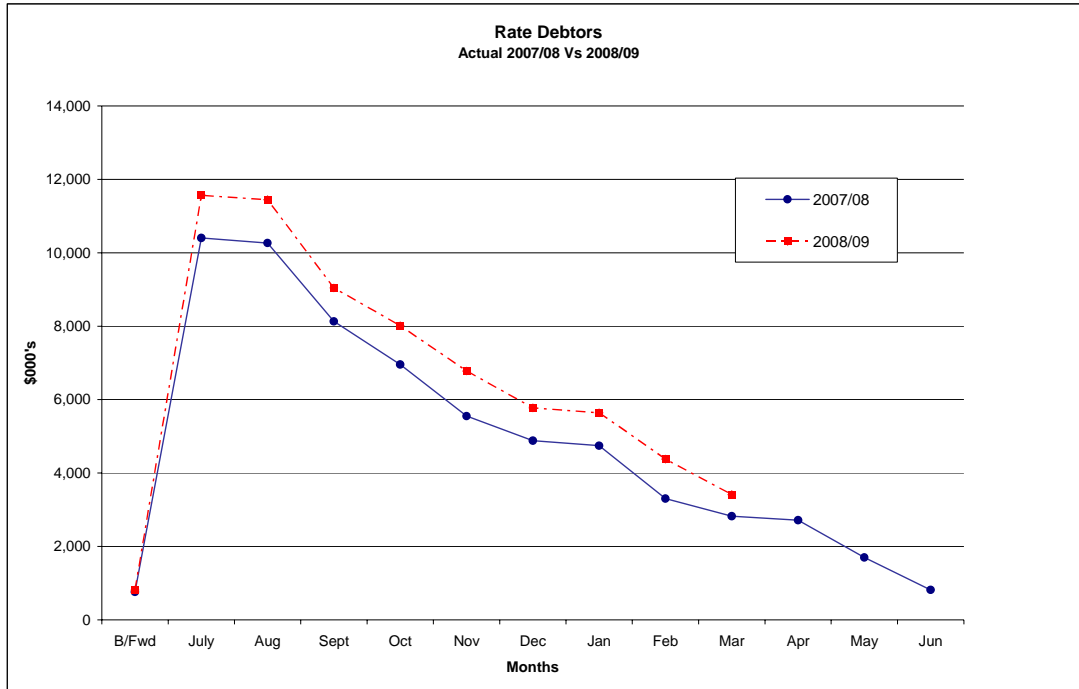
Major items here include loan liability, provision for landfill rehabilitation and provision for long service leave.

Conclusion:

As expected there are few major variations this stage in the financial year other than those caused by timing differences. However there are some areas that will be closely monitored and reviewed regularly with Management Team and responsible managers.

Managers will continue to review in detail both operating and capital budgets to ensure that the overall budget will be achieved.

Following for Councillors information are two graphs which show the level of Rate Debtors for 2008/09 in comparison to the previous year and the level of Sundry Debtors to the average level of sundry debtors for the previous year. Both are considered to be at acceptable levels at the end of March 2009. The March Sundry Debtors total includes government grants claimed in respect to the Glenlyon Hall and the pensioner rate concession.



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:

Nil

Financial & Resource Implications Initial & Ongoing

This report provides the opportunity for constant review of Council's financial position to ensure compliance with budgets. The reports presented show the revised budget, year to date actuals, forecast and budget variance. The report notes any variances against the revised budget and forecast.

Motion

10.6.1 *That Council receives the Monthly Finance Report for the 9 months from 1 July 2008 to 31 March 2009.*

Moved: Cr T Hayes
Seconded: Cr D Henderson
Carried.

10.7 Hepburn Healthy Communities Project – Evaluation and Recommendations (A/O – Manager Community Services) File Ref:50/12/05

Introduction

The Hepburn Healthy Communities Project Evaluation is the final report and findings of the three year project which commenced February 2006 and was completed January 2009. The project was funded by the Victorian Department of Planning and Community Development and Hepburn Shire Council. The project evaluation has been completed and makes a number of recommendations for Council to consider.

Report

The project:

- Implemented the Hepburn Shire Council Social Plan;
- Implemented elements of the Municipal Public Health Plan; and,
- Developed community planning and leadership opportunities using a community strengthening model.

An important component of this project has been the expansion of partnerships with other community agencies/groups and the engagement of residents.

