



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

TUESDAY 16 FEBRUARY 2010

**CLUNES TOWN HALL
BAILEY STREET
7PM**

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MINUTES

TUESDAY 16 FEBRUARY 2010

Clunes Town Hall
Bailey St, Clunes
Commencing 7PM

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A handwritten signature in black ink, appearing to read "K. Conrick", is centered on the page.

KAYLENE CONRICK
CHIEF EXECUTIVE OFFICER
11 February 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.

2. OPENING OF MEETING: The Meeting opened at 7.05pm

PRESENT: Mayor Councillor Janine Booth, Deputy Mayor Councillor Rod May, Councilor Jon Barrell, Councillor Tim Hayes, Councillor Don Henderson, Councillor Bill McClenaghan

IN ATTENDANCE: Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure, General Manager Community Development, Manager Planning

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: Cr Sebastian Klein.

4. DECLARATION OF CONFLICTS OF INTEREST: Nil.

5. CONFIRMATION OF MINUTES:

Recommendation

- 5.1 *That the Minutes of the Ordinary Meeting of Council held on 19 January 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 19 January 2010 (as previously circulated to Councillors) be confirmed as required under Section 93(2) of the Local Government Act 1989 with amendment to Motion 10.1 to insert "draft" before the word policy.*

Moved: Cr Jon Barrell

Seconded: Cr Rod May

Carried.

6. NOTICES OF MOTION:

Nil Notices of Motion received.

7. PRESENTATION OF REPORTS:

Mayor's Report

Councillor Janine Booth, Creswick Ward delivered the following report:

Much of my time as Mayor this month has been spent getting up to speed on regional matters as well as attending presentations and events within our Shire.

The highlight for this past month has been attending the Australia Day events across the Shire.

Beginning with our Australia Day eve celebrations where two new Citizens took their pledge of Allegiance as part of our Citizenship ceremony, Jonathan Welch, our Australia Day Ambassador delivered a heartfelt Australia Day address and our Australia Day Citizen, Junior Citizen and Event of the Year were announced. On Australia Day I attended the Flag raising event by the Creswick Light Horse Troop followed by Breakfast at Creswick's Park Lake, Lunch and flag raising event at Trentham and Dinner and flag lowering event at Clunes in the evening. I felt privileged to travel to these areas as Mayor to witness first-hand the enthusiasm and neighbourly goodwill of these small communities as their residents acknowledge our National Day in their own unique ways.

I would like to thank Councillors for their attendance at various events across the Shire particularly Cr Henderson who attended the Dawn Walk up Mt Beckwith and Cr McClenaghan who attended the Glenlyon event as those were events I was unable to attend personally.

Later that week I attended the launch of the Leadership Ballarat and Western Region program where the new participants were introduced. This is a very worthwhile Leadership Program with local government, industry and business partnering to support emerging leaders across the region. Our own Jane Barclay Youth Development Officer is a participant this year and I am sure will bring back to this organisation many benefits and skills from her involvement.

The Regional Producers Day was recently held at the Lake House where thousands of people attended to sample, purchase and view locally produced produce from our region. I attended to present the Council-sponsored "Sustainability Award" which was won by Fernleigh farm acknowledging their outstanding leadership and contribution to over 10 years of market development, sustainable agriculture and organic food production in our region.

The MAV Rural South Central Regional Forum last week in Bannockburn. Cr McClenaghan as Councils MAV delegate also attended and I am sure he will provide Council with a report on that meeting. I acknowledge the importance of

these regional rural meetings which provide the opportunity to raise local rural issues with the MAV.

I attended the VLGA Mayors weekend which was a valuable networking opportunity to meet and talk with other Mayors from across the state. The weekends workshops provided tips on Meetings with purpose, the IAP2- Public participation toolbox, Advocacy roles and responsibilities, Standing out in the Crowd and getting noticed in this Election year - Councils will note that it is anticipated that there will be two elections this year Federal and State and Councils need to have identified projects and have an understanding of the issues in order to advocate on behalf of the Community. The guest speaker at dinner was Mr Richard Wynne MLA Minister for Local Government who was a willing participant in the discussion around the table.

I attended the MAV's Maximising the Mayoralty Forum last Thursday along with Deputy Mayor Cr Rod May. Topics focused on the Meeting procedure and Media training and reinforced best practise policy and procedures. – The greatest learning for me was that all Councils do it differently and you need to find what fits for your Council and your Community. It is not a case of one size fits all.

