



***HEPBURN SHIRE COUNCIL  
ORDINARY MEETING OF  
COUNCIL  
DRAFT MINUTES***

***TUESDAY 15 JUNE 2010***

**CLUNES TOWN HALL  
BAILEY STREET  
CLUNES  
7PM**

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**Hepburn Shire Council  
Ordinary Meeting of  
Council**



**DRAFT MINUTES**

**TUESDAY 15 JUNE 2010**

CLUNES TOWN HALL

Bailey St, Clunes

**Commencing 7PM**

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**KAYLENE CONRICK**  
CHIEF EXECUTIVE OFFICER  
10 JUNE 2010

## **1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS:**

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

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

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

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## **2. OPENING OF MEETING: The Meeting opened at 7.25pm**

**PRESENT:** Mayor Councillor Janine Booth, Deputy Mayor Councillor Rod May, Birch Ward Councillor Jon Barrell, Cameron Ward Councillor Tim Hayes, Coliban Ward Councillor Sebastian Klein, Creswick Ward Councillor Don Henderson, Holcombe Ward Councillor Bill McClenaghan

**IN ATTENDANCE:** CEO Kaylene Conrick, General Manager Corporate Services Lucy Roffey, General Manager Infrastructure Peter Reeve, General Manager Sustainable Development Robert Jennings, General Manager Community Development Martin Walmsley, Community Strengthening Manager Kathleen Brannigan, Cultural and Arts Liaison Officer Sue Jones.

### **STATEMENT OF COMMITMENT**

“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”

**3. APOLOGIES: Nil**

**4. DECLARATION OF CONFLICTS OF INTEREST:**

**Cr Bill McClenaghan declared an indirect Conflict of Interest in Confidential Items 15.2 Tender H220-2010 Operation of Recycling Sorting Facility, 15.3 Tender H221-2010 Kerbside Recycling Collection, 15.4 Tender H222-2010 Kerbside Waste Collection and 15.5 Tender H223-2010 Public Litter Bin Collection Service, due to his involvement in the Waste Management Industry.**

## 5. CONFIRMATION OF MINUTES:

### Recommendation

- 5.1 *That the Minutes of the Ordinary Meeting of Council held on 18 May 2010 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

### Motion

- 5.1 *That the Minutes of the Ordinary Meeting of Council held on 18 May 2010 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

**Moved: Cr Sebastian Klein**

**Seconded: Cr Rod May**

**Carried.**

## 6. NOTICES OF MOTION:

Nil Notices of Motion received at time of collating Agenda.

## 7. PRESENTATION OF REPORTS:

### Mayor's Report

#### **Mayor Janine Booth delivered the following report:**

Over the past months there has been an array of opportunities for representation of this Council at various state, regional and local functions.

In joining other Mayors and CEOs in attending the National Conference of the LGMA in Adelaide with Mayors, CEOs and Officers from across the country with the theme of Resilience, Recovery and renewal, I had the opportunity to speak with one of the guest speakers in Cheryl Kernot who used the example of Hepburn Renewable Energy 2 turbine wind farm in her speech as an example of Community capacity building and renewal.

I have also attended the Local government Ministerial forum for 2010 in Melbourne – a 2 day conference giving Mayors and CEO the opportunity to be updated by Ministers of the State Government on their portfolios. The Conference opened with addresses from the Minister for local government Richard Wynne including the Essential Services Commission review on reporting processes for local government, followed by Minister Maxine Morand on the Year of Women in Local Government and the opportunities for Councils to be involved in supporting and building on diversity within Local Government. We heard from Premier Brumby detailing highlights of the Blue Print for Victoria, Minister Madden on issues in planning, and Minister Merlino on Sport and recreation funding.

The regional Mayors and CEO Forum was held in Melbourne following the two day conference which gave regional Mayors and Ceo's to meet on a one to one basis with Minister Madden on planning issues such as wind farm planning and compliance issues, farm land zones and

**At a regional level** with the upcoming elections there have been a number of opportunities to meet with Ministers and I have attended numerous funding announcements for crucially important community projects across the region including the recent funding promise from Premier Brumby for an additional station for the Maryborough Ballarat Railway Line at Clunes.

In Creswick recently an additional \$100,000 for our Doug Lindsay Recreation project under the small towns funding was announced by Mr. Geoff Howard Member for



Ballarat West to fund the inclusion of a commercial kitchen to ensure multi use and functionality for the new Community facility.

I also attended to thank Minister Tony Robinson for the announcement of funding from the War memorial restoration funding for the Daylesford cenotaph, Drummond Avenue of Honour, Ullina Avenue of Honour and Eganstown Cenotaph and Avenue of Honour providing much needed funds to restore and preserve these important community remembrance facilities.

I have also attended the opening of the new SES and Ambulance Victoria centre at the gateway to Daylesford by Minister Bob Cameron following the funding announcement for the new Police station contributing to the establishment of the Emergency services precinct for that area.

I attended a workshop Symposium at the VLGA with other Female Mayors and CEOs with Amanda Sinclair on doing leadership differently as part of the VLGAs Year of Women in Local Government. This session provided useful ideas for the organizing of our own celebratory and acknowledgment Year of Women in Local Government Year Dinner coming up on July 22<sup>nd</sup> which I am hopeful that all Councillors can attend. I was honoured to be asked to launch the Hepburn Shire Mobility Map and Tourism Hospitality Kit launch recently at the REX in Daylesford. The maps were developed by the Hepburn/Moorabool Rural Access Group, in partnership with the Hepburn Shire and Hepburn Health Service and the kits developed by DeafAccess Grampians and will be available through our visitor information centres.

I was also pleased to attend the Ballarat University School of Business Awards to present the recipient Ms Lauren Duver as the best student in Tourism products and services our award of industry placement to the value of \$1000. As a leader of local government Tourism services and products, Hepburn Shires ongoing involvement and support is appreciated by the University and students alike.

I represented Hepburn Shire Council at the launch of the Courage to Care Exhibition in Ballarat. Hosted by the Ballarat Gold Museum the aim of this worthwhile exhibition is to inform and educate Australians of the dangers of prejudice and discrimination. Its message combats bullying and racism by empowering the individual to make a difference.

**Locally** I have attended our most recent new resident's session which continue to be well attended and provide a valuable introduction opportunity to new residents for available products, services and groups across the Shire. I encourage any Councillors to attend if at all possible.

I attended morning teas for Volunteers at the Daylesford and Creswick Visitor Information centres to acknowledge 10 years of volunteer service. A wonderful opportunity to acknowledge the professionalism and commitment of our VIC volunteers to visitors to our Shire.

I attended a biggest morning tea event in Creswick for the Cancer Council to raise funds for the prevention, education and early detection of Cancer, and also recently the networking opportunity Dinner with the Board of the Hepburn Health Service. I have also attended the meetings of Councils Women's Honour Roll Advisory Committee and Youth Advisory Committee.

All this, combined with numerous budget meetings, briefing sessions and Council meetings it has been an extremely busy, interesting and very productive month in Local Government in the Hepburn Shire.

### **Councillor Reports**

**Councillor Don Henderson, Creswick Ward did not deliver a report.**

**Councillor Rod May, Birch Ward did not deliver a report.**

#### **Councillor Bill McClenaghan, Holcombe Ward:**

The highlight for the month was the first State Council for 2010 of the Municipal Association of Victoria (MAV). Held in Melbourne on Friday 28 May, delegates, Mayors and CEOs from the 78 member Councils attended. I represented Hepburn Shire there and it was a good opportunity to catch up with fellow MAV reps, former Mayors and local CEOs to network and share ideas around. Many issues were passed by resolution with environmental concerns one of the main themes.

Sadly we have said goodbye to our former Environmental Officer, Thea Laidlaw. Thea has gone to work for Pyrenees Shire in her home town of Beaufort and leaves behind a legacy of quiet achievement in many aspects of environmental work in Hepburn. We wish her well in her new career path.

In the past month, there has been much community consultation on the proposed Budget, both formally and informally. Many residents gathered at the Daylesford Town Hall on Tuesday 8 June to voice their views and concerns.

Today, I attended the launch in Ballarat of the State Government's "Blueprint for a Prosperous and Sustainable Regional Victoria" together with the Mayor and CEO and

Councillors Henderson, Klein and May. Rural councils from all over the state were in attendance at this landmark event.

Community planning work continues in the North East of the Shire with follow up meetings about to commence at Glenlyon and with ongoing meetings of the Jim Crow Planning Group centred at Yandoit where new locality signs have been erected, plans for a pleasant wayside and streamside stop at Batts Bridge are developing and funding is being sought for refurbishing the Yandoit tennis court in partnership with the local primary school.

Lastly, I would like to congratulate the community of Clunes for achieving their goal of a new railway station for passenger services on the Ballarat to Maryborough line. Today the Premier announced \$7 million for a new disability access compliant station in Clunes as part of the total regional package. So well done Clunes; you had a good argument, you put it well and respectfully and you have achieved an important community goal. May the train “stop in Clunes”.

**Councillor Tim Hayes, Cameron Ward delivered a verbal report.**

**Councillor Sebastian Klein, Coliban Ward delivered the following report:**

My first engagement for the month was with Spudfest, where I launched the cookbook for the second year, along with political luminary Jaala Pulford, and where I also helped run the first Trentham ReGenerate gig with two local youth bands playing, the event went well with over \$800 raised towards a new skate park and BMX track. The kids look forward to a repeat of this success.

It was good to attend the launch of the Hepburn Mobility Map, which has been some years in the making from the rural access workers at HHS. This is a worthy project combining both the interests of tourism and those with access difficulties, in short a great win-win project.

I attended also the VLGA Climate Change Working Group, where we received hard copies of the ‘Livable and Just’ strategy, designed to meet socio economic challenges brought about by climate change. I look forward to the implementation of phase two which will involve onground projects with interested councils.

Finally the state government “Ready for Tomorrow” blueprint launch today provided an insight into what policies the state government will be taking in to the next election. Of particular note were grants for first time farmers and cadetships to encourage young people to stay and work in the regions.

**Councillor Jon Barrell, Birch Ward did not deliver a report.**

**Recommendation:**

7.1.1 *That Council receive and note the reports of the Councillors.*

**Motion:**

7.1.1 *That Council receive and note the reports of the Councillors.*

**Moved: Cr Rod May**

**Seconded: Cr Bill McClenaghan**

**Carried.**

**7.2 PRESENTATION OF ECO-BUY AWARD**

Mayor to present framed certificate acknowledging Hepburn Shire's achievements in the Eco-Buy Awards category *Excellence in Green Purchasing – Small Rural Council*.

## **8. PUBLIC PARTICIPATION TIME:**

This part of the Ordinary Meeting of Council allows for the tabling of petitions by Councillors and Officers and 30 minutes for the purpose of:

- Responding to questions that have been submitted by members of the community
- Allowing members of the community to address Council.

Community members are invited to submit written questions to the CEO by 12 noon on the day of the Council meeting. If you wish to address Council you must provide a brief synopsis of your address in writing to the CEO by 12 noon on the day of the Council meeting.

Questions may be taken on notice and responded to later. Likewise, some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

### **8.1. PETITIONS:**

Nil Petitions received at time of collating Agenda.

Please see Item 11.3 which addresses the matter of an indoor heated aquatic centre<sup>1</sup> facility raised in a petition tabled at the Ordinary Meeting of Council on 18 May 2010.

Petition received re Annual Increase in Property Rates and Levies with 511 signatures.

In accordance with *Hepburn Shire Local Law No. 1*, this petition will lay on the table and be addressed at the Ordinary Meeting of 20 July 2010.

### **8.2 QUESTIONS:**

Nil Questions received at time of collating Agenda.

<sup>1</sup> Wording changed from "Indoor hydrotherapy facility" to "Indoor heated aquatic centre facility" to reflect the correct title of the Petition.

## **9 EXECUTIVE SERVICES:**

### **9.1 ANNUAL REVIEW OF COUNCIL PLAN 2009-2013**

(Action Officer – Chief Executive Officer)

#### **Introduction**

This report relates to Council's requirement to consider whether its current *Council Plan 2009-2013* requires any adjustment in respect of the remaining period of the Council Plan.