Evaluation

The final evaluation accompanying this report is the result of collaboration between the University of Ballarat, Project Staff and a member of the Community Advisory Committee. This shared approach was chosen over a completely external evaluator due to limited resources and the need to ensure that significant detail known only to project staff was not lost. The evaluation framework was developed to reflect this.

An important element of the Hepburn Healthy Communities evaluation was the commitment to measure the traditionally more difficult components of community development initiatives, that being whether the community was strengthened as a result of the initiative. The evaluation also used quantitative measures to evaluate project outcomes.

Findings

The findings from the Hepburn Healthy Communities Project indicated that the community strengthening initiatives had in fact been successful when measured using qualitative methods. The quantitative data reported on significant outcomes including hours of community volunteerism on projects through to the attraction of resources and participation rates.

The evaluation report has made 37 recommendations which the evaluation team believe would enhance the operation of Council and its relationship with community. A summary of the recommendations and links with priorities and commitments contained in the draft Council Plan is at Attachment 1.

Advisory Committee

Community have participated in the planning and implementation of this project throughout, specifically via the Community Advisory Committee. Their function has been to provide advice on matters of community sentiment, contemporary issues and future direction. The success of this and other involvement of the committee highlight the need for ongoing community participation in Hepburn Shire Council's community

strengthening efforts. The proposed Community Strengthening Advisory Committee will be the subject of a future Council Report.

Relevant Policies / Council Plan implications:

The Hepburn Healthy Communities Project Evaluation will inform the review and further implementation of the Social Plan. It should also play an important role in the development of the next Municipal Public Health Plan to be completed in 2009. There are important linkages between the draft Council Plan and recommendations of the Hepburn Healthy Communities final report.

Community / Engagement / Communication / Consultation:

The Hepburn Healthy Communities Project Evaluation has identified significant learnings and benefits for greater and more sophisticated methods of community engagement by Council. This provides a sound basis for community engagement to be implemented across Council.

Financial & Resource Implications Initial & Ongoing

An ongoing commitment to community strengthening through staffing costs has already been made in the budget.

A cross-organisation commitment to community engagement, which is key to Council's Draft Plan and consistent with the Hepburn Healthy Communities Report, will be required. It is proposed that the Community Strengthening Team lead a whole-of-organisation approach to community engagement.

Motion

That Council:

- 10.7.1 *Note the Hepburn Healthy Communities evaluation report and recommendations.*
- 10.7.2 *Note that a new Municipal Health Plan is to be prepared in 2009.*

Moved: Cr J Barrell

Seconded: Cr J Booth

Carried.

Attachment 1

Hepburn Healthy Communities Summary of Recommendations

1. RELATED TO SOCIAL PLAN 2005-2015

Community Spaces

HHC Report Recommendations 1- 4

1. Continue to encourage and develop use of shared community spaces.
2. Support Creswick Town Hall Project.
3. Formalise leadership and planning model used in Creswick Town Hall project as a community resource.
4. Support funding for improvements to Hepburn Primary School.
Achieved

Links with draft Council Plan

- Commitment 53
Commitment 63
Commitment 20

Community Connection

HHC Report Recommendations 5- 7

5. Community Strengthening Unit (CSU) to target actions which build partnerships
6. Work with farm communities to promote health and well-being and community connection.
7. Consideration of climate change across all Council portfolio areas.

Links with draft Council Plan

- Commitment 54
Commitment 55
Commitments 67 -84

Young People

HHC Report Recommendations 8-11

8. Youth Development role to focus on youth engagement and participation including Youth Advisory Council.
9. CSU respond to meeting needs of young people through youth focused community development strategies
10. Development of youth spaces remain a priority
11. HSC commit to youth employment & training

Links with draft Council Plan

- Commitment 53
Commitment 53
Commitment 53
Central Highlands regional priority: *Young people - unemployment and underemployment, developing their skills base*

Affordable Housing

HHC Report Recommendations 12-14

12. Access to equitable & affordable housing remain a priority issue
13. Pursue relationship with major housing providers for joint development of housing options for 'working families'.
14. Expand number & type of housing options for people with disabilities
15. Developmental work to address disadvantage should enhance project capacity to achieve systemic change

Links with draft Council Plan

Central Highlands regional priority :
Increasing the availability of affordable housing & rental properties
Council advocacy
Commitments 29-31

As above

Effective community engagement

Transport

HHC Report Recommendations 16

16. Plan to ensure transport coordination role beyond Dec 2010

Links with draft Council Plan

Council advocacy
Commitments 29-31

Training

HHC Report Recommendations 17-18

17. HSC continue to develop relationship with Adult Community Education (ACE) sector to expand nationally recognised training in Hepburn Shire
18. HSC advance options for young people through on-going commitment to youth traineeships & apprenticeships, in partnership with ACE sector.