The next day I attended the Timber Towns meeting. Hepburn has not had a representative attend for some time and Council will be asked to consider its membership shortly. With new and emerging laws and opportunities around Carbon sequestration, planting and harvesting, Farm forestry and Timber industry strategies it may be that Council finds representation again as relevant and useful as it did previously.

Yesterday I attended a round table discussion with the Parliamentary Secretary for Community Development, officers from the Office of Local Government and other Mayors and CEOs to discuss issues around the implementation of the Conflict of Interest Laws for Local Government. The commonality across Councils was the lack of clarity, inconsistent application and associated risk management issues for Councils. These common issues will be reported back to the Minister for Local Government Mr Richard Wynne for his consideration as to whether further amendments are needed to the legislation.

In conclusion I have had a busy and enjoyable month as Mayor and I look forward to the month ahead with its opportunities to attend several regional planning forums.

Councillor Reports

Deputy Mayor Councillor Rod May, Birch Ward delivered the following report:

I attended the Australia day celebrations at the Daylesford Town Hall and appreciated the fine work, honours and entertainment associated with the evening.

I attended Tim Cotter's Cultivating Sustainability Behaviour change workshop organised by SHARE. This important workshop dealt with behavioural impediments and solutions to sustainability issues. The issues include Habits/Decision-making Cognitive Dissonance Values Social Norms Influencing Styles. The relevance of this process was high and a useful list of references was made available.

I attended the MAV's "Maximising the mayoral year" where issues of meeting conduct revealed a great range of meeting formats and procedures.

I attended the Hepburn Relocalisation networks Sustainability Dinner where along with Crs Barrel and Klein, I presented the Council's outline of its sustainability pursuits with special attention to our Energy Descent Action Plan.

In addition, I attended our Birch Ward meeting last night in addition to separate meetings with SIFC and various ratepayers seeking a hydrotherapy facility.

Councillor Bill McClenaghan, Holcombe Ward delivered the following report:

Between Birch and Holcombe Wards, the Jim Crow Creek flows between the hamlets of Franklford, Yandoit and Clydesdale; three communities that have developed a shared Community Plan. The Jim Crow Planning Group has now been formed to reflect the connectivity and similarities between these three rural communities. As Holcombe Ward Councillor, I am a member of this Group.

On Friday 22 January 2010, the J.C.P.Group went on a local bus tour to visit some of the notable, historic, aesthetic and significant places like;

- an old but solid footbridge over the Jim Crow Ck. at Clydesdale made from a Ruston Dragline dredge arm on concrete pillars.
- several places of particular beauty on the Jim Crow Creek
- fine examples of historic Swiss-Italian architecture such as restored and ruined stone houses and outbuildings, including the old coach house at Yandoit on the former Cobb & Co coach route between Castlemaine and Ballarat.
- the "Rise and Shine" mining reserve at Clydesdale.
- Potential areas for community facility development like the area on the creek beside Batt's Bridge at Yandoit where a scenic picnic spot could be established.

After the bus tour, the group met at Steve O'Connor's place in Yandoit for a light meal, a debrief of the tour and social bonding of the Group into a harmonious working relationship. Thanks also to Sue Moses (Council's Community Development Officer) for assisting with the tour.

The following week, we celebrated Australia Day commencing with an Australia Day Eve event in the Daylesford Town Hall. On the day there were individual town services at Clunes, Creswick, Trentham and Glenlyon. I attended the Glenlyon service this year and gave an address based on an e-mail from Alison Thompson of Sydney. Alison is working in earthquake ravaged Haiti as a humanitarian relief worker and she was not home to receive her Australia Day honours in the Order of Australia Medal. Her e-mail details the absolutely dreadful conditions in Haiti that she was working in and demonstrates the Australian qualities of service to others in need to which we all may aspire. Many people were inspired that day by Alison's story.