#### **Report**

At the Ordinary Meeting of Council held 18 May 2010 Council resolved

*That Council review the current Council Plan 2009 – 2013 in regard to adjustments it may see fit to incorporate for the next Ordinary Meeting of Council.*

The *Local Government Act 1989* S125 (7) states that at least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.

Council adopted the *Council Plan 2009-2013* at a Special Meeting of Council held 30 June 2009. Should Council determine to make an adjustment to the Council Plan 2009-2013 in relation to either the strategic objectives, the strategies for achieving the objectives or the strategic indicators for monitoring the achievement of the objectives Council would be required to advertise its proposed adjustments and invite community comment in accordance with s223 of the *Local Government Act 1989*.

The current Council Plan is not yet 12 months old and Council is yet to consider the results of a full financial year in respect to the Council Plan.

The Council Plan 2009-2013 makes four fundamental commitments to the Hepburn Community:

1. We will deliver good governance to the Hepburn Shire.
2. We will help improve economic prosperity.
3. We will assist our residents improve the health, safety and vibrancy of our communities.
4. We will guide our Shire towards environmental sustainability.

There are 74 strategies identified to deliver on these four broad commitments over the four years 2009-2013. The strategies are grouped under the headings of “Good Governance”, “A More Prosperous Economy”, “Healthy, Safe and Vibrant Communities” and Environmental Sustainability”.

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

*Local Government Act 1989 s 125 Council Plan.*

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

Councillors committed to the process of developing the Council Plan 2009-2013 through a series of workshops with Councillors and Management and also through an extensive public consultation process, which consisted of six public meetings attended by more than 120 people. Council received 40 submissions from the community on the Draft Council Plan and further amended the document following consideration of submissions before adopting the Council Plan at a Special Meeting of Council held 30 June 2009.

Should Council decide to make an adjustment to the Council Plan 2009-2013 the *Local Government Act 1989 s125 (9)* states, *A person has a right to make a submission under section 223 on a proposed adjustment to a Council Plan which relates to a matter specified under subsection*

- *2 (a) the strategic objectives of the Council;*
- *2 (b) strategies for achieving the objectives for at least the next 4 years;*
- *2 (c) strategic indicators for monitoring the achievement of the objectives.*

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

The Council Plan 2009-2013 is underpinned by the annual budget. Council is currently in the process of advertising its 2010/2011 Budget.

### **Recommendation:**

*9.1.1 That Council considers whether the current Council Plan 2009-2013 requires any adjustment in respect of the remaining period of the Council Plan.*

**Motion:**

*9.1.1 That Council considers the current Council Plan 2009 – 2013 adequate in respect of the remaining period of the Council Plan.*

**Moved: Cr Rod May**

**Seconded: Cr Sebastian Klein**

**Carried.**



## **9.2 DAYLESFORD MACEDON REGIONAL TOURISM BOARD – COUNCIL REPRESENTATIVE**

(Action Officer – Chief Executive Officer)

### **Introduction**

Council at its March 2010 Ordinary Meeting resolved to sign a *Memorandum of Understanding (MOU)* between Hepburn Shire Council and Tourism Victoria, to become a funding partner for the Daylesford Macedon Ranges Regional Tourism Board.

This report seeks Council determination on a Council representative to the Board.

### **Report**

The Daylesford Macedon Ranges Regional Tourism Board Implementation Committee was established in July 2009 to progress the establishment of a regional tourism board including the development of the MOU with partnering Councils, the drafting of the Rules of Incorporation and the development of the Charter. The Hepburn Shire Council Chief Executive Officer represents Hepburn Shire Council on the Implementation Committee.

To date Hepburn Shire Council, along with neighbouring municipalities Macedon Ranges, Moorabool Shire Council and Hume City Council, has signed a partnering MOU with Tourism Victoria to co-fund the establishment and operation of a regional tourism board for the next three years.

Thirteen members will make up the new Daylesford Macedon Ranges Regional Tourism Board (RTB) comprising:

- 4 Local Government Representatives;
- 7 skills-based Directors;
- 1 Tourism Victoria Representative; and
- 1 Independent Chair.

Each local government funding partner receives one seat on the Board with full voting rights. The general skills based criteria will be applied to all Board Members where possible. The Council representative could be either a Councillor or Council Officer.

The Implementation Committee has advertised the skills-based Directors and the Chairman positions and is now in the process of conducting interviews. Council's Chief Executive Officer Chairs the Interview Panel for the recruitment process.

The RTB will be launched early in the new financial year and will deliver a Strategic Plan within 3 months of its commencement.

The role of the Board will be strategic tourism development and advocacy for the region, its functions will include:-

- Industry Development
- Product Development
- Regional Marketing
- Strong Advocacy and United Voice for the Region
- Effective Coordination and Communication
- Skills Training
- Leadership and Mentoring
- Networking
- Identifying Investment/Infrastructure Opportunities
- Managing Tourism Sustainability

### **Relevant Policies**

*Council Plan 2009 – 2013 – A more prosperous economy*

28. We will support Tourism Victoria and Hepburn (Shire) Regional Tourist Association, and through the implementation of the Destination Daylesford Strategic Tourism Plan, we will assist with the establishment of an adequately resourced Tourism Board with strong local representation and a strong local purpose for the whole of Hepburn Shire.

### **Community Engagement**

This report relates to an internal Council decision.

### **Financial Implications**

There are no financial implications relating to Council determining a representative to the RTB.

### **Recommendation**

*9.2.1 That Council appoint a representative to represent Council on the Daylesford Macedon Ranges Regional Tourism Board.*

**Motion**

*9.2.1 That Council appoint Councillor Jon Barrell to represent Council on the Daylesford Macedon Ranges Regional Tourism Board.*

**Moved: Cr Rod May**  
**Seconded: Cr Tim Hayes**  
**Carried.**

**Motion**

*To change the order of business and bring Item 11.3 forward for consideration.*

**Moved: Cr Don Henderson**  
**Seconded: Cr Rod May**  
**Carried.**

### 9.3 REGIONAL STRATEGIC PLANNING

(Action Officer – Chief Executive Officer)

#### Introduction

The purpose of this report is to review and endorse the Central Highlands Regional Strategic Plan (RSP). A copy of the plan has been provided to Councillors under separate cover.

#### Report

In June 2008 the Premier established the Ministerial Taskforce on Regional Planning to oversee the Regional Strategic Planning Initiative (RSPI).

Responding to these challenges and opportunities, the Taskforce has two clear roles:

- to develop a new, long-term blueprint to manage growth and change in provincial Victoria over the next decade; and
- to develop stronger regional planning processes.

The Statewide blueprint will provide a broad framework for future development while putting forward a range of new programs and initiatives that can be adapted to all regions. It will effectively succeed the 2005 statement *Moving Forward: Making Provincial Victoria the Best Place to Live, Work and Invest* as the centrepiece of regional development policy in Victoria. The blueprint is due for release by the State Government in June 2010.

In addition to the Statewide Blueprint, regions have been working on regional and sub-regional plans.

In the Grampians Region, the RSPI also commenced over two years ago. The preparation of two sub-regional plans to inform the future development, service provision, infrastructure, social, environmental and economic requirements of the region is a key activity for all governments, agencies and the community leading into June 2010.

The two sub-regions in the Grampians Region are:

- **Central Highlands**, covering the eight municipalities of Moorabool, Golden Plains, Central Goldfields, Hepburn, Ballarat, Pyrenees, Ararat and Northern Grampians.
- **Wimmera Southern Mallee**, covering the six municipalities of Yarriambiack, Horsham, West Wimmera, Hindmarsh, Northern Grampians and Buloke; and

Both the Wimmera Southern Mallee and the Central Highlands RSPs have been largely completed. The plans are now being presented and final discussions and refinement undertaken by key stakeholder organisations and groups throughout the region.

On 20 May 2010, the Grampians Regional Management Forum, chaired by Richard Bolt, the Secretary for the Victorian Department of Primary Industries, provisionally endorsed the plans. Similarly, on 28 May 2010, the Regional Development Australia – Grampians Committee, chaired by Jo Bourke also endorsed the strategic directions contained in both the Wimmera Southern Mallee and Central Highlands RSPs.

The plans are now being submitted to the respective June meeting cycles of councils throughout the region for consideration and endorsement. The final plans, with relevant letters of endorsement will then be submitted to the Victorian Government with a target submission date of 30 June 2010.

### **Central Highlands RSP**

The development of the Central Highlands Regional Strategic Plan has been led by a dedicated Project Control Group with support from specialised consultants. The Project Control Group, chaired by Stephen Cornish, CEO Pyrenees Shire, was established as a sub-committee of the Central Highlands Mayors and CEOs Forum together with state government representatives from the Department of Planning and Community Development, the Department of Sustainability and Environment and Regional Development Victoria. The PCG also included representatives from the RDA Grampians Committee. Hepburn Shire Council's CEO is on the PCG. The development of the CH RSP has involved extensive input from a range of organisations, individuals and agencies across the region and state.

The plan has also drawn upon work previously undertaken by the Central Highlands Mayors and CEOs Forum including the 2007 edition of the CH21 Strategic Plan. The CHRSP deliberately focuses on regional scale issues and directions. The plan therefore does not deal with specific local issues nor does it promote strategies and actions where they are matters that are generally shared across regional Victoria. The plan sets out a vision that is designed to best position the Central Highlands to 2030 and beyond so as to provide a prosperous, sustainable and liveable region for its people. The plan sets out a series of integrated strategic directions and actions that are designed to implement the vision and are proposed to build on the region's capacities and strengths to the advantage of the region, regional Victoria and the whole state.

Key drivers of change include:

- a) Access and proximity to Melbourne
- b) Transport Upgrades
- c) Changing composition of the population
- d) Use of IT and broadband to deliver services
- e) Changing demands on the natural resource base
- f) Increasing emphasis on liveability

The plan outlines a number of key strategic directions and actions. These include:

- a) The Central Highlands Region Settlement network and hierarchy
- b) Settlement development and managed land use in the Melbourne and Ballarat peri urban areas
- c) Managing land use and regional scale assets, horticulture, securing water and energy and providing for planned rural living
- d) Transport infrastructure and services
- e) Positioning the region's heritage at the national level
- f) Expanded and better health services, IT development, Broadband provision and access and services
- g) Housing options, Ballarat CBD Revitalisation and education and training facilities

These are *regional scale* strategic directions and priority actions to best position the Central Highlands region to address identified issues, capitalise on key drivers, confront major challenges, take advantage of comparative advantages and deliver the agreed vision. They have been deliberately chosen and structured for their capacity to integrate together a number of the elements of the vision and to comprehensibly tackle the challenges facing the region.

The Council's involvement in the development in the Central Highlands Regional Strategic Plan is important in the future development and sustainability of the region. Failure of Council to participate in the preparation of the Regional Strategic Planning Initiative places the region at risk of having unworkable sub-regional plans.

The RSP provides an opportunity and mechanism for Council to contribute to and influence change in the broader region, ensuring that the priorities and aspirations of the Hepburn Shire communities are recognised, heard and promoted. The key challenge will be in the implementation of the plans following their endorsement.

## Relevant Policies

The Council's involvement in the development of sub-regional plan is part of Council recognition of its regional interdependency and its commitment to working together strategically with local, state and federal governments in regional planning processes as stated in the Council Plan 2009 – 2013.

## Community Engagement

The Mayor and CEO, via the Central Highlands Mayors and CEOs forum have been involved in the development of the Central Highlands plan for the past 18 months. The Central Highlands engagement processes have included a Regional Symposium held on 28 February 2010, a series of stakeholder workshops held in April 2010 and the release of a broad discussion paper. Councillors also attended a briefing and discussion session in May to work through the key strategic directions and challenges facing the region. Feedback and commentary on the plan, including an exercise where the key aspects of Community and Council Plans have been mapped to the strategic directions in the CH RSP, have resulted in a concise, high level strategy for the region.

## Financial Implications

There are no direct financial implications arising from this report. The cost of participating in RSPI activities is covered as part of the RSP program. Funding for the Central Highlands sub-regional plan was provided by Regional Development Victoria to the Pyrenees Shire Council on behalf of the Central Highlands region.