Links with draft Council Plan

Commitment 44

Commitment 11

Telecommunication and Information Technology

HHC Report Recommendations 19-20

19. HSC IT portfolio primary responsibility with CSU involved with community engagement, as required
20. HSC to work with government and providers to extend and enhance electronic communication

Links with draft Council Plan

Commitment 46 & 47

Commitment 46 & 47

Community Economic Development

HHC Report Recommendations 21

21. Adopt, promote and implement Community Economic Development.

Links with draft Council Plan

Commitment 39

2. SPECIFIC TO MUNICIPAL HEALTH PLAN

HHC Report Recommendations 22 – 25

22. Implementation of Positive Ageing Strategy and Municipal Early Years Plan.
23. Promote and support Community Kitchens

Links with draft Council Plan

Commitment 48

Commitment 55

- | | |
|--|---------------|
| 24. Future Municipal Health Plan (MHP) be developed using social model of health | Commitment 52 |
| 25. Develop strategic relationship with Hepburn Health Service to address HHS Health Promotion Plan & MHP. | Commitment 25 |

3. SPECIFIC TO COMMUNITY PLANNING

HHC Report Recommendations 26-29

- | | |
|--|--|
| 26. Increase implementation rate of community planning with full coverage of Shire by 2012/13 | Links with draft Council Plan
Commitments 49,50,51 |
| 27. Ongoing education within Council on effective implementation of community planning | Commitments 49,50,51 |
| 28. Education on community planning process included as part of induction for new staff and Councillors. | Commitments 49,50,51 |
| 29. Allocate ongoing resources for Community Planning Liaison Officer | Commitments 49,50,51 |

4. SPECIFIC TO COMMUNITY STRENGTHENING ADVISORY COMMITTEE

HHC Report Recommendations 30-35

- | | |
|--|---|
| 30. Establish a Community Strengthening Advisory Committee (CSAC). | Links with draft Council Plan
Commitment 21 |
| 31. Terms of Reference for CSAC be adapted from Hepburn Healthy Communities Advisory Committee. | Commitment 21 |
| 32. Members of CSAC to be actively recruited from rural parts of Shire. | Commitment 21 |
| 33. That CSAC be actively involved in community grants assessment. | |
| 34. That CSAC play an advisory role. | Commitment 21 |
| 35. Council actively work to embed a community strengthening approach across Council Departments as most effective way of connecting with the community. | Commitment 17 and 21 |

5. SPECIFIC TO LEADERSHIP

HHC Report Recommendations 36-37

- | | |
|---|---|
| 36. HSC continue to sponsor residents in formal leadership training and attendance at workshop/conferences. | Links with draft Council Plan
Commitment 20 |
| 37. Undertake further work on alternatives to traditional leadership development processes. | Commitment 20 |

10.8 Local Law No. 1

(A/O – Manager Governance & Information)

File Ref: 44/06/01

Introduction

Council is required under Section 91 of the Local Government Act 1989 ('the Act') to make a local law which governs the conduct of meetings of Council and Special Committees and under Section 5 of the Act to determine how the Common Seal is to be used.

Report

Council resolved at the February 17 2009 Meeting to place a proposed Local Law entitled "Local Law No. 1 – Meeting Procedures and Council Seal" on public exhibition and seek submissions in accordance with Section 223 of the Act.

The process for making a local law in accordance with Section 119 of the Act has been complied with; the relevant public notices, timeframes and consultative obligations have been satisfied.

Council received six submissions on the proposed Local Law.

Two submitters requested to be heard in person.

Council heard submissions on the proposed Local Law at a Special Meeting held on 31 March 2009. On the evening, Council invited all submitters who were in attendance to speak, subsequently three people addressed Council in support of their submissions.

Councillors had all received copies of the submissions received and were all present for the hearing of submissions.

Council now needs to decide whether or not the proposed Local Law requires any amendment prior to Council exercising its power to make the local law in accordance with Section 111 of the Act.