On Monday 8 February, the Mayor and I attended the Municipal Association of Victoria "Rural South Central Forum" held in Bannockburn. This group of Councils consists of Hepburn Shire, Golden Plains, Moorabool, Ballarat City, Pyrenees, Greater Geelong, Surf Coast and the Borough of Queenscliffe. The meeting was attended prominently by CEOs, Mayors and MAV delegates and raised issues relevant to member Councils in our area. Topics included;

- enforcing conditions placed on wind farm developments by Panels Victoria from which the Planning Permit was issued. Both Pyrenees and Moorabool Shires are very impacted by this issue.
- proposed changes to the Planning and Environment Act that will streamline planning issues but also bypass Council planning processes and remove third party and community appeal rights. Legislation is currently before Parliament and the MAV is lobbying the State Government to ensure that the rights of municipalities and rural residents are protected.
- a new officer has just been appointed to work with rural Shires on their various issues and projects.
- concerns about bushfire prevention issues like the mismatch between Total Fire Ban Districts and Weather Forecast Areas, Township Protection Plans, designating Neighbourhood Safer Places for these TPPs in the 52 identified fire prone towns. Other concerns relate to the "Code Red - Catastrophic" fire danger rating and the confusion it is causing in terms of what people should do and when. Community and individual family home protection, local resources and fire warnings were also discussed.
- individual Council MAV reps gave reports on what their Councils are doing and Mayors and CEOs all had the opportunity to add information items or raise issues and concerns to share with neighbouring Shires.

These MAV Regional Forums are great opportunities to share issues and resources and also to enlist the robust help and advocacy of the MAV on important impactful matters.

Lastly, we received this document in the mail from the MAV and I now table the “Blaze Aid Honour Roll” that contains a list of all the people and organizations that helped Blaze Aid rebuild many hundreds of kilometers of fencing between Kilmore and Kinglake after Black Saturday in February 2009. Local community heroes Kevin & Rhonda Butler had turned their house and farm into the headquarters for a small army of volunteers to work tirelessly in their endeavours to organize the willing efforts of hundreds of people who came from all over Victoria, Australia and even the World to assist farmers in this area get back into production after fire destroyed all their fences. Kevin & Rhonda have done a fantastic and wonderful job and have already been acknowledged as “Local Heroes” in State awards. Hepburn Shire played a small part in sourcing some local foodstuffs in the form of about ¾ tonne of spuds from Ray Bruton’s farm at Trentham (or Little Hampton to be precise) and many kilograms of snags from Hardwicks Wholesale Butchers in Kyneton. Both appear on the Honour Roll. Also, I would like to acknowledge the efforts of Ms Linda Newitt from the CEO’s Unit whose contacts sourced the materials for “Blaze Aid”. It is with pride that I report Hepburn Shire’s place on this Honour Roll and acknowledge the efforts of all those who turned up “with love in their hearts and a crowbar in their hands” to help people whose lives and livelihoods had been all but totally destroyed in that terrible fire.

Councillor Jon Barrell, Birch Ward delivered the following report:

- 1. The Wombat Hill Botanical Gardens Advisory Committee Meeting** meeting for December 2009 was substituted for a on site meeting yesterday 14/12/09 involving Acting GM Infrastructure Mr Peter Reeve & Mr John Hawker, Horticultural Advisor to Heritage Victoria.
- 2. Councillors are aware that the Destination Daylesford Campaign Committee** has been wound up.
 - a. As reported previously, a new Hepburn Shire Regional Tourism Association - Tourism Hepburn Incorporated - has evolved.
 - b. I am still awaiting clear advice from the Daylesford & Hepburn Springs business & tourism community as to their preferred forum to represent themselves to Local Government, Tourism Hepburn and other bodies and the community. I am continuing to liase with a number of individuals regarding this opportunity.

3. ARC Advisory Committee last met 08/02/2010

ARC Managers, YMCA Ballarat, have appointed a new Centre Director to the ARC. Lissa Mcildowney will work 35 hours per week and priority tasks will include the establishment of functioning committee of user groups.

Current contract between Council and the YMCA is due to conclude on 30 June 2010. With the option of extending the contract a further 2-3 years available if both parties agree.

The Committee commenced a review of its Terms of Reference. Accordingly, Council will facilitate strategic planning community meeting at Daylesford Secondary College in new school rooms, Wed 10 March 2010, between 7pm-9pm with the option of people arriving at 6.30pm to look through ARC and health club facilities.

4. I was delighted to attend with Cr May & Cr Klein a Sustainability Forum of the Hepburn Relocalisation Network on 28 January. We

enjoyed a very generous vegetarian meal, a presentation by a number of residents with expertise and interest in the matter. They were delighted with Council's initiative in proposing an Environmental Sustainability Advisory Committee and an Energy Descent Action Plan to be considered later tonight.

Councillor Tim Hayes, Cameron Ward delivered the following report:

Since the January Council Meeting I have had the pleasure in attending a number of functions within the Cameron Ward and beyond.