## Recommendation

9.3.1 *That the Council note the report and endorse the **Central Highlands Regional Strategic Plan** as representing the aspirations and key strategic directions required for a prosperous, liveable and sustainable region.*

**Motion**

9.3.1 *That the Council note the report and endorse the **Central Highlands Regional Strategic Plan** as representing the aspirations and key strategic directions required for a prosperous, liveable and sustainable region.*

**Moved: Cr Rod May**

**Seconded: Cr Sebastian Klein**

**Carried.**



## **9.4 TOURISM HEPBURN UPDATE**

(Action Officer – Chief Executive Officer)

### **Introduction**

This report serves to provide an update on the activities of Tourism Hepburn Board.

### **Report**

The role of council over the past five years has been critical in supporting and advocating for the economically significant tourism industry across Hepburn Shire and the wider region of Daylesford and the Macedon Ranges. Through this period, Tourism Victoria has invested heavily to support tourism in the Shire. This has included the Bathhouse redevelopment, the original Daylesford Brand Campaign and the recent Phase 9 of the long running Jigsaw three-year Spa and Wellbeing Campaign, all involving many millions of dollars.

To support such levels of investment, Tourism Victoria also initiated and funded a partnership with Council and the local tourism industry, including the Daylesford and Macedon Ranges Campaign Committee, to undertake the development of a Strategic Destination Tourism Plan for the Shire. In August 2008 after some two years work this plan was launched under the banner of Destination Daylesford.

The Destination Daylesford planning process was very comprehensive and thorough, the success of which is testament to the strength of the partnership identified earlier, and particularly the contribution made by council. It should be noted and acknowledged that as key Council representative through this process, Cr Bill McClenaghan played an important role through his support and advocacy. In more recent times Cr Jon Barrell has provided similar support in the establishment of Tourism Hepburn which should also be acknowledged. Hepburn Shire Council is currently represented on the Tourism Hepburn Board by the Manager Tourism and Economic Development, John Collins. The Destination Daylesford Strategic Tourism Plan is effectively the charter for the newly formed Tourism Hepburn Board.

The Tourism Hepburn Board has now been established and is meeting monthly and rotationally in each of the key Shire centres.

The Chair of the Board is Larry Monk from Creswick who brings his significant regional and state tourism background, gained in Queensland and New South Wales, to this role. The Trentham Board Member Rod Hughes, owner and operator of the Cosmopolitan Hotel, Trentham, brings his accounting background to the role of

Treasurer for the Board. Tania Jacobs from Tourism Victoria and former Marketing & Sales Manager, Hepburn Bathhouse and Spa, one of the skills-based directors, brings her extensive state and regional tourism background to the role of Secretary.

The following Directors of the Board have now been appointed as per the recommendations of the Destination Daylesford Strategic Tourism Plan.

Chair - Skills Based Director	Larry Monk
Secretary - Skills Based Director	Tania Jacobs
Treasurer – Representative for Trentham	Rod Hughes
Skills Based Director	Carol Hulst
Hepburn Shire Council	John Collins
Daylesford Macedon Ranges Campaign Committee (Tourism Victoria)	Graham Middleton
Representative for Creswick	Judy Morrison
Representative for Daylesford/Hepburn Springs	Robyne Head
Representative for Clunes	Graeme Johnstone
Alternate Representative - Clunes	Neil Newitt
Alternate Representative -Trentham	Jean Bergletz
Alternate Representative - Creswick	Sue Vindin
Alternate Representative- Daylesford/Hepburn Springs	TBA

Key developments and activities of the Board are as follows;

1. Rules of Incorporation have now been lodged with Consumer Affairs Victoria.
2. 2010 Tourism Hepburn Awards to be launched at the first industry-wide event by Tourism Hepburn on 1 July at the Daylesford Cidery. This will be an opportunity to provide an update to the local tourism industry on the work and direction of Tourism Hepburn and the establishment of the new Daylesford and Macedon Ranges Tourism Board. It is planned to have Tourism Victoria participate and provide additional information related to their over-arching Regional Tourism Action Plan of which both Tourism Hepburn and the new Regional Tourism Board are key elements.

3. Tourism Excellence Workshops are to be conducted in July/August 2010 in conjunction with DMR – initially Campaign Committee and then Regional Tourism Board. The workshops will cover the following subjects;
  - Customer Service
  - Pricing and Packaging
  - Managing your Business
  - International Marketing – It should be noted that DMR are for the second year participating in Tourism Australia’s Australian Tourism Exchange. *The Australian Tourism Exchange (ATE) is Australia's premier tourism trade event and the largest international travel trade show of its kind in the southern hemisphere. The business-to-business event provides a forum for Australian tourism businesses to showcase their products, meet overseas contacts and negotiate business deals. It also provides the international travel trade the opportunity to experience Australia first hand. Up to 100,000 networking and business appointments are conducted during the event.* Identifying ‘international-ready’ businesses across the shire, of which there are some, is an objective of the current Campaign Committee and thus the future Regional Tourism Board.
  
4. Establishment of a Tourism Hepburn website to be done in close liaison with Tourism Victoria, the DMR Regional Tourism Board and Hepburn Shire Council with all relevant links in place. Tourism Victoria IT Department will provide support and advice with this work. This website will become a critical element in Tourism Hepburn’s engagement with the tourism industry across the shire.
  
5. Priorities have been determined by the Tourism Hepburn Board and these will be implemented in line with the Destination Daylesford Strategic Tourism Plan. Such priorities include the development of a three-year strategic business plan, encouragement of new tourism product, complementing the spa, wellness and mineral water experience and the conducting of a Service Excellence program, referred to earlier.
  
6. Communication with the tourism industry across the shire will be important and some form of monthly communication as an EDM (Electronic Direct Mail) will be developed for this purpose. This will include relevant material edited from the shire’s weekly Visitor Services communication. Demonstrating the shire participation and partnership with Tourism Hepburn will be an important component of such communication.

7. Former Destination Daylesford Steering Committee Chair, Campaign Committee member and Regional Tourism Board Implementation Committee member Frank Page has been engaged on a short term consultancy to assist the Board in achieving its goals, especially through this establishment period.

### **Relevant Policies**

*Council Plan 2009 – 2013 – A more prosperous economy*

28. We will support Tourism Victoria and Hepburn (Shire) Regional Tourist Association, and through the implementation of the Destination Daylesford Strategic Tourism Plan, we will assist with the establishment of an adequately resources Tourism Board with strong local representation and a strong local purpose for the whole of Hepburn Shire.

### **Community Engagement**

The Tourism Hepburn Board comprises community representatives.

### **Financial Implications**

Nil

### **Recommendation**

*9.4.1 That Council receive the report titled **Tourism Hepburn Update***

<p><b>Motion</b></p> <p><i>9.4.1 That Council receive the report titled <b>Tourism Hepburn Update</b></i></p>
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**Moved: Cr Jon Barrell**  
**Seconded: Cr Sebastian Klein**  
**Carried.**

## **9.5 ANNUAL COMMUNITY SATISFACTION SURVEY 2010**

(Responsible Officer: Chief Executive Officer)

### **Introduction**

This report considers the 2010 published results from the annual Local Government Community Satisfaction Survey (LGCSS).

A copy of the report has been forwarded to Councillors under separate cover.

### **Report**

The State Government, Department for Planning and Community Development (DPCD) commissions an independent market research consultancy, Wallis Consulting Group to undertake the 2010 survey.

It is a statewide survey intended to provide individual Local Governments with a realistic measure on how they are perceived by their community. The questionnaire in 2010 used was identical to that of 2009 (and very similar to previous years) to allow for comparisons over time.

The survey is considered to be statistically significant comprising a telephone survey of 350 people throughout the Shire. It is the thirteenth year of the survey and the thirteenth year that Hepburn Shire Council has participated.

The survey questions refer to the broad areas of governance and service delivery. Governance is covered by overall council performance, advocacy, council contact and community. Service delivery is captured by nine key service areas ranging from town planning and economic development to local laws and waste management.

The Community Satisfaction Survey, together with the financial and asset management measures reported in the Local Government in Victoria Report, provide a complete overview of the sector's performance each year.

Results are provided in a variety of formats including relative performance to other Councils, trend data over time and reasons given for 'needs improvement'.

Hepburn Shire Council's relative performance is shown in comparison to other 'Small Rural Shires' including Alpine, Ararat, Benalla, Buloke, Central Goldfields, Gannawarra, Golden Plains, Hindmarsh, Indigo, Loddon, Mansfield, Mount Alexander, Murrindindi, Northern Grampians, Pyrenees, Queenscliffe, Strathbogie, Towong, West Wimmera and Yarriambiack.

## **Key Findings**

All Governance Indicators remain unchanged with the exception of Advocacy which declined.

All Specific Performance Areas remain unchanged with the exception of a decline in the community satisfaction rating of Recreation Facilities.

Residents' view of Hepburn Shire Council's performance since 2009 resulted in 19% of residents saying it had improved, 61% stayed the same, 13% deteriorated and 7% didn't know.

In allocating resources to improve services, Council needs to consider two factors:

1. The relative importance of each service area to the community, and
2. The current level of performance in service provision.

The improvement window (page 9 of the Survey results) identifies the highest priority for improvement where current performance is low in a service area that the community views as of high importance.

### **Hepburn Shire Council's 3 key areas for improvement are:**

#### **1. *Local Roads and Footpaths***

This has the highest connection to overall performance, yet this has the lowest percentage of "Excellent/ Good/ Adequate" ratings and some 60% seek improvement.

#### **2. *Community Engagement***

A strong connection to overall performance, but 40% of residents say improvement is needed.

#### **3. *Economic Development***

A high proportion of residents (41%) believe this relatively important area is in need of improvement.

### ***Town Planning Policy and Approvals and Recreational Facilities***

While both these areas are of moderate importance to residents, 52% and 40% respectively seek improvement.

Local Government Indicators	2009	2010	Change in Performance in Last Year	Comparison to Like Councils
Overall Performance	58	56	Unchanged	Lower
Advocacy	61	57	Declined	Lower
Community Engagement	54	54	Unchanged	Lower
Customer Service	68	68	Unchanged	Lower
<b>Specific Performance Areas</b>				
Local Roads and Footpaths	47	45	Unchanged	Lower
Health & Human Services	74	75	Unchanged	Similar
Recreational Facilities	60	57	Declined	Lower
Appearance of Public Areas	65	66	Unchanged	Lower
Traffic Management & Parking	59	57	Unchanged	Lower
Waste Management	64	61	Unchanged	Lower
Enforcement of Local Laws	60	59	Unchanged	Lower
Economic Development	59	55	Unchanged	Lower
Town Planning Policy & Approvals	51	49	Unchanged	Lower

## Reasons for 'Needs improvement'

Of the 350 respondents, a number indicated in their response that an improvement was needed. Some gave reasons for their answer, with the most common answer by percentage shown below.