After Council resolves to make the Local Law, there is a further requirement to place a notice in the Victorian Government Gazette and to publish a public notice. In addition to this a media release will be circulated.

Council is also required to write to submitters and explain the decision of Council and the reason for that decision in accordance with Section 223 of the Act.

Council must also provide the Minister for Local Government with a copy of the Local Law in accordance with Section 119 of the Act.

Some minor changes have been made to the original document to correct some grammatical errors, clarify some definitions in the Definitions section and to alter the title to “Local Law No.1 - Meeting Procedures and Common Seal”.

Clause 103 “Adjournment of Meeting” has also been removed as it was simply a duplication of Clause 71.

Relevant Policies / Council Plan implications:

Local Government Act 1989

Community / Engagement / Communication / Consultation:

When making a local law, Council is required to advertise its intent by publishing a public notice and a notice in the Victorian Government Gazette.

Council published notices in the Victorian Government Gazette and the Ballarat Courier on 26 February 2009. Other notices subsequently appeared on Council’s Advocate Page and on the Council website.

Council invited submissions in accordance with Section 223 of the Act on the proposed local law for the period of 26 February 2009 – 26 March 2009.

Council heard submitters in support of their submissions at a Special Meeting on 31 March 2009.

If Council resolves to adopt a new Local Law, further notices will be published in *The Victorian Government Gazette*, *The Ballarat Courier*, *The Advocate* and on Council’s website, informing the public of the making of a local law in accordance with Section 119 of the Act. A Media Release will also be prepared and distributed.

Financial Implications

There are no major financial implications related to this report, other than the cost of advertising the making of a local law in local newspapers and the Victorian Government Gazette.

Motion

That Council:

10.8.1 *Exercise its power in accordance with Sections 5 and 111 of the Local Government Act 1989 and by this resolution make the Local Law entitled “Local Law No 1 – Meeting Procedures and Common Seal”, which has been through the required consultation process, subject to the amendments noted in the officer’s report and including the following amendments:*

- *The words “who are delegates or representatives of the Council on other bodies” be removed from Clause 30(1).*
- *That Clause 95(1) be amended to read:*
 - *“At every ordinary meeting of Council, Council may allow up to 30 minutes for the purpose of Public Participation Time. This time will be used to respond to questions that have been submitted by any member of the community and for members of the community to address Council.”*
- *Insert a new Sub Clause (7) into Clause 95 which reads:*
 - *“A single 15 minute extension of the time permitted in Sub Clause (1) may be allowed subject to approval from a majority of the Councillors present for the purpose of hearing questions and addresses from community members which have been received in accordance with Sub Clause (2) and Sub Clause (3).”*
- *Insert a new Sub Clause (8) into Clause 95 which reads:*
 - *“Questions and addresses will only be heard at a meeting if the person who submitted the question or synopsis, or their nominated representative is present at the meeting”*
- *Insert a new Sub Clause (9) into Clause 95 which reads:*
 - *“The Chief Executive Officer will be responsible for developing administrative procedures and templates to ensure the effective operation of Public Participation Time”*
- *That Clauses 98, 99 and 100 be amended to remove references to “joint letters”.*
- *Insert an introduction to Part IV – Offences which reads:*
 - *“Council has the authority to prescribe penalties and issue infringement notices for acts in contravention of its Local Laws. This authority is defined in Sections 115 and 117 of the Local Government Act 1989.”*

Moved: Cr J Barrell

Seconded: Cr T Hayes

Carried.

Cr B McClenaghan requested his dissent be recorded.

Motion

That Council:

- 10.8.2 *Place the relevant public notices in local papers and the Victorian Government Gazette advertising the making of the local law.*
- 10.8.3 *Send a copy of the Local Law to the Minister in accordance with Section 119 of the Act.*
- 10.8.4 *Provide written responses to people who made submissions detailing Council's decision and the reasons for the decision in accordance with Section 223(1)(d)(ii) of the Act.*

Moved: Cr J Booth

Seconded: Cr T Hayes

Carried.

10.9 REGULATORY SIGNAGE - APEX PARK, MARKET STREET TRENTHAM

(A/O – COMPLIANCE OFFICER)

File Ref: 4/4360/01700

Introduction

This report recommends to Council the implementation of signage at Apex Park, Market Street Trentham, due to issue of uncontrolled animals within a Council managed property.