Following the Australia Day Eve Reception in Daylesford, I attended the Clunes Australia Day celebrations in Collins Place. As always, this function was well attended and concluded with the lowering of the Australian and Hepburn flags by our local Citizens of the Year – Mac Fawcett and Edna Toole.

As mentioned in today's issue of the Councillor Bulletin, Premier John Brumby made special reference to Clunes in his address to the Australia Day Luncheon. This recognition is very much appreciated by all of those involved in Creative Clunes, the Back to Booktown event and, of course, the newly established Booktown Bookshop in Clunes.

Last Friday I had the opportunity to personally thank the Premier for his words at the Official Opening of the Wheeler Centre for Books, Writing & Ideas at the State Library of Victoria. Once again he was complimentary of the cultural tourism program being undertaken in Clunes and his sentiments were echoed by the newly

appointed Minister for the Arts Peter Batchelor. No matter who I spoke to, the common response to the fact that I was from Clunes was 'Ah! Booktown'.

The Booktown Bookshop has exceeded our expectations. Since opening on 4 December and up until yesterday 1900 books have been sold resulting in gross sales of \$12,600.

Back to Booktown is scheduled for the first weekend in May and for the first time we will be venturing into TV marketing, made possible partly through a \$5,000 grant from Tourism Victoria and in partnership with Forest Resort and Peppers Springs Retreat. Creative Clunes is also negotiating a substantial sponsorship deal with La Trobe University and I hope to be able to release details of this arrangement in the near future.

Last Saturday I had the pleasure in attending the annual Banquet on Bailey Dinner at the Town Hall. It was an outstanding success and raised almost \$4000, most of which will be donated to the Clunes Junior Football Club. I congratulate all those involved in organizing this function.

Councillor Don Henderson, Creswick Ward delivered the following report:

During the past month I have not attended as many functions as some of my colleagues. I have though spent a great deal of time putting the actions of our council plan into action and have been consulting our residents to obtain their views on a number of crucial issues.

I have been to the second meeting of the newly formed Country Womens association in Clunes where I joined them for supper. It is great to see the re emergence of CWA in Clunes. I did say that they needed to have scones, jam and cream to be a truly good CWA.

I attended Clunes also and did the climb up Mt Beckworth on Australia day and was pleased to have enough brath left at the bottom to do the Flag Raising. I too made mention of the work being done in Haiti by Alison Thompson as any person reading her description of events there could not be moved to reflect on this lucky country. I also later attended the breakfast in Creswick.

I guess for me perhaps the highlight was a bus trip around the Yandoit area as a guest of the Jim Crow Community Group . This place is a gem and all the wonderful examples of stone architecture reminded me of Ross in Tasmania. The real gems here were the people who were so proud of their area and showed their real dedication to the improvement and protection of this special place.

I also attended the Heritage Advisory Committee, CDC and a meeting of CDDA. Attending CDDA as a guest gives an opportunity to gather the views of our business community and the direction they are going in.

Recommendation:

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

Motion:

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

Moved: Cr Tim Hayes

Seconded: Cr Jon Barrell

Carried.

7.2 COUNCILLORS' LEAVE OF ABSENCE

Council is advised that Councillor Sebastian Klein is on leave this month and apologises for his absence at this Meeting.

Council is also advised that it is the intention of Councillor Jon Barrell to be absent from 7 May 2010 to 6 June 2010, both dates inclusive. He will therefore be absent from the Ordinary Meeting of Council of 19 May 2010.

Recommendation:

That Council

7.2.1 *Note the absence of Cr Sebastian Klein at the February 2010 Ordinary Meeting.*

7.2.2 *Approve the leave of Cr Jon Barrell from 7 May 2010 to 6 June 2010 inclusive, and therefore his absence from the Ordinary Meeting of Council 19 May 2010.*

Motion:

That Council

7.2.1 *Note the absence of Cr Sebastian Klein at the February 2010 Ordinary Meeting.*

7.2.2 *Approve the leave of Cr Jon Barrell from 7 May 2010 to 6 June 2010 inclusive, and therefore his absence from the Ordinary Meeting of Council 19 May 2010.*

Moved: Cr Rod May

Seconded: Cr Tim Hayes

Carried.

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:

A petition was tabled at the January 2010 Ordinary Meeting of Council from Glenlyon residents objecting to early morning shooting by the Gun Club at the Glenlyon Recreation Reserve.