## Governance Indicators

### Overall Performance

No. of respondents		Reasons for Improvement %		
2009	2010	2009	2010	
113	124	32	28	Make decisions despite community consultation/ don't listen to community
		19	20	Favour certain areas in Shire/ local government area over others
		18	20	Local roads and footpaths
		26	19	Rates are not giving value for money
		19	16	Communicating/leading discussion with community
		8	15	Decline in standard of service generally provided by council
		25	15	Council too focused on internal politics/ don't achieve outcomes
		8	13	Recreational facilities
		9	12	Town planning policy and approvals
		9	6	Waste/spend too much money/poor financial management/in debt



<b>Advocacy</b>				
<b>No. of respondents</b>		<b>Reasons for Improvement %</b>		
2009	2010	2009	2010	
53	60	42	32	Don't represent the interests of the community
		19	27	Council does not make sufficient effort
		23	25	Not sure what the council does/ need to promote/ communicate effectively
		13	22	Not doing enough/ need to lobby harder on key local issues
		13	15	Council represents some areas/services/interests but neglect others
		6	15	Lobbying skills need improvement/ more professional/ effective lobbying
		13	13	Don't consult to gauge community views
		19	10	Council more interested in politics/themselves than community interests
			10	Town planning issues/ inappropriate development
			7	Need more/improved public transport

<b>Community Engagement</b>				
<b>No. of respondents</b>		<b>Reasons for Improvement %</b>		
2009	2010	2009	2010	
127	122	50	46	Don't consult sufficiently/effectively/with entire community
		33	33	Need to keep community better informed/communicate more
		43	25	Don't listen/ need to take more notice of community's wishes
		20	24	More community consultation/ use consultants less/more public meetings
			10	Need to consult with all areas in the council/ district
		9	8	Only pay lip service to issues/need to follow through
			7	Communicate more regularly via newsletter/ local paper etc
		7	6	Need to publicise/promote consultation sessions and inform us of results
		4	6	Takes too long to get things done/ not enough action
			5	Don't take a role in leading discussion/aren't proactive

<b>Customer Contract</b>				
<b>No. of respondents</b>		<b>Reasons for Improvement %</b>		
2009	2010	2009	2010	
58	52	43	46	Lack of follow up
		22	33	Not interested in helping/didn't take an interest/responsibility
		34	19	Poor customer service/ need better communication skills/personal service
		21	15	Took too long to respond
		14	15	Issue not resolved in a satisfactory manner
		16	13	Impolite/rude manner/ tone
		5	8	Passed around departments/not clear who to speak to
		3	8	Not knowledgeable
		5	6	Did not achieve outcome I wanted
			4	Too hard to get through to anyone/kept getting machine

### ***Local Roads and Footpaths***

Hepburn Shire Council continues to increase its annual allocation to local roads and footpaths, proposing to allocate an additional \$346,000 to roads in the 2010/2011 Budget. The total spend on roads in 2010/11 is proposed to be \$3,956 million.

### ***Community Engagement***

Council continues to strengthen its community engagement framework. Over the past 24 months extensive community planning has taken place in the following communities:

- Creswick
- Jim Crow (Yandoit, Franklinford and Clydesdale)
- Clunes
- Lyonville
- Newlyn/Rocklyn
- Trentham
- Glenlyon
- Muskvale Sailors Falls

A report on community engagement is under preparation for Council's consideration at its July Ordinary Meeting.

### **Economic Development**

Council has recently appointed SED Consulting Ballarat to undertake the development of an Economic Development Strategy. The development process includes community and business consultation via a business summit and specific sector focus groups. The Economic Development Strategy will provide Council with a better understanding of the opportunities and guide Council's action in the future of economic development.

### **Council Plan / Legislative Compliance**

The LGCSS, together with the financial and asset management measures reported in the Local Government in Victoria Report, provide a complete overview of the sector's performance each year.

The LGCSS enables Council to monitor its performance over time and benchmark against 'like groups' of councils.

Survey results focus attention on areas needing improvement.

Council's Council Plan 2009-2013 identifies effective community engagement as an important contributor to good governance. The Plan includes key objectives around community engagement including the adoption of the International Association of Public Participations Consultation Framework as a guiding process for improved community engagement and the inclusion of community consultation plans.

### **Financial**

Council contributed \$6,540 (including GST) toward the cost of the 2010 Survey.

### **Community Engagement**

The survey is considered to be statistically significant. It comprises a telephone survey with a minimum of 350 people throughout the Shire.

The LGCSS results will be presented at meetings of the Executive Management Team, Extended Leadership Team and general staff.

A media release will be issued to communicate results with residents and ratepayers.

The LGCSS is a valuable form of consultation and the results provide a tool to inform planning and drive improvements across all areas of Council.

### **Recommendation**

9.5 *That Council receives the results of the 2010 Local Government Community Satisfaction Survey.*

**Motion**

9.5 *That Council receives the results of the 2010 Local Government Community Satisfaction Survey.*

**Moved: Cr Tim Hayes**

**Seconded: Cr Rod May**

**Carried.**

## **10 CORPORATE SERVICES:**

### **10.1 APPROVAL OF VALUATION 2010**

(A/O –Manager Finance)

#### **Introduction**

This report outlines the process for the 2010 revaluation and seeks Council’s approval to adopt the revaluation to be used for the purposes set out in the Valuation Land Act and *Local Government Act 1989*.

#### **Report**

Council has previously been given a preliminary briefing relating to the progress and outcomes of the 2010 revaluation. The contracted valuer “Rating Valuation Services” have officially returned the final revaluation data for use in the 2010/11 and 2011/12 rating periods. A report has been sent to the Valuer General for approval. In order for Council to complete the 2010/11 budget process, Council must first adopt the 2010 General Revaluation of all rateable properties within the municipality.

Attached (*refer Attachment 1*) is the report received from the valuer, the valuer being an independent contractor Rating Valuation Services Pty Ltd. This valuer’s report splits the land into four classifications and explains the reasons behind any increases or decreases.

As the rating structure is based on 9 different property types, the information has been split for the table below for your information.

Overall, valuations for rateable properties within the Hepburn Shire Council have increased by 6% (2008:14.90%)

	<b>total CIV of group 2010</b>	<b>change in total value</b>	<b>average 2010 CIV</b>	<b>change in average value</b>	<b>% change in average value</b>
<b>general</b>	\$1,817,369,000	\$93,298,000	\$272,387	\$14,409	6%
<b>commercial</b>	\$343,316,000	-\$7,415,000	\$489,054	-\$12,707	-3%
<b>farm</b>	\$585,416,000	\$77,607,000	\$544,067	\$70,806	15%
<b>recreation</b>	\$5,612,000	\$485,000	\$431,692	\$37,308	9%
<b>industrial</b>	\$14,774,000	\$846,000	\$328,311	\$38,144	13%
<b>mixed use</b>	\$55,678,000	\$3,357,000	\$471,847	\$24,659	6%
<b>vacant land other</b>	\$125,150,000	\$13,459,000	\$133,422	\$13,839	12%
<b>vacant land town</b>	\$89,674,000	\$2,689,000	\$121,181	\$2,995	3%
<b>trust for nature</b>	\$6,986,000	\$866,000	\$436,625	\$54,125	14%
<b>total</b>	\$3,043,975,000				

A summary of all property type valuations per Ward provided by the valuer is as follows:

Ward Name	Sum Of Existing CIV	Sum Of Proposed CIV	% CIV increase / (decrease)
Birch	\$654,941,000	\$703,029,000	7%
Cameron	\$417,612,000	\$ 462,469,000	11%
Coliban	\$ 642,963,000	\$692,325,000	8%
Creswick	\$402,847,000	\$401,534,000	0%
Holcombe	\$682,086,000	\$723,695,000	6%

The largest increases in valuations were in the rural section. While the average increase was 15%, the actual increase will depend on the location within the Shire. A summary of the increase in the rural sector only, per ward as provided by the valuer, is as follows:

Ward Name	Sum Of Existing CIV - rural	Sum Of Proposed CIV - rural	% CIV increase / (decrease)
Birch	\$96,216,000	\$114,162,000	19%
Cameron	\$155,355,000	\$180,040,000	16%
Coliban	\$104,358,000	\$121,736,000	17%
Creswick	\$15,320,000	\$18,182,000	19%
Holcombe	\$82,681,000	\$90,178,000	9%

If any ratepayer feels their property has been incorrectly valued, objections can be lodged in the two months after the issue of the rate notice. Initial objections will be considered by the contract valuer with further avenues of appeal to VCAT if the matter remains unresolved.

As Councillors are aware, a general revaluation in itself does not impact in any way on the total amount of rates that will be raised. Instead of affecting the total amount of rates raised, it will impact on the relative amounts that different property owners are likely to pay.

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

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

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

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

It is proposed that an article be included in the Council's information page in *The Advocate* and on the Council's web page advising of the revaluation and providing a brief explanation of how the revaluation process works. Further, it is proposed that information on the revaluation be included in the "rates explained" brochure to be sent out with the first rates notice in August 2010.

### **Financial Implications**

The new capital improved values have been used as the base for rate calculations in the Proposed Budget 2010/11.

### **Recommendation:**

*That Council:*

- 10.1.1 *Adopt the return of the revaluation from Rating Valuation Services Pty Ltd;*
- 10.1.2 *Understand that the Valuations so returned be used for those purposes set out in the Valuation of Land Act 1960 and Local Government Act 1989 subject to any subsequent amendment to the valuation permissible under the said Acts.*



**Motion:**

*That Council:*

- 10.1.1 *Adopt the return of the revaluation from Rating Valuation Services Pty Ltd;*
- 10.1.2 *Understand that the Valuations so returned be used for those purposes set out in the Valuation of Land Act 1960 and Local Government Act 1989 subject to any subsequent amendment to the valuation permissible under the said Acts.*

**Moved:** Cr Tim Hayes  
**Seconded:** Cr Sebastian Klein  
**Carried.**

**Attachment 1**  
**Item 10.1**

## 10.2 SALE OF LAND CRESWICK

(Action Officer – General Manager Corporate Services)

File Ref: 12499R & 12502R

### Introduction

As part of the vacant land holdings review, land at 56 and 58 Melbourne Road, Creswick was identified as surplus to needs and therefore could be sold. This report seeks Council's approval to advertise its intention to sell the land under S189 and S223 of the *Local Government Act 1989*.

### Report

The land which adjoins Northcott Park, Creswick is described as -

- Crown allotments 5 (#56) and 6 (#58) Section 52 Township and Parish of Creswick;
- more particularly described in Certificates of Title Vol 9758 Folio 965 and Vol 10048 Folio 747 respectively; with
- Area 680m<sup>2</sup> and 342m<sup>2</sup> = 1022m<sup>2</sup>. See the Map below.

Crown allotment 6 has been in Council's ownership since November 1990, having been compulsorily acquired. The acquisition may have been connected with recovery of outstanding rates and charges.

Crown allotment 5 is in the process of being transferred to Council pursuant to S181 of *The Local Government Act 1989* (the Act) regarding outstanding rates and charges. All documents are final and the transfer is expected to be complete within 2-3 weeks. This process was permitted by a Magistrates Court Order.

If the owner or any person having a provable estate or interest in the land can be located after making reasonable enquiries they will be entitled to the surplus proceeds – i.e. the valuation (\$45,000) made for these purposes less all expenses deducted therefrom. Solicitors acting for Council are currently making enquiries. If no person can be located, the surplus may be used for the Council's general purposes.

This matter will not affect the sale being proposed by this Report.

Under the Hepburn Shire Council Planning Scheme the land is Residential 1 Zone (R1Z) and is affected by Environmental Significance Overlay Schedule 1 (ESO1). As part of this sale it should be a condition that both allotments are sold together as one parcel. The purchaser must then either consolidate within a given time or as part of a

development consolidate or subdivide. Any action to this effect would be subject to planning approval.

Council might consider subdividing the land into appropriate allotments however the net return would likely be no greater than the suggestion above. Subdivision would take at least 6 or more months. It is also possible that if Council did subdivide, the layout may not suit a purchaser wanting to develop the land and it may need to subdivide again. Being a condition of sale means Council is not responsible for the cost of consolidation or subdivision, although this may affect the end price.

For the Council to sell the land, it should pursuant to Section 192 of the Act declare the land as surplus to needs and must as required by S189 of the Act, give 4 weeks public notice of intention to sell the land. In either case any interested person is entitled to make a submission about the proposal.

If public notice advertising commences on 23 June 2010, the Council will be able to initially deal with any submissions at its August Briefing meeting and then resolve on the sale or otherwise of the land on 17 August 2010. This may extend by a month if any submitter expresses a desire to put oral submissions before the Council.

The Council may determine to sell by private treaty, public auction or as has sometimes been used tender. Preliminary advice from estate agents in Creswick is being sought. A recommendation on the proposed method of sale will be included in the Report to the 17 August 2010 meeting.

### **Relevant Policies**

Within the 2009 – 2013 Council Plan reference is made to achieving long term financial sustainability by disposing of poorly utilised, inefficient or surplus assets. This land may be considered as poorly utilised and surplus to requirements.

### **Community Engagement**

Public notice of the Council's intention to sell land must be published and provide for 4 weeks within which submissions may be received for consideration under S223 of the Act.