Report

There is requirement to address unsupervised dogs in the Apex Park, Market Street, Trentham. Council has received complaints from the public relating to dogs roaming loose, leaving excrement and showing aggression in a very small fenced playground park for children.

Community concern from users of this public area as to the amount of roaming dogs in the enclosed area and in order to enforce the roaming unrestrained animals , regulatory signage is required to be erected within this area.

Relevant Policies

Under Section 26 (2) (a) (b) (i) (ii) (iii) A Council may by resolution make an order under Domestic (Feral & Nuisance) Animals Act 1994.

Community / Engagement / Communication / Consultation:

The community will benefit by having a safer play area for their children.

Financial & Resource Implications Initial & Ongoing

The cost off implementing two (2) signs approximately \$ 300.00.

Motion

That Council:

10.9.1 *Defer the matter to the next Ordinary Meeting.*

Moved: Cr D Henderson

Seconded: Cr R May

Carried.

10.10 AUDIT COMMITTEE CHARTER

(A/O – Manager Finance)

File Ref: 30/04/01

Introduction

The Council's Audit Advisory Committee has recently reviewed the Audit Advisory Committee Charter. The Committee at its meeting on 6 April 2009 recommended that the Committee's title be altered to include "risk" and that the revised charter be adopted by Council.

Report

The Audit Advisory Committee at its meeting on 25 November 2008 agreed to review the Charter and recommend changes to Council.

The Victorian Auditor-General in his report to Parliament in February 2008 recommended that committees should review their Charters at least every two years. The Committee's current Charter was adopted in September 2007 however following the information sessions run by the Auditor Generals department in the second half of 2008 the Committee resolved at its last meeting to set up a small sub-committee to review the Charter and to consider how the performance of the committee could be assessed.

The revised Charter raises the profile of risk management and includes "risk" in the Committee's title it also incorporates in appendix B a suggested criteria for assessing the Committee's performance.

The reviewed Charter was developed in consultation with the Audit Advisory Committee Chair and has been discussed by the Committee a number of times. The Committee resolved at its meeting on 6 April 2009 to recommend to Council that the revised Audit and Risk Advisory Committee Charter be adopted.

A copy of the revised charter is attached for Councillors information.

Relevant Policies / Council Plan implications

Council Plan - Asset and Resource Management:
Strategy 3.3: Responsible financial management

Community / Engagement / Communication / Consultation

Nil

Financial & Resource Implications Initial & Ongoing

There should be no financial or resource implications to Council

Motion

That Council:

- 10.10.1 Amend the name of the Audit Advisory Committee to read the “Audit and Risk Advisory Committee”*
- 10.10.2 Adopt the revised Audit and Risk Advisory Committee Charter*

Moved: Cr D Henderson

Seconded: Cr R May

Carried.

Attachment 1

Audit & Risk Advisory Committee Charter



1. Purpose

The Audit & Risk Advisory Committee is an independent advisory Committee to Council. The primary objective of the Audit & Risk Advisory Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Audit & Risk Advisory Committee is established to assist the co-ordination of relevant activities of management, the internal audit function and the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner.

As part of Council's governance obligations to its community, Council has constituted an Audit & Risk Advisory Committee to facilitate:

- The enhancement of the credibility and objectivity of internal and external financial reporting,
- Effective management of financial and other risks and the protection of Council assets,
- Compliance with laws and regulations as well as use of best practice guidelines,
- The effectiveness of the internal audit function; and
- The provision of an effective means to communication between the external auditor, internal audit, management and the Council.

2. Terms of Reference

2.1 General

- (a) The Audit & Risk Advisory Committee is a formally appointed committee of the Council and is responsible to that body. The Audit & Risk Advisory Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit & Risk Advisory

Committee does not have any management functions and is therefore independent of management.

- (b) The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.