This matter is currently under investigation and a report will be presented to the March 2010 Ordinary Meeting of Council.

Nil petitions for the February 2010 Ordinary Meeting of Council received at time of collating Agenda.

8.2 QUESTIONS:

1. Eleonore Pierson, Musk

Has Council given permission for Bdouble water tankers to use Wheeler's Hill Road Musk?

These tankers run 24/7.

If not, why are they using it?

If permission has been granted who granted it, and why? What criteria was used?

VicRoads is monitoring the tankers and speak to the driver, why?

Is Council aware of this? Why not? Ring Jim Kierce at VicRoads 0408379066.

Why is VicRoads involved with a Council road?

The road is unsuitable and dangerous. The cutting is too narrow for a truck and a car to pass each other. Who has to reverse up or down the steep gradient to let the other pass??

The tanker drivers do not want to get off the narrow strip of bitumen so where does that leave other traffic.

Tankers park on the road waiting to fill.

The tanker drivers flash their lights at the top of the hill as a sign for cars to continue up. Is this safe/legal? The many foggy days make this a useless exercise.

Strangers would have no idea about this practice.

The road is breaking up, the first bend off the Trentham/Daylesford Road is a wet, muddy, blind corner, a death trap.

If some at Council was stupidly irresponsible enough to give permission, without consultation, for B double tankers, why is there no signage?

Response by General Manager Infrastructure, Peter Reeve:

Council has not given permission for B-Double tankers to use Wheelers Hill Road, Musk. These vehicles are not B-Doubles, but semitrailer trucks that do not require permission for transport.

VicRoads and Victoria Police are the enforcement agencies for vehicles on roadways. Mr Jim Kierce at VicRoads confirms that the trucks in question are not B-Doubles.

2. Shirley Hinkley (Sailors Hill)

When does the Council expect to adopt the recommendations relation to the protection of Sailors Hill?

Hepburn Planning scheme amendment C38 – Hoaths Road and Ridge Road.

The panel recommends that this land be rezoned to Rural Living and /or introduce an overlay provision to protect this land (5.2.5 page 26 of the report)

Response by Manager Planning, Justin Fiddes:

Council is voting to resolve to accept or not the recommendations of the Planning Panel in relation to amendment C38 at tonight's meeting.

The council officer report recommends accepting the recommendations of the Panel to exclude the Sailors Falls area from the Township Structure boundary and

to limit lot sizes in the Sailors Falls area to 1 to 2ha. This will be achieved by including a schedule in the Low Density Residential Zone limiting any subdivision to 1 to 2ha.

3. Rhonda Merritt (Creswick)

Creswick Structure Plan: As builders and plumbers of Creswick we question the Urban Growth Boundaries to the north of the town around King, Alfred Street and beyond as potential residential infill. This area has urban – forest interface and is in a high risk bush fire area. The BAL (bushfire attack level assessment) will be applied to each house site and the extra cost to build in a high bush fire area is quite considerable.

Urban growth to the north and south side of Ascot Road north of Ring Road doesn't have the same bush fire risk and a lot of that area when the BAL is applied will be low. We have a shortage of land in Creswick to develop.

There doesn't seem to be any reference to land that could be explored for future industrial use.

The consultant's report doesn't have a term of reference. Was the community consulted and if so when and with who?

Response by Manager Planning, Justin Fiddes:

The community was consulted throughout the amendment process. The structure plans have been prepared as a direct result of the amendment process including input from stakeholders such as the community, council and other government departments to name a few.

Council is about to undertake a review of the Municipal Strategic Statement (MSS) in the Hepburn Planning Scheme. This will set the vision for the future direction of the Hepburn Planning Scheme. The community will be invited and encouraged to participate in this amendment which can provide future guidance to the structure of the shire's towns.

4. Michelle Potter, Creswick

I would ask of Council the following questions, with particular reference to 12.4 "Hepburn Planning Scheme Amendment C38 to incorporate the revised structure plans and amend the municipal strategic statement."