## **Financial Implications**

As part of the process and before selling, the Council must obtain within 6 months of a sale a valuation of the land from a registered valuer. If on 17 August 2010 it is resolved to sell the land, the statutory valuation will be sought. As a basic guide to value, the matter was briefly discussed with the Valuer. A valuation range of between \$60 – 65,000 was indicated.

More details on sale costs (essentially agent's fees and legal costs) will be available with the 17 August 2010 Report is provided to the Council. A preliminary estimate of costs is between \$5-6000.

Refer also to the long term financial sustainability principles.

In private ownership the property will become rateable and add an amount to general revenue and over time this will increase if the land is developed. Any fire prevention costs previously undertaken will become the responsibility of a private owner.



**Recommendation:**

*That Council:*

- 10.2.1 *Is satisfied Crown allotments 5 and 6 Section 52 Township and Parish of Creswick; more particularly described in Certificates of Title Vol 9758 Folio 965 and Vol 10048 Folio 747 respectively are no longer required, nor is it necessary or desirable to use the land for a municipal purpose, therefore it is surplus to needs and may be sold; and*
- 10.2.2 *Proceed to advertise its intention to sell the land and seek public submissions on this proposal in accordance with S189 and S223 of the **Local Government Act 1989.***

**Motion:**

*That Council:*

- 10.2.1 *Is satisfied Crown allotments 5 and 6 Section 52 Township and Parish of Creswick; more particularly described in Certificates of Title Vol 9758 Folio 965 and Vol 10048 Folio 747 respectively are no longer required, nor is it necessary or desirable to use the land for a municipal purpose, therefore it is surplus to needs and may be sold; and*
- 10.2.2 *Proceed to advertise its intention to sell the land and seek public submissions on this proposal in accordance with S189 and S223 of the **Local Government Act 1989.***

**Moved:** Cr Don Henderson  
**Seconded:** Cr Tim Hayes  
**Carried.**

### **10.3 LOAN TO THE TRENTHAM NEIGHBOURHOOD CENTRE**

(A/O – Manager Finance)

#### **Introduction**

This report seeks Council's approval to make a \$55,000 interest free loan to the Trentham Neighbourhood Centre Inc for a 5 month period.

#### **Report**

The requested loan is for \$55,000 from start of July to end of November 2010 (5 months) and would be repaid from the final grant payments being received between September and December. The grant funds are sourced from the Department of Infrastructure, Transport, Regional Development and Local Government (Federal) and the Department of Planning Community Development (State).

Per the submission from the Centre:

*The project is to extend and upgrade the current centre, providing universal access to the whole building. For an organisation with an annual turnover of \$120,000 and retained earnings at the end of last financial year of \$47,000, the renovation is a very large project. The current estimate of final spend is \$380,000. There have been 2 major unexpected problems so far during the renovations. Firstly, the rear portion of the existing building was found to have no stumps and had to be demolished and rebuilt. Secondly, an unrecorded mineshaft was found beneath the foundations of the new building.*

A cashflow forecast has been received from the Trentham Neighbourhood Centre Inc demonstrating that expenditure will be incurred in July and August 2010 for the project with grants funds to be received between September and December 2010. They have advised Council that they are not in the financial position to cashflow these works from their own working capital.

This loan would be funded from the Council's accumulated surplus/cash on hand at the start of July 2010. Surplus cash on hand is invested at market interest rates. As the Centre has requested an interest free loan, the cost to the Council would be approximately \$1,600 (based on a 6% interest rate) as Council would not have this money for the period of 5 months to invest.



A condition of the loan is that both parties sign a loan agreement. This document would cover any risks to Council incumbent in this partnership.

**Relevant Policies / Council Plan implications:**

This is in accordance with the Council Plan commitment of “assisting our residents improve the health, safety and vibrancy of our communities”.

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

Not applicable.

**Financial Implications**

Council has this amount in cash on hand. The loan would not impact negatively on the Council’s operations as the loan would be provided and repaid within one financial year and the loss of income has been estimated at \$1,600.

**Recommendation:**

*That Council*

*10.3.1 Authorise the interest free loan of \$55,000 to the Trentham Neighbourhood Centre Inc. commencing July 2010, to be repaid by 31 December 2010.*

*10.3.2 Sign and seal the loan documents.*

**Motion:**

*That Council*

*10.3.1 Authorise the interest free loan of \$55,000 to the Trentham Neighbourhood Centre Inc. commencing July 2010, to be repaid by 31 December 2010.*

*10.3.2 Sign and seal the loan documents.*

**Moved: Cr Sebastian Klein**

**Seconded: Cr Don Henderson**

**Carried.**

## **10.4 VICTORIAN LOCAL GOVERNMENT WOMEN'S CHARTER**

(A/O – General Manager Corporate Services on behalf of the Mayor)

### **Introduction**

This report seeks Council's approval to adopt the Victorian Local Government Women's Charter.

### **Report**

2010 has been designated as the Year of Women in Local Government. Within the local government sector in the last five years there has been a lot of activity to promote the participation of women into executive and elected leadership roles. Yet, there still has been little improvement in participation levels. Women still account for less than 30% of councillors, 20% of senior managers and only 5% of CEOs in local government.

In order for local government to strengthen policy debate and ensure local decision making is representative of the communities it supports, it needs to ensure that both management and elected representatives reflect the gender balance and diversity found within their communities.

Specific objectives have been established for the Year of Women in Local Government 2010 as follows:

- raise awareness of the significant role women play in the effectiveness and long-term health of local government, and the need to increase their participation.
- foster commitment to local government becoming an 'employer of choice' through advocating for cultural and attitudinal change to remove barriers to the advancement of women;
- encourage councils, through a range of communication channels, to establish targets to:
  - increase the participation of local government women in decision making roles; and
  - increase participation of local government women in management and leadership training and mentoring programs; and

- establish communication, support and developmental structures that can be readily maintained and that will be available post 2010 to maintain the momentum of the year.

The Victorian Local Government Women's Charter was developed in 1996, and aims to support women's political and civic participation. Local governments, in their capacity as the governments closest to communities, are in a unique position to contribute to the global goal of gender equity for women.

By adopting the Charter, Hepburn Shire Council will be making a commitment to advancing women's participation in key decision making forums in the community by supporting the three key principles of the Charter:

### **Gender Equity**

That women and men have an equal right to be representatives in local governments, committees and decision-making positions

### **Diversity**

The inclusion of different experiences and perspectives in local governments and community decision-making strengthens local democratic governance and helps build cohesive communities. Councils and communities encourage and welcome participation of all women

### **Active Citizenship**

Local governments will work with the community to increase the numbers and participation of women in public life, so that decision making more clearly represents and reflects the interest and demographics of communities.

### **Relevant Policies**

Council plan objective 18. Operating in a way that further encourages a diverse and representative group of candidates to contest the 2012 Council elections and promoting the importance of civic leadership through sponsoring community involvement in leadership and development programs.

## **Community Engagement**

By adopting the Charter, Hepburn Shire Council will be making a commitment to advancing women's participation in key decision making forums in the community.

## **Financial Implications**

Nil.

## **Recommendation**

*10.4.1 That Council adopt the **Victorian Local Government Women's Charter**.*

### **Motion**

*That Council*

*10.4.1 adopt the **Victorian Local Government Women's Charter**;*

*10.4.2 communicate this decision to the public.*

**Moved: Cr Sebastian Klein**

**Seconded: Cr Bill McClenaghan**

**Carried.**

**Attachment 2**  
**Item 10.4**

## **10.5 CLUNES COMMUNITY HOUSING - INTERNAL LOAN**

(A/O – Manager Finance)

### **Introduction**

This report is to update Council on the Clunes Community Housing internal loan that was approved by Council at its Ordinary Meeting on 17 April 2007.

### **Report**

The Clunes Community Housing Committee is a Section 86 Committee of Council and currently manages units for people with low-income housing. At Council meeting on 17 April 2007 council resolved to loan the committee \$150,000 to build 2 units at Cameron Court Clunes at a total cost of \$250,000. The resolution was as follows:

- *Provide an internal loan to a maximum of \$150,000 to assist in the construction of 2 additional units;*
- *The interest rate applicable to the loan was to be equal to the opportunity cost to the Council providing the funds, and;*
- *The loan was to be repaid over a maximum period of 15 years.*

This year, the proposal has been further developed and 3 units are now proposed at a total cost of \$600,000. The Committee has advised that there is \$320,000 in accumulated funds from rentals that can be allocated to the project. In the Budget 2010-11 Council has proposed to borrow the remaining \$280,000. These borrowings will be repaid from rentals over a 10 year period.

Therefore it should be noted that the previous decision of Council to approve a loan of \$150,000 has been superseded by the financial arrangement as proposed above and included in the 2010-11 budget.

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

This is in accordance with the Council Plan commitment of “assisting our residents improve the health, safety and vibrancy of our communities”.

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

The Clunes Community Housing Committee is a Section 86 Committee of Council and currently manages units for people with low-income housing.

## Financial Implications

The buildings of these units, together with the external borrowings have been included in the proposed 2010-11 budget.

### Recommendation:

10.5.1 *That Council note the change in circumstances and that in accordance with the proposed 2010-11 budget, that the units will be funded by cash on hand and external borrowings.*

### Motion:

*That Council*

10.5.1 *note the change in circumstances and that in accordance with the proposed 2010-11 budget, that the units will be funded by cash on hand (\$320,000) and external borrowings (\$280,000) and that the repayment of the loan including interest will be made from rental income on the units.*

**Moved: Cr Tim Hayes**  
**Seconded: Cr Jon Barrell**  
**Carried.**

**Cr Hayes left the Meeting at 9.35pm and returned at 9.38pm.**



## **10.6 MONTHLY FINANCE REPORT**

(Action Officer –Manager Finance)

File Ref: 30/08/17

### **Introduction**

A summary report on the Council's financial performance for the financial year to the 31 May 2010 is provided for information.

### **Report**

This report provides information on Council's operating performance for the 11 months to 31 May 2010 against the revised budget adopted by Council on 15 December 2009. The report considers year to date revised budgets against year to date actuals for each operating program, including projects 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 in a meeting which is open to the public.

### **Operating Summary:**

The year to date operating result is \$7.1M. The forecasted surplus for the year is \$6.8M (before depreciation) which is \$1.016M ahead of budget. The higher forecast comprises both greater revenue and greater overall expense than budgeted and is a result of three major factors:

- Non budgeted grant money has been received, and while some offsetting expenditure has been spent resulting in a greater forecast than budgeted, in most cases the expenditure will not be incurred until next financial year.
- For varying reasons, a number of projects that were included in the budget will not be completed until next financial year.
- Prepaid grant of \$932,000 from Grants Commission allocation 2010-2011 will be received in June 2010.

Additional income received beyond budget will be used to offset increased expenditure in other departments, including waste management and organisational development.

### **Capital Works and Major Projects:**

Expenditure on the capital works program has totaled \$5.5M to date out of the revised annual budget of \$9.6M; net expenditure year to date is \$4.3M. \$2.5M in expenditure is

anticipated to be carried forward until the next financial year, the majority being in relation to the completion of the Doug Lindsay Recreation Reserve.

Major infrastructure expenditure has occurred and will continue until the end of June, with \$1.9M in total capital works forecasted to be completed in the next month.

Expenditure on projects has totaled \$723,000 to date out of a revised net annual budget of \$1.2M. The majority of budgeted grant funds for the year have been received, this together with the additional grant money received as noted above, results in net expenditure to date of (\$146,000). \$388,000 of expenditure is forecast for June to complete the majority of projects, however, \$423,000 in expenditure is anticipated to be carried forward to next year to complete the remaining projects.