2.2 Membership

- (a) The Audit & Risk Advisory Committee will comprise of five members – two Councillors and three external independent persons. Council's Chief Executive Officer or delegate (as required) and General Manager Corporate Services will attend the meeting in an advisory capacity.
- (b) External independent persons will ideally have senior business or financial management/reporting knowledge and experience, demonstrated commitment to local communities or be conversant with the financial and other reporting requirements. The Mayor or a Councillor representation and Chief Executive Officer taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills will undertake the evaluation of potential members, and a recommendation for appointment put to Council. Council's External Auditor will be approached to advise the committee where appropriate.
- (c) Members will be provided the opportunity to attend technical and professional development courses as appropriate.
- (d) Appointments of external persons shall be made by Council after public advertisement and be for a term of three years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives. A sitting member is able to reapply and be appointed for subsequent terms.
- (e) If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting which is open to the public, if that member so requests.
- (f) A meeting allowance will be paid to each independent member of the Committee. The fee will be paid per meeting with the level of remuneration reviewed by the Council annually.
- (g) The Chairman shall be appointed from the external members of the Committee by the Audit & Risk Advisory Committee. In the absence of the appointed Chairman from a meeting, the meeting will appoint an acting Chairman from the members present.
- (h) A quorum shall be three members of the Committee.
- (i) The internal auditor (whether a member of staff or contractor), General Manager Corporate Services and the Manager Finance should attend all meetings wherever possible, except when the Committee chooses to meet in camera. Other members of Council or Council staff may be invited to

attend at the discretion of the Committee to advise and provide information when required.

- (j) Guests may be invited from time to time as appropriate. An invited guest will not have decision voting powers.
- (k) Representatives of the external auditor should be invited to attend at the discretion of the Committee but must attend meetings considering the draft annual financial report and results of the external audit.
- (l) Council shall provide secretarial and administrative support to the Committee.

2.3 Meetings

- (a) The Committee shall meet at least quarterly.
- (b) A schedule of meetings will be developed and agreed to by the members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines, for example in June to coincide with the approval of, annual reports and budgets and in August to coincide with the finalisation of the financial statements and the draft annual report to the Minister.
- (c) Additional meetings shall be convened at the discretion of the Chairman or at the written request of any member of the Committee, internal or external auditor.
- (d) Management including the Chief Executive may be asked to leave meetings at any time. In addition, the agenda for each meeting shall include general business for Councillors and external independent persons to raise other matters.
- (e) At one meeting per year time will be set aside with Councillors and external independent persons only in attendance, for the purpose of open discussion with the internal and/or external auditors.
- (f) At any other time the Committee, without management present, may decide to meet separately with the internal and external auditor to discuss issues of mutual interest.
- (g) An agenda will be issued one week before each meeting and will include relevant supporting documentation.
- (h) Minutes will be taken by the General Manager Corporate Services and signed by the Chairman.
- (i) Draft minutes will be distributed within 14 days of each meeting

Reporting

- (a) The Audit & Risk Advisory Committee shall after every meeting forward a summarized report to the next Ordinary Meeting of the Council. The report will explain any specific recommendations and key outcomes including the following:
- Information about the audit process and the results of internal and external audits;
 - An annual review of the Committee's charter and its achievement of the charter;
 - Other matters the Committee believes need to be reported to the Council; and
 - Any recommendations requiring Council action and/or approval.
- (b) The Committee through the Chair shall report annually to the Council summarising the activities of the Committee during the previous financial year.
- (c) Management will report any incidents of actual or suspected fraud and any material error in any financial statements to the Committee immediately it becomes known.
- (d) Management will report any risk or incident that may lead to substantial loss to the committee immediately it becomes known.

2.4 Duties and Responsibilities

The following are the duties and responsibilities of the Audit & Risk Advisory Committee in pursuing its Charter:

1. Monitor the effectiveness of the risk management framework
2. Monitor the quality and integrity of the financial management and reporting systems
3. Monitor operation of internal controls as reported in audit management letters
4. Review accounting policies and reporting requirements
5. Review external financial reports
6. Determine scope, quality and action taken on internal audit activities.
7. Meet with external auditors, discuss their plans and audit results
8. Monitor action taken by management on all matters raised by the Committee and auditors
9. Review compliance with ethical values and legislative requirements
10. Regularly report to Council on scope, activities, findings and outcomes

The Audit & Risk Advisory Committee, through the Chief Executive Officer and following authorization from the Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.

2.5 Induction Of New Members

An adequate induction package will be provided for new members. Insofar as they have not received and/or retained the following information as Councillors, the new member is provided with information, and where required a briefing, in the following areas:

Induction Kit for new Audit & Risk Advisory Committee and Risk Advisory Members

- Copy of the Audit & Risk Advisory Committee Charter
- List of fellow committee members and contact details
- Copy of Council's Organisational Chart
- Copy of the most recent Annual Report and Quarterly Report
- Copy of the most recent adopted Budget
- Copy of Council's Current Council Plan
- Details of Council's Insurances
- List of Council's Policies
- List of Council's Local Laws
- Copy of Council's Local Law No 1 (Meeting Procedures)

New members will meet with key management and internal and external auditors as soon as practical.