1. Why the community was not kept informed? Given Council letters informing those who participated in this lengthy 6 year process and planning panel review that they would be kept informed.
2. Why this matter was deferred from the Delegated Planning Process late 2009?
3. Why this matter was not rescheduled for a Delegated Planning Process? If it was, why those affected were not informed?
4. Having met with the CEO stating the importance of industrial/residential interface, why those residents and ratepayers have not been updated or informed of Council's resulting decision and reports thereto.
5. Why feedback from workshop was not disseminated to the public? This is unclear.
6. Were all Councillors made aware of strategic report regarding industrial investigation for Creswick and the recommendation of such? Why this information has not been made available or referred to? I note the Panel Report Recommendation that paragraph 4 page 61 * We consider that Council's limited financial resources should not be spent pursuing a masterplan for the whole industrial zoned area as an industrial estate. It is our view that Council resources be spent focussing (sic) on improving the town centre of Creswick as a commuter town to Ballarat and tourist town with service function for the surrounding rural district rather than pursuing development of Ascot/Ring Roads area as a viable industrial estate. As stated in the industrial strategy if there is an apparent demand for industrial land, new, less encumbered areas should be considered elsewhere around town.
 - 6A. What consideration has been given to the current Industrial Plan 2003?
 - 6B. What has the cost been to date on investigation of this site?
 - 6C. Have Council looked at alternative site as recommended by the panel?
7. Industrial 3 Change sold as Industrial 1.
 - 7B. How have Council recognised sensitive interfaces? P 2, pg 61.
8. Modification to plans result of panel and explain why complete recommendation not included?
9. Is the matter of my land to remain an outstanding issue against the HSC Planning Scheme – despite legal documentation, Council's failure to locate

it – letter Mr O'Shannessy CEO (*NOTE: Phil Shanahan, interim CEO*), and two panel reports?

10. It is unclear which portions Council now amends from the panel report.

Response by Manager Planning, Justin Fiddes:

There are a number of questions which I will summarize and will be able to answer when the report is presented to council.

Amendment C38 is part of a long process involving participation of various stakeholders including the community. The community very given the opportunity to make direct submissions on two occasions including to a Panel reviewing the amendment.

Council agendas are placed on Council's website to advise the community about upcoming issues to be voted on at Council's Ordinary Meetings. The community are able to attend any public meeting and the Ordinary Meetings of Council are the appropriate forum to inform the public on the progress of the Amendment.

I informed Ms Potter that an amendment cannot be heard at a DPC meeting, the amendment can only be voted on at an Ordinary Meeting of Council. The amendment was never listed as being on the DPC agenda.

Ms Potter was informed that the panel recommendation did recognise the importance of the interface between the residential area and the industrial land in Creswick and as such the recommendation of the panel to review this area was included on the structure plans.

Ms Potter was informed that a report on the industrial land is to be presented to Council in March.

Finally the Council Officers' report to Council at the 16 February 2010 Ordinary Meeting went through the recommendations that were amended based on the Panel recommendations. This information was also made available through the agenda.

9 EXECUTIVE SERVICES:

9.1 MELBOURNE CUP DAY PUBLIC HOLIDAY

(Action Officer – Chief Executive Officer)

File Ref:48/06/02

Introduction

The report provides Council with responses from the Community in relation to Minister Joe Helper's request seeking feedback on Council's views about its preferred arrangements for Melbourne Cup Day or an alternative public holiday.

Report

At the 19 January 2010 Ordinary Council Meeting Council resolved to:

1. Advertise inviting community comment on whether it would be preferable for Hepburn Shire to continue to observe the Melbourne Cup Day public holiday or an alternative full day public holiday through the entire municipality or that part-Shire arrangements should apply, because part or parts of the municipality have longstanding local events that they would prefer to observe with a full day local public holiday in lieu of Melbourne Cup Day.
2. Consider the matter at the February 2010 Ordinary Meeting of Council with an officer report to be presented on the community feedback.

In December 2009 Council received correspondence from Minister for Small Business, Joe Helper MLA seeking Council's views about its preferred arrangements for Melbourne Cup Day or an alternative public holiday.

In 2008 the Public Holidays Act 1993 (the Act) was amended to appoint Melbourne Cup Day as a public holiday across the entire State of Victoria.

Council's in non-metropolitan Councils are still able to nominate an alternative public holiday to Melbourne Cup Day if they wish however, the substitute day must be a full day and it must apply to the entire municipal district.

In 2009 a small number of non-metropolitan Council's declared substitute days.

Minister Helper is asking Council's for feedback to the following two questions:
The Minister is asking if Hepburn Shire Council would Hepburn Shire Council:

1. Prefer to continue to observe the Melbourne Cup Day public holiday or an alternative full day public holiday through our entire municipality; or

2. Consider that part-Shire arrangements should apply, because part or parts of the municipality have longstanding local events that they would prefer to observe with a full day local public holiday in lieu of Melbourne Cup Day.