Capital works to the value of \$2.5M are to be carried forward including major works of:

- Doug Lindsay Project \$1.4M
- Victoria Park Daylesford \$166,000
- Cameron Court Units \$250,000
- Calembreen Lake Dive Tower \$123,000
- Road & Bridge Construction \$108,000
- Corporate Finance System \$79,000
- Glenlyon Hall Restoration \$91,000

Major Projects to the value of \$423,000 are to be carried forward to 2010-2011 include:

- Trentham Recreation Reserve Works \$160,000
- Recovery Management \$172,000
- Pre-School Project \$17,000
- Trentham Mechanics Verandah Works \$10,000
- Glenlyon Main Street Tree Works \$14,000

## Balance Sheet

### Current Assets:

Cash and investments at 31 May 2010 total \$5.6M; this is higher than May 2009 because of additional grant funds received and works carried forward to 2010/2010. Refer to the investment table below for details on current amount invested:

### Investments Schedule As at 31 May 2010

	Maturing	Rate	Balance
CBA Investment Account		Variable	\$413,105.95
FIIG Securities	29/08/2014	Variable	\$250,000.00
Police Nurses Credit Union	18/06/2010	5.94%	\$1,000,000.00
Savings & Loans Credit Union	20/07/2010	5.95%	\$1,000,000.00
Big Sky Credit Union	25/08/2010	6.19%	\$500,000.00
Bankwest	30/06/2010	5.35%	\$300,000.00
			<b>\$3,463,105.95</b>
<b>LSL Reserve Funds</b>			
Bendigo Bank Floating Rate	12/12/2011	Floating	\$484,850.00
CBA Investec	27/02/2014	Floating	\$489,300.00
			<b>\$974,150.00</b>
<b>Total Investments</b>			<b>\$ 4,437,255.95</b>

\$974k has been invested for long service leave; however the provision is only \$899,000. The investment balance will be adjusted on 12/12/2011 when it matures.

Net current receivables are \$2.97M including \$2.09M in rates. Trade debtors at 31 May 2010 are \$733,000. Debtors include Department of Planning (\$38,000), Department of Health (\$225,000), Department of Human Service (\$74,000), Bathhouse Lease (\$124,000) and various other minor government grants.

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

Other assets comprising land held for resale shown in the balance sheet in May 2009 has now been sold.

### Rate Debtors:

Rate arrears at the end of May are \$2.09M, over \$400,000 has been received in the first week of June to reduce the balance outstanding to \$1.69M. Reminder notices will be

sent out at the end of the second week of June, which usually prompts an additional payment response. It is anticipated that outstanding rates of approximately \$1.19M will be sent to Councils Collection Agency for collective action by the end of June.

**Current Liabilities:**

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

Trust funds have increased from May 2009 to include monies held by Council for Section 181 property sales.

\$111,000 due to be repaid in principal and interest on borrowings in June. Refer to the cash flow statement.

**Non-Current Assets:**

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

It should be noted depreciation is not taken into account until year end.

Financial Assets of \$0.9M are held for the Long Service Leave Provision.

**Non-Current Liabilities:**

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

Councils annual leave and long service leave provisions have been updated for current and non-current liabilities.

**Level of Council Debtors**

Attached for Councilors' information are two graphs which show the level of Rate Debtors for 2009/10 in comparison to the previous year and the level of Sundry Debtors to the average level of sundry debtors for the previous year.

## **Cash Flow**

Variances to budgeted cash flow include:-

- Prepaid 2010-2011 Grant Commission payment \$932,000 to be received in June 2010
- Recovery Grants \$200,000
- Trentham Rec Reserve Grant \$165,000
- Outstanding rates will mostly be collected July-August via Councils collection agency resulting in lower rate debtors expected at post year end.
- Doug Lindsay project delayed, therefore capital grant income below budget \$770,000 and matching expenditure not incurred.
- Interest received on investments and rates greater than anticipated, see comments on department tables.

## **Conclusion:**

The reviewed budget should now be closely monitored by all managers to ensure that it comes in as adopted.

## **Relevant Policies**

Council Plan – Good Governance

## **Community Engagement**

Not Applicable

## **Financial Implications**

The reports attached provide the opportunity for constant review of Council's financial position to ensure compliance with budgets. The reports presented show the revised annual budget, revised year to date budget, year to date actual and year to date variance. The reports note any variances against the year to date actual amount and as required, provide explanations for the variance.

## **Recommendation**

- 10.6.1 *That Council receives the Monthly Financial Report for the eleven months from 1 July 2009 to 31 May 2010*

**Motion**

10.6.1      *That Council receives the Monthly Financial Report for the eleven months from 1 July 2009 to 31 May 2010*

**Moved:      Cr Jon Barrell**

**Seconded: Cr Rod May**

**Carried.**

## **11 COMMUNITY DEVELOPMENT:**

### **11.1 SWISS ITALIAN FESTA MEMORANDUM OF UNDERSTANDING**

(A/O – A/General Manager Community Development)

File Ref:

#### **Introduction**

The purpose of this report is for Council to consider entering in to a Memorandum of Understanding (MOU) with Swiss Italian Festa Committee.

#### **Report**

Swiss Italian Festa (SIF) is an annual festival in Hepburn Springs which has been held every year since 1992 as a celebration of heritage, lifestyle and culture.

Council currently provides the SIF with a range of in-kind support which includes road closures, waste management, event management support and event equipment hire. This support totals \$3,000.

SIF is seeking an annual grant from Hepburn Shire Council of \$10,000 for 3 years to help support their event.

Council currently has an MOU with ChillOut and Booktown Organising Committees relating to support for these events. The Draft SIF MOU is based on previous MOUs with the following changes proposed:

- MOU over 3 years. Current event MOUs are over 2 years.
- Strategic management meetings with senior representatives from Council
- More basic reporting format for their post event review.
- Assistance with grant funding opportunities.

It is considered that meeting with Senior Council representatives does not need to be included within the MOU, as meetings will occur as required. Within current resources, it is not possible to guarantee assistance with grant funding opportunities, although grant information will continue to be provided.

The attached draft MOU reflects these changes.

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

Council Plan No. 31 – Supporting various draw card events like Chillout and Booktown which draw large numbers of visitors to Hepburn Shire.

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

SIF is a well supported community event. SIF representatives have worked with Council to develop the MOU document.

**Financial & Resource Implications Initial & Ongoing**

No funding has currently been allocated in the draft 2010-2011 budget for the Swiss Italian Festa event.

Council's In-Kind contribution will remain at \$3,000 with the approval of this MOU.

Approval of the MOU will commit Council to an annual budget allocation to be determined by Council. If the current draft MOU is approved this will be for the 2010, 2011 and 2012 events.

**Recommendation:**

*That Council:*

- 11.1.1 *Consider an annual allocation to be included in the Memorandum of Understanding;*
- 11.1.2 *Approve the signing of the Memorandum of Understanding between Hepburn Shire Council and Swiss Italian Festa Committee for the Swiss Italian Festa event.*



**Motion:**

*That Council:*

*11.1.1 Approve an annual allocation to be included in the Memorandum of Understanding; being an annual sponsorship sum of \$10,000 and up to \$3,000 in-kind contribution.*

*11.1.2 Approve the signing of the Memorandum of Understanding between Hepburn Shire Council and Swiss Italian Festa Committee for the Swiss Italian Festa event.*

**Moved: Cr Jon Barrell**

**Seconded: Cr Rod May**

**Carried.**

**Amend 11.1.1** to add the words “duration of MOU be 2 (two) years.”

**Moved: Cr Don Henderson**

**There being no seconder, the Motion lapsed.**

**Attachment 3**  
**Item 11.1**

**Motion:**

**That Council suspend Standing Orders for a 5-minute period.**

**Moved: Cr Rod May**

**Seconded: Cr Tim Hayes**

**Carried.**

**Motion:**

**That Council resume Standing Orders.**

**Moved: Cr Tim Hayes**

**Seconded: Cr Rod May**

**Carried.**

## **11.2 STATUS REPORT ON THE HEPBURN SHIRE COUNCIL RECREATION NEEDS STRATEGY (FINAL REPORT, NOVEMBER 2006)**

(Action Officer – A/General Manager Community Development) File Ref: FOL/10/3134

### **Introduction**

At the Ordinary Council meeting on 20 April 2010 Council adopted the following motion:

*That Council requests its' Recreation Advisory Committee and relevant Officers to provide Council at its June Ordinary Meeting a status report on the recommendations of the Hepburn Shire Council Recreation Needs Strategy, Final Report, November 2006, in order to inform and support Council's prioritization and decision making regarding future recreation projects such as a Victoria Park Multi Purpose Facility and/or a Heated Indoor Swimming Pool with Hydrotherapy capability.*

### **Report**

A Status Report on all recommendations was considered by the Recreation Advisory Committee at its meeting on 27 May 2010 (Attachment 4).

It was noted that a number of on-going actions related to facility development and rationalization are being addressed through the development of a Service and Asset Management Plan.

In recommending recreation projects to Council the Recreation Advisory Committee has been guided by the priorities identified in the Recreation Needs Strategy.

A number of identified priorities have been implemented or are in progress, notably the Doug Lindsay Community Facility and Oval and Multi-Purpose facility, Clunes Sports Ground Feasibility and Council's commitment to progress the Victoria Park Multi-Purpose Community Facility Feasibility with funding provided in 2009-10 for a quantity survey (\$4000) and proposed in 2010-11 Budget<sup>2</sup> for the development of detailed drawings (\$16,000).

Included within this Agenda is a Report dealing with a petition Council received on 18 May requesting Council commit to developing an indoor aquatic centre in Daylesford.

<sup>2</sup> Wording "proposed" and "Budget" inserted for clarification.

The development of a Walking and Cycling Strategy remains a high priority and other funding options are currently being considered.

In order to inform future recreation funding priorities, there is a need to;

1. Complete the asset management condition report on all recreation infrastructure. This will be undertaken in the first half of 2010/2011 financial year as part of the Service and Asset Management Plan.
2. Undertake a service level review of all existing recreation infrastructure to determine community need and level of service.
3. Once priorities are established, seek funding to undertake a feasibility analysis and business plan for any new facility development. This would include life cycle costs and long term financial implications.

### **Relevant Policies**

Council Plan 2009 -13

We will create healthier, safer, more vibrant communities.

### **Community Engagement**

The Recreation Advisory Committee has reviewed and endorsed the Status Report. The Recreation Needs Strategy – Final Report (2006) was informed by extensive community consultation.

### **Financial Implications**

Costs to complete the asset management condition report on all recreation infrastructure is included within the draft 2010/11 budget. Funding to undertake a feasibility analysis and business plan for any new proposed facility development may be sought from the Department of Planning & Community Development, Sport and Recreation Victoria. A matching allocation could be considered in the 2010/11 mid-year budget review.

## Recommendation

That Council

11.2.1 note the Status Report of the Hepburn Recreation Needs Strategy – Final Report (2006) at Attachment 4,

11.2.2 complete the asset management condition report on all recreation infrastructure,

11.2.3 undertake a service level review of all existing recreation infrastructure to determine community need,

11.2.4 seek funding to undertake a feasibility analysis and business plan for any new facility development.

## Motion

*That Council*

11.2.1 *note the Status Report of the Hepburn Recreation Needs Strategy – Final Report (2006) at Attachment 4,*

11.2.2 *complete the asset management condition report on all recreation infrastructure,*

11.2.3 *undertake a service level review of all existing recreation infrastructure to determine community need,*

11.2.4 *seek funding to undertake a feasibility analysis and business plan for any new facility development with capital cost in excess of \$250,000.*

**Moved: Cr Jon Barrell**

**Seconded: Cr Don Henderson**

**Carried.**

**Attachment 4**  
**Item 11.2**

### **11.3 PETITION – INDOOR HEATED AQUATIC CENTRE** (Action Officer – A/General Manager Community Development) **NOTE: This item was considered after Item 9.2**

#### **Introduction**

Council at its Ordinary Meeting held on 18 May 2010 received a petition with 1,421 signatures requesting Council commit to the building of a multi-purpose indoor heated aquatic centre in Daylesford.

#### **Report**

The petition was tabled at the May Ordinary Meeting of Council stating:

*“We, the undersigned, petition the Council to commit to the building of a multi-purpose indoor heated aquatic centre for Daylesford and the surrounding districts, that is suitable for hydrotherapy, rehabilitation, learn to swim programs and recreational use.*

*We call upon the Council to urgently undertake a feasibility study for this purpose”.*

The petition is circulated under separate cover.