2.6 Rights To Obtain Information

- (a) The Committee may obtain information from any relevant external party. Contact with management or other personnel via the Chief Executive Officer.
- (b) The Committee will have right of access to the Chief Executive Officer.

2.7 Performance Monitoring

The Committee will assess its performance as a Committee and as individual members at the first meeting of each calendar year against the criteria outlined in Appendix A and Appendix 13 respectively as responded to by each member.

2.8 Dispute Resolution

In situations where a dispute arises it will be dealt with in accordance with Council's Issue Resolution Procedure EO – 101.1.

Adopted by the Audit & Risk Advisory Committee & Council:

<i>Signed:</i>	_____	<i>Signed:</i>	_____
<i>Print:</i>	_____	<i>Print:</i>	_____
<i>Title:</i>	_____	<i>Title:</i>	_____
<i>Date:</i>	_____	<i>Date:</i>	_____

**APPENDIX A
COMMITTEE PERFORMANCE MONITORING**

	ASSESSMENT CRITERIA	RESPONSE/COMMENT
a)	Has the Committee taken action on each of its responsibilities in the past year?	
b)	Has the action taken been effective?	
c)	Has the Committee achieved all elements of its charter?	
d)	Are there functions to which more time or effort should have been devoted?	
e)	Does the Committee receive from management: <ol style="list-style-type: none"> 1. Adequate information about Council's performance of its statutory functions; 2. All the information it needs to allow it to discharge its function effectively and efficiently? 	
f)	Can Committee agendas be improved: <ol style="list-style-type: none"> 1. By including additional matters on a regular basis; or 2. By considering matters less frequently; or 3. By changing the order in which items are considered; or 4. In any other way? 	
g)	Can the conduct of meetings be improved?	
h)	Can papers for meetings be improved: <ol style="list-style-type: none"> 1. By providing additional information in any area; or 2. Being shorter or more detailed; or 3. In any other way? 	
i)	Should there be more oral briefings from Council officers?	

j)	Can oral briefings received from Council officers be improved?	
k)	Can meeting arrangements be improved: By holding longer or shorter meetings; By holding meetings at different times; or By inviting visitors; or In any other way?	
l)	Are there other ways in which the Committee could increase its effectiveness?	

**APPENDIX B
SELF ASSESSMENT GUIDELINES**

This guide takes the form of a series of assertions which should be awarded a rating on a scale of 1 to 5 by individual committee members, or by the committee as a whole. The matters highlighted should be discussed at the next committee meeting.

1 = Hardly ever/Poor, 2 = Occasionally/Below average, 3 = Some of the time/Average,
4 = Most of the time/Above average, 5 = All of the time/Fully satisfactory

Behaviours	1	2	3	4	5
<i>Understanding of core business</i> All Audit & Risk Advisory Committee members have a good understanding of the different risks inherent in the group's business activities					
<i>Focus on appropriate areas</i> The Audit & Risk Advisory Committee focuses on the right questions and is effective in avoiding the minutiae.					
<i>Quality of Interaction with external audit</i> The Audit & Risk Advisory Committee actively engages with the external auditors regarding scope of work, audit findings and other relevant matters.					
<i>Quality of interaction with internal audit</i> The Audit & Risk Advisory Committee demonstrates an appropriate degree of involvement in the work of internal audit and its findings					
<i>Understanding of key financial issues</i> The Audit & Risk Advisory Committee understands the interaction between the various sources of assurance available to it					
<i>Rigour of debate</i> Audit & Risk Advisory Committee meetings encourage a high quality of debate with robust and probing discussions					
<i>Reaction to bad news</i> The Audit & Risk Advisory Committee responds positively and constructively to bad news in order to encourage future transparency					
<i>Quality of chairmanship</i> The chairmanship operates satisfactorily in terms of promoting effective and efficient meetings, with an appropriate level of involvement outside of the formal meetings					
<i>Frank, open working relationship with senior Council staff</i> The Audit & Risk Advisory Committee members have a frank and open relationship with the senior Council staff, whilst avoiding the temptations to become 'executive'					
<i>Open channels of communication</i> The Audit & Risk Advisory Committee has open channels of communication with company contacts which facilitates the surfacing of issues					
<i>Perceived to have a positive impact</i> There is an appropriate balance between the monitoring role of the Audit & Risk Advisory Committee and it being an "influencer for good"					

1 = Hardly ever/Poor, 2 = Occasionally/Below average, 3 = Some of the time/Average,
4 = Most of the time/Above average, 5 = All of the time/Fully satisfactory

Processes	1	2	3	4	5
Members with appropriate skills and experience The Audit & Risk Advisory Committee comprises members with an appropriate mix of skills and experience, including recent and relevant financial experience					
Clear terms of reference There are clear terms of reference, with clarity as to role vis a vis the Council as a whole					
Clear as to risk management responsibilities The Audit & Risk Advisory Committee is clear as to its role in relation to risk management					
Structured and appropriate annual agenda The number and length of meetings and access to resources is sufficient to allow the Audit & Risk Advisory Committee to fully discharge its duties.					
Concise, relevant and timely information Audit & Risk Advisory Committee papers are concise, relevant and timely and are received sufficiently far in advance of meetings					
Right people invited to attend and present at meetings Executive management and others are asked to present on topics, as appropriate					
Meetings held sufficiently far in advance of Council meetings Audit & Risk Advisory Committee meetings are held sufficiently far in advance of Council meetings to permit resolution of issues raised.					
Attendance and contribution at meetings All Audit & Risk Advisory Committee members have sufficient time and commitment to fulfil their responsibilities					
Sufficient time and commitment to undertake responsibilities All Audit & Risk Advisory Committee members have sufficient time and commitment to fulfil their responsibilities					
Ongoing personal development to remain up to date Audit & Risk Advisory Committee members undertake ongoing personal development activities to update their skills and knowledge					
Private meetings with internal and external auditors Private meetings of the Audit & Risk Advisory Committee, and not just its chairman, are held at least annually with both the external auditors and internal audit					
Role in relation to whistle-blowing The Audit & Risk Advisory Committee has been informed of the whistle-blowing procedures in place within the organisation and undertakes its defined role in relation to them					

11. SECTION 86 AND ADVISORY COMMITTEES

11.1 SECTION 86 COMMITTEE MINUTES

(A/O – Manager Governance and Information)

File Ref: Various

Introduction

Section 86 Committee minutes for noting.

Report

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

- Minutes of the Creswick InfoLink Committee of Management dated 15/1/09 & 26/2/09 (File Ref. 22/15/02)
- Minutes of the Clunes Historic Medlyn Complex Committee (Bottle Museum) dated 4/3/09 (File Ref: 1/0320/00070)

Relevant Policies / Council Plan implications:

Community / Engagement / Communication / Consultation:

Members of the community are represented on these committees.

Financial Implications

Nil.

Motion

That Council:

11.1.1 *Note the Minutes of the Committees listed above which have been distributed under separate cover.*

Moved: Cr J Barrell

Seconded: Cr T Hayes

Carried.

12.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Pursuant to the provisions of Section 89(2) of the Local Government Act 1989, a Council or Special Committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following –

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer
- (c) industrial matters
- (d) contractual matters
- (e) proposed developments
- (f) legal advice
- (g) matters affecting the security of Council property
- (h) any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

Motion

12.1.1 *That Council move in camera to consider two confidential items.*

Moved: Cr J Booth

Seconded: Cr T Hayes

Carried.

13. CONFIDENTIAL ITEMS

14.1 RE-OPENING OF MEETING TO MEMBERS OF THE PUBLIC

Motion

14.1.1 *That Council, having considered confidential items, re-open the Meeting to members of the public.*

Moved: Cr J Booth

Seconded: Cr T Hayes

Carried.

15.1 Item of Urgent Business

Motion

That Council:

15.1.1 *Receive an item of urgent business.*

Moved: Cr S Klein

Seconded: Cr T Hayes

Carried.

Motion

That Council:

15.1.2 *Fund the Dean Spud Festival for the amount of \$1500 as per their letter to Council.*

Moved: Cr D Henderson

Seconded: Cr J Barrell

Proposed amendment

That Council:

15.1.2 *Fund the Festival for an amount of \$1000.*

Moved: Cr S Klein.

There being no seconder the proposed amendment lapsed.

Original motion carried.

CLOSE OF MEETING: The meeting closed at 10.18pm.