In addition, a resident David Sim has written to the Recreation Advisory Committee urging Council to give high priority to investigating the feasibility of building a multi-purpose indoor aquatic facility for Daylesford. Please refer to Attachment 5 for a copy of the letter.

The letter was considered at the Recreation Advisory Committee meeting on 27 May 2010.

#### **Background**

In 1998, Council contracted consultants Michael King and Associates Pty Ltd to undertake a feasibility study for a indoor aquatic and / or indoor sports centre.

The Consultants;

1. *“Recommended the development of up to two new indoor sports courts at the Daylesford Secondary College. As a consequence the ARC has now been developed.*



2. *Not recommend to develop indoor aquatic facilities in the Daylesford area at this time”.*

This was due to high capital construction costs, identified low population in the catchment zone (less than 5,000 people) and projected high annual operational deficits (\$200,000 plus).

Please refer to Attachment 6 for a summary of the Consultants findings.

The Hepburn Shire Council Recreational Needs Strategy, Final Report, November 2006 found in relation to an indoor aquatic centre that *“whilst there is a perceived need, there is also recognition the ongoing operating cost may be prohibitive and that there are already a range of swimming opportunities, including the new spa development at Hepburn Springs, which offers subsidized access for residents”.*

In response to the letter from David Sim, the Recreation Advisory Committee resolved at its meeting on the 27 May to recommend that;

*“Council conduct a feasibility for the development of a heated aquatic facility in Hepburn Shire. The study should also consider the feasibility of providing access to heated aquatic facilities in neighbouring municipalities (Gisborne, Kyneton and Ballarat) and address issues about the needs of different sections of the population, especially children and young people, which are met by outdoor swimming facilities and the impact on these groups of the closure of outdoor pools”.*

It is anticipated that a feasibility study would cost in the order of \$60,000.

Mt Alexander Shire completed a feasibility study for an indoor heated aquatic centre in 2009 and indicative estimates of construction costs range between \$12 million and \$16 million with an average annual operational subsidy within the range of \$300,000 to \$400,000.

In an earlier report in this Agenda (Item 11.2) titled *Status Report on the Hepburn Shire Council Recreation Needs Strategy (Final Report, November 2006)* it is recommended that Council take a more strategic approach to its recreational facilities in line with service and asset management principles prior to making any decisions regarding future projects, complete asset management condition reports and service level reviews on all recreation infrastructure. Following this, Council would seek funding to undertake a feasibility analysis and business plan for any new priority projects.

## Relevant Policies

### Council Plan

Commitment 47: Achieving high levels of social inclusion through understanding the great diversity within our Shire and making our services, programs and facilities accessible to all.

## Community Engagement

Council has received a Petition with 1,421 signatures and has received numerous representations.

## Financial Implications

Costs to complete the asset management condition report on all recreation infrastructure is included within the draft 2010/11 budget. Funding to undertake a feasibility analysis and business plan for any new proposed facility development may be sought from the Department of Planning & Community Development, Sport and Recreation Victoria.

## Recommendation

*That Council*

*11.3.1 note the Recreation Advisory Committees recommendation;*

*11.3.2 await the outcome of the Recreation asset management condition report and service level review of recreation infrastructure (as recommended in Agenda Report 11.2) prior to making any decision in relation to indoor heated aquatic facilities in the Shire.*

*11.3.3 thank the head petitioner Joan Endacott and advise of the Council decision.*

***NOTE: Due to the size of the petition, it is not possible to include it in the Agenda. It will therefore be made available as an independent document at the Meeting.***

**Motion**

*That Council*

*11.3.1 note the Recreation Advisory Committees recommendation;*

*11.3.2 convenes a meeting of experts to discuss matters relating to an indoor heated aquatic centre;*

*11.3.3 thank the head petitioner Joan Endacott and advise of the Council decision.*

**Moved: Cr Rod May**

**Seconded: Cr Sebastian Klein**

**Carried.**

**Attachment 5**  
**Item 11.3**

**Attachment 6**  
**Item 11.3**

## **11.4 TRENTHAM COMMUNITY GARDEN**

(Action Officer – Acting General Manager Community Development) File Ref: 201580R

### **Introduction**

The Trentham Residents and Traders Association Inc (TRATA) initially established the Trentham Community Garden Group (TCGG) for the purpose of establishing a community garden. TCGG has been active within the Trentham community for nearly 2 years but is now under the auspice of Trentham Neighbourhood Centre Inc (TNC).

### **Report**

An important part of establishing a community garden is to locate and establish a suitable site.

TCGG has expressed a preference for land owned by Council - CA 2004 at 14A Victoria Street Trentham. This land is adjacent to the Trentham Railway Station/Visitor Information Centre. Within the Vacant Land Review Council did not determine that this site was surplus to need.

This land was purchased from the State Government in 2003. The purchase was subject to a condition “that the land be used solely for Community purposes”. This restriction is included on the land Title. A community garden as proposed by TCGG is considered to be a very suitable community purposes use.

TNC and TCGG have discussed the project with Council officers.

An analysis of the site indicates that it is not the most favourable for a garden due to over shading by nearby cypress trees on adjoining VicTrack land. While this has been pointed out to TCGG, it has been insistent in its view to use the Council land. Other sites which may be more suitable are, however, far less available.

The best means to recognise legal occupancy of the land was addressed. There are two possible ways this can be achieved –

- Council lease for community based organisations, or
- issue of a Licence to TNC as auspice to allow TCGG to occupy the site.

A licence, (based on the standard DSE model) is the preferred course to proceed. A licence with the annual standard fee of \$104 will allow occupancy and establish conditions to protect Council interest's e.g. public liability. At first TCGG requested a long term arrangement by a lease. An initial 3 year period to allow for establishment of

the community garden and to gauge its level of success has been agreed with TCGG and will be recommended to Council. Normally a licence may be cancelled on notice and without compensation becoming an issue.

During the third year, the project will be evaluated to establish if a longer term arrangement can be substantiated. If there is to be a longer term arrangement Council may in future consider a lease after the initial licence term expires. A lease will of course provide an exclusive occupancy to TNC.

Rent, rates, service charges and other costs have been raised. TNC/TCGG will be treated no differently to any other community based organisation regarding these matters.

The land is zoned Township with ESO1 overlay. In general no planning permit is required for gardening or informal outdoor recreation in the Township Zone. However, if TCGG was to sell produce from the site or depending upon the use to which any buildings are to be put e.g. a storage shed, a planning permit will be required. The proposed Licence includes a condition that TNC is responsible to obtain any required permits.

A draft of the proposed licence is attached to this Report.

### **Relevant Policies**

The Municipal Public Health Plan commits Council to provide support to community garden initiatives in Creswick, Clunes, Daylesford and Trentham.

### **Community Engagement**

The TCGG has been working with TRATA, Hepburn Health Service and TNC to identify and secure a suitable site for the community garden for some time.

### **Financial Implications**

There are no significant financial implications regarding the issue of a licence to TNC for TCGG to occupy the land.

The annual Licence fee of \$104 + GST, based on the DSE established fee for community based organizations must be paid.

Site maintenance and removal of any structures should the project cease will be a TNC/TCGG responsibility.

The Licence will require public liability insurance of \$10m with evidence of this and currency to be provided.

### **Recommendation**

*11.4.1 That Council issue a Licence in the form attached to this Report to Trentham Neighbourhood Centre Inc for a term of 3 years from 1 July 2010 to enable the Trentham Community Garden Group to occupy CA 2004 at 14A Victoria Street Trentham for the purposes of establishing and maintaining a community garden; and the Chief Executive Officer be authorised to execute the Licence on behalf of Council.*

### **Motion**

*That Council*

*11.4.1 issue a Licence in the form attached to this Report to Trentham Neighbourhood Centre Inc for a term of 3 years from 1 July 2010 to enable the Trentham Community Garden Group to occupy CA 2004 at 14A Victoria Street Trentham for the purposes of establishing and maintaining a community garden; and the Chief Executive Officer be authorised to execute the Licence on behalf of Council; and*

*11.4.2 request that weeds on the Victoria Street site are controlled to the satisfaction of the Trentham Neighbourhood Centre and Trentham Community Garden Group prior to the signing of the licence agreement.*

**Moved: Cr Sebastian Klein**

**Seconded: Cr Rod May**

**Carried.**



**Attachment 7**  
**Item 11.4**

## **12 SUSTAINABLE DEVELOPMENT:**

### **12.1 FOOD AMENDMENT (REGULATION REFORM) ACT 2009 – INSTRUMENT OF DELEGATION**

(Action Officer – General Manager Sustainable Development)

#### **Introduction**

On 1 July 2010 the first stages of the *Food Amendment (Regulation Reform) Act 2009* will come into effect. Consequently specific Council Officers will need to have their authorities adjusted under an Instrument of Delegation in keeping with these changes.

This report has been prepared to enable Council to formally delegate to Council officers the powers and discretions, functions and duties to Council's Chief Executive Officer and Environmental Health Officers.

#### **Report**

It is necessary to formally delegate appropriate powers under the *Food Act 1984* to Council's Chief Executive Officer, Council's Senior Environmental Health Officer and Council's Environmental Health Officer in order to deal with the day to day functions, roles and responsibilities of Council as a responsible authority with respect to administering the *Food Act 1984*.

A formal resolution of Council is required to enable this delegation.

A copy of the Instrument of Delegation is attached (Refer Attachment 8). The attached schedule is in addition to the *Food Act 1984 Schedule of Hepburn Shire Council Instrument of Delegation to Members of Council Staff* adopted by Council at its Ordinary Meeting held on 18 August 2009. This ensures that any action under the old Act will be enforceable. It is proposed that old delegations will be revoked in December 2010.

#### **Relevant Policies**

*Food Act 1984*

*Local Government Act 1989*

*Instrument of Delegation – Council to Members of Council Staff* – Adopted by Council at its Ordinary Meeting held on 18 August 2009

#### **Community Engagement**

Not Applicable

## Financial Implications

There are no financial implications in Council adopting this Instrument of Delegation

## Recommendation

*That Council resolves:*

- 12.1.1 *Pursuant to the powers conferred by section 58A of the **Food Act 1984** the Council delegates to its officers and members of staff in the manner and to the extent specified in the Instrument of Delegation presented to this Council meeting and attached to this resolution ("**Instrument of Delegation**") the powers and discretions conferred on Council under the relevant provisions of the Act also specified in the Instrument of Delegation;*
- 12.1.2 *The delegations in the Instrument of Delegation come into force on 1 July 2010, after the affixing of the common seal of Council to the Instrument of Delegation and the dating of that document, and the Council authorises and directs those actions;*
- 12.1.3 *The powers and discretions of the Council which are delegated in the Instrument of Delegation are subject to and must be exercised in accordance with any requirements, limits and restrictions set out in the Instrument of Delegation;*
- 12.1.4 *The delegations set out in the Instrument of Delegation remain in force until the Council resolves to vary or revoke same.*

## **Motion**

*That Council resolves:*

- 12.1.1 *Pursuant to the powers conferred by section 58A of the **Food Act 1984** the Council delegates to its officers and members of staff in the manner and to the extent specified in the Instrument of Delegation presented to this Council meeting and attached to this resolution ("**Instrument of Delegation**") the powers and discretions conferred on Council under the relevant provisions of the Act also specified in the Instrument of Delegation;*
- 12.1.2 *The delegations in the Instrument of Delegation come into force on 1 July 2010, after the affixing of the common seal of Council to the Instrument of Delegation and the dating of that document, and the Council authorises and directs those actions;*
- 12.1.3 *The powers and discretions of the Council which are delegated in the Instrument of Delegation are subject to and must be exercised in accordance with any requirements, limits and restrictions set out in the Instrument of Delegation;*
- 12.1.4 *The delegations set out in the Instrument of Delegation remain in force until the Council resolves to vary or revoke same.*

**Moved: Cr Bill McClenaghan**

**Seconded: Cr Tim Hayes**

**Carried.**

**Attachment 8**  
**Item 12.1**

### **13    INFRASTRUCTURE:**

***See Confidential Items.***

## **14 COUNCIL SECTION 86 AND ADVISORY COMMITTEES**

### **14.1 SECTION 86 AND ADVISORY COMMITTEE UPDATE**

(A/O – General Manager Corporate Services)

File Ref: Various

#### **Introduction**

Section 86 Committee and Advisory Committee Minutes are tabled for noting. At the Ordinary Meeting of Council, a resolution was passed requesting a report on any outstanding minutes and attachments for Section 86 Committees. This information is also contained in the report below.

#### **Report**

Please see listed below the minutes of Section 86 and Advisory Committees for your information which have been forwarded to Councillors under separate cover.

- Minutes of the Clunes Museum Committee meeting 8 February 2010 and 12 April  
File No: 1/2570/00036 (12986R) DOC/10/29743
- Minutes of the Lyonville Community Hall Committee 24 February, 24 March, 28 April, 26 May 2010 File No: 4/0960/00600 (101806R)

In conducting a review of Section 86 Committees compliance with governance requirements it was found that only half the committees have submitted audited accounts for the year ended 30 June 2009. Previous delegations allowed S86 Committees to arrange their own audit. As part of the new delegations and guidelines, the requirement was changed to assist S86 Committees by Council arranging audits.

To remedy this situation the following action has been taken:

- 1) All S86 Committees will be contacted and asked to provide accounts for the year ended 30 June 2009
- 2) Council will organise for these accounts to be audited by a qualified auditor.
- 3) Training for Treasurers will be organised at Council's offices

The majority of Committees hold and report on regular meetings, however there are a number of Committees that are either not holding regular meetings or are failing to submit minutes. In particular the following Committees have in many cases not forwarded minutes or not in a timely manner.

Doug Lindsay Recreation Reserve  
Clunes Town Hall  
Creswick Museum  
Clunes Community Centre  
Clunes Community Housing  
Dean Recreation Reserve

The majority of Committees have appointed office bearers at their first meeting since re-appointment and have notified Council of these appointments. There is no record of an AGM being held in 2009 for the following committees:

Doug Lindsay Recreation Reserve  
Clunes Town Hall  
Lyonville Hall  
Glenlyon Recreation Reserve  
Clunes Community Centre  
Clunes Community Housing  
Dean Recreation Reserve

It may be that a number of Committees did not hold AGMs in 2009 due to timing of re-appointments. In many cases there was some confusion around the status and responsibilities of the previous Committee members and transition.

A summary of this review can be found in Attachment 9.

### **Relevant Policies**

Nil

### **Community Engagement**

Members of the community are represented on these committees.

### **Financial Implications**



## **Recommendation**

That Council

*14.1.1 note the Minutes of the Committees listed above which have been distributed under separate cover; and*

*14.1.2 note the report on outstanding minutes and attachments for Section 86 Committees.*

## **Motion**

That Council

*14.1.1 note the Minutes of the Committees listed above which have been distributed under separate cover; and*

*14.1.2 note the report on outstanding minutes and attachments for Section 86 Committees.*

**Moved: Cr Rod May**

**Seconded: Cr Tim Hayes**

**Amend Motion to add the following words:**

“14.1.3 That a further report come to Council in 3 (three) months on progress made. “

**Moved: Cr Bill McClenaghan**

**Seconded: Cr Don Henderson**

**Amendment carried.**

**Amended Motion**

That Council

- 14.1.1 *note the Minutes of the Committees listed above which have been distributed under separate cover; and*
- 14.1.2 *note the report on outstanding minutes and attachments for Section 86 Committees.*
- 14.1.3 *That a further report come to Council in 3 (three) months on progress made.*

**Carried.**

**Attachment 9**  
**Item 14.1**

## **14.2 HERITAGE ADVISORY COMMITTEE RECOMMENDATIONS**

(Action Officer – General Manager Sustainable Development)

### **Introduction**

This report presents for Council's consideration the recommendations of the Heritage Advisory Committee from meetings held through 2009.

### **Background**

Minutes and recommendation of Council Advisory Committees need to be incorporated in the Council process. The nominated procedure to achieve this integration will be the presentation of recommendations of the Advisory Committees to Council at its Ordinary Meeting and the attachment of Minutes for reference.

The report will contain the details of the Advisory Committee meeting date, members, recommendations as well as any necessary supporting information. The 2009 meetings have been included in this first report. Minutes for these meeting have been previously sent under separate cover.

### **Meeting Dates**

20 February 2009  
5 May 2009  
26 June 2009  
8 September 2009

### **Members**

Councillor (Chair)	Cr Don Henderson
Members and attendees	Cr Bill McClenaghan Ina Bertrand Karen Byrnes Valda Catrice Patricia Cook David Endacott Gael Elliott Margaret Fullwood David Henderson Richard Hutton Elizabeth McInerney Les Pitt Tony Redmond
Support Officer(s)	GM Sustainable Development Manager Planning

### **Recommendations and Action Status from Meetings**

Many recommendations have either been actioned or will naturally form part of processes for projects such as the Streetscape Revitalisation process or the Municipal

Strategic Statement. A breakdown of the recommendations and action status is provided.

<b>Meeting Date</b>	<b>Motion</b>	<b>Action/ Status</b>
<b>20 Feb 2009</b>	<i>Nil Motions</i>	
<b>5 May 2009</b>	<p><u>Motion 1</u>  <i>That the Executive Officer of the Heritage Advisory Committee provides the Committee with Heritage Overlay Maps and the Proforma used by the Heritage Advisor on seeking listing of item/s of heritage significance into the Heritage Overlay.</i></p>	<p><u>Motion 1</u>  <i>In progress</i></p>
	<p><u>Motion 2</u>  <i>That the Heritage Advisory Committee receive a whole listing of the Significant Tree Register, media articles and other historical matters associated with the Register.</i></p>	<p><u>Motion 2</u>  <i>Regular Significant Tree Register progress is provided to the meeting by the Meeting Planner.</i></p>
	<p><u>Motion 3</u>  <i>That the Heritage Advisory Committee advises Council that solid evidence produced of historic/heritage names to be applied to naming of streets across Hepburn Shire.</i></p>	<p><u>Motion 3</u>  <i>The Infrastructure Department will consult with the Heritage Advisor on any future street name changes.</i></p>
<b>26 June 2009</b>	<p><u>Motion 1</u>  <i>The Heritage Advisory Committee recommends to Council that future projects to revitalize streetscapes in major townships of Daylesford, Hepburn Springs, Creswick, Clunes and Trentham be referred to the Committee for comments prior to decision being made on each project.</i></p>	<p><u>Motion 1</u>  <i>This will form part of the consultation process of the Streetscape Revitalisation.</i></p>

	<p><u>Motion 2</u>  <i>The Heritage Advisory Committee recommends to Council that any proposed removal of existing bluestone pavements that form part of streetscapes in major townships of Daylesford, Hepburn Springs, Creswick, Clunes and Trentham be referred to the Committee for comments prior to works commencing.</i></p>	<p><u>Motion 2</u>  <i>This will form part of the consultation process of the Streetscape Revitalisation.</i></p>
	<p><u>Motion 3</u>  <i>The Heritage Advisory Committee recommends to Council that any proposed removal of trees of heritage significance in major townships of Daylesford, Hepburn Springs, Creswick, Clunes and Trentham to be referred to the Committee for comments prior to works commencing.</i></p>	<p><u>Motion 3</u>  <i>This will form part of the process in the significant tree register which the Heritage Advisory Committee will be consulted on.</i></p>
8 Sept 2009	<p><u>Motion 1</u>  <i>Recommendation that Council include the Heritage Advisory Committee in any future township studies.</i></p>	<p><u>Motion 1</u>  <i>This will form part of the consultation process of the any future township studies.</i></p>
	<p><u>Motion 2</u>  <i>Recommend Council accept the resignation of Peter Horsburgh and write to him to thank him for his contribution to the Heritage Advisory Committee.</i></p> <p><i>Nominate Ina Bertrand as the Heritage Advisory Committee representative to join the Culture and Arts Advisory Committee.</i></p> <p><i>Call for Nominations - Two (2) New Committee Members</i></p>	<p><u>Motion 2</u>  <i>Completed</i></p>
	<p><u>Motion 3</u>  <i>Recommend that Council should</i></p>	<p><u>Motion 3</u>  <i>Completed</i></p>

	<i>advertise for two new Heritage Advisory Committee members.</i>	
	<i><u>Motion 4</u> Recommend that Council should retrieve the Rotunda (Old Rotunda at Lake Daylesford – Central Springs Reserve) from private ownership for construction purposes.</i>	<i><u>Motion 4</u> Initial investigation has determined that elements of the Rotunda are available, but that substantial elements are missing. Further investigation needs to be done on this item. A further report will be provided on this item.</i>

**Relevant Policies**

- 53. Complete a significant tree register and enable appropriate protection through the Hepburn Planning Scheme

**Community Engagement**

Members of the community, historical societies and Museums are on these committees.

**Financial Implications**

There are no financial implications in Council at this stage. Outcomes of the investigation into the Rotunda may have financial implication.

**Recommendation**

*That Council:*

- 14.2.1 *Note and accept the recommendations of the Heritage Advisory Committee from meetings held on 20 February 2009, 5 May 2009, 26 June 2009 and 8 September 2009 (Motions 1-3 only);*
- 14.2.2 *Agree that further investigation be undertaken on retrieving the Rotunda (Old Rotunda at Lake Daylesford – Central Springs Reserve) from private ownership for construction purposes.*

**Motion**

*That Council:*

- 14.2.1 *Note and accept the recommendations of the Heritage Advisory Committee from meetings held on 20 February 2009, 5 May 2009, 26 June 2009 and 8 September 2009 (Motions 1-3 only);*
- 14.2.2 *Agree that further investigation be undertaken on retrieving the Rotunda (Old Rotunda at Lake Daylesford – Central Springs Reserve) from private ownership for construction purposes.*

**Moved: Cr Tim Hayes**

**Seconded: Cr Rod May**

**Carried.**



## **15. CONFIDENTIAL ITEMS**

### **15.1 CLOSURE OF MEETING TO THE PUBLIC**

That pursuant to the provisions of Section 89(2) of the *Local Government Act 1989*, the meeting be closed to the public in order to consider:

*89(2) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.*

#### **Recommendation**

*15.1.1 That the meeting be closed to members of the public under Section 89(2) of the Local Government Act 1989, specifically the following sub-section:*

*89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.*

*To consider Tender H220-2010 Operation of Recycling Sorting Facility, Tender 221-2010 Kerbside Recycling Collection Service, Tender H222-2010 Kerbside Waste Collection Service, Tender 223-2010 Public Litter Bin Collection Service.*

#### **Recommendation**

*15.1.1 That the meeting be closed to members of the public under Section 89(2) of the Local Government Act 1989, specifically the following sub-section:*

*89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.*

*To consider Tender H220-2010 Operation of Recycling Sorting Facility, Tender 221-2010 Kerbside Recycling Collection Service, Tender H222-2010 Kerbside Waste Collection Service, Tender 223-2010 Public Litter Bin Collection Service.*

**Moved: Cr Tim Hayes**

**Seconded: Cr Jon Barrell**

**Carried.**

***Cr Bill McClenaghan declared an indirect Conflict of Interest as contractors are competitors or known to Councillor due to his involvement in the Waste Management Industry.***

**15.2 TENDER FOR OPERATION OF RECYCLING SORTING FACILITY**

(Action Officer – General Manager Infrastructure)

File Ref: H220-2010

**15.3 TENDER FOR KERBSIDE RECYCLING COLLECTION SERVICE**

(Action Officer – General Manager Infrastructure)

File Ref: H221-2010

**15.4 TENDER FOR KERBSIDE WASTE COLLECTION SERVICE**

(Action Officer – General Manager Infrastructure)

File Ref: H222-2010

**15.5 TENDER FOR PUBLIC LITTER BIN COLLECTION SERVICE**

(Action Officer – General Manager Infrastructure)

File Ref: H223-2010

## 16. RE-OPENING OF MEETING TO PUBLIC

### Recommendation

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

### Motion

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

**Moved: Cr Sebastian Klein**

**Seconded: Cr Rod May**

**Carried.**

## 17. CLOSE OF MEETING

**The Meeting closed at 11.20pm.**