The following Community responses have been received:

Name	Organisation	Public Holiday Preference
Phonse Liddle	Principal, Smeaton Primary School	Ballarat Show Day
Christine Simmons	Principal, Clunes Primary School	Ballarat Show Day
Heather Gordon	Creswick and District Pre-School	Ballarat Show Day
Kaye Trotter	Principal, Newlyn Primary School	Ballarat Show Day
Barry Griffiths	Principal, St Augustine's Primary School, Creswick	Ballarat Show Day
Susan Doull	Creswick North Primary School	No preference – 2 out 5 strongly support Ballarat Show Day

Relevant Policies

This report relates to Hepburn Shire Council Plan 2009-2013 Good Governance objective 17

“Embracing community knowledge and expertise to help guide its decision making and implementation”.

Community Engagement

Advertisements seeking Community views on this matter appeared on Council's page in *The Advocate* on 27 January and 3 February 2010.

Financial Implications

There are no Council financial implications associated with Council providing feedback to Minister Helper on this matter.

Melbourne Cup Day or substitute holiday attracts the standard public holiday penalty rates for Council and business.

Recommendation

9.1.1 That Council having considered community feedback on whether Hepburn Shire would prefer to continue to observe the Melbourne Cup Day public holiday or an alternative full day public holiday through our entire municipality or consider part-Shire arrangements more relevant to local communities with a full day local public holiday in lieu of Melbourne Cup Day, determine its preference and write to Minister Helper indicating Hepburn Shire Council's view on the matter.

Motion:

9.1.1 That Council write to Minister Joe Helper indicating that Hepburn Shire Council would prefer to have the option to consider part Shire arrangements that may be more relevant to local communities in the future.

Moved: Cr Jon Barrell

Seconded: Cr Tim Hayes

Carried.

10 CORPORATE SERVICES:
10.1 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 31 January 2010 is provided for information.

Report

This report provides information on Council's operating performance for the 7 months to 31 January 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 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 against budget currently indicates a positive variance of \$547 thousand. While there are a number of variances contributing to this result the following items are worth noting:-

- Unbudgeted grants totaling \$83 thousand for; Bush Fire Community recovers \$30 thousand and Youth Bush Fire Response Gift \$53 thousand.
- Plant recovery running ahead of schedule \$120 thousand.
- Timing of receipt of invoices from third party contractors (\$110 thousand)

The positive variance therefore is made up mainly from unbudgeted grants and timing differences which will not impact the overall result for the year. There may be some savings from the timing of filling staff vacancies, and some additional revenue earned that will result in a positive operating result for the full financial year.

Capital Works and Major Projects:

Expenditure on the capital works program has totaled \$2.4M to date out of the revised annual budget of \$9.6M. The majority of the expenditure to date has been on the projects funded by the Federal Government Stimulus Package, being

upgrades to toilet amenities in Clunes, Daylesford and Trentham and also the completion of the new Depot at Daylesford.

Planning and detailed design is well underway for the Doug Lindsay Recreation Reserve project with the majority of works to be completed in 2010. This project is currently out to tender closing 10am 16 February 2010. Works on infrastructure such as Roads, Bridges etc totaling \$3.1M will be undertaken between February and April 2010.

Balance Sheet

Current Assets:

Cash and investments at 31 January total \$5.1 million.

Net current receivables are \$7.4 million including \$6.2 million in rates. Trade debtors at 31 January are \$876 thousand. Debtors are being monitored and regular follow up action taken to minimize any write offs.

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

The reduction in other assets represents the reversal of prepayments recorded at 30 June 2009 that apply to the 2009/10 financial year.

Current Liabilities:

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

Non-Current Assets:

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

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

Financial Assets of \$0.9 million 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.

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. Sundry debtors are above average due to the invoicing of black spot funding.

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:

10.1.1 *That Council receives the Monthly Financial Report for the seven months from 1 July 2009 to 31 January 2010*

Motion

10.1.1 *That Council receives the Monthly Financial Report for the seven months from 1 July 2009 to 31 January 2010*

Moved: Cr Don Henderson
Seconded: Cr Bill McClenaghan
Carried.

Attachment 1: Variance Report

Overall

Variance - Surplus/(Deficit) 000's				\$547
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2010				
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's
OVERALL				
INCOME				
Corporate Services	12,918	11,814	11,825	11
Community Services	2,378	1,255	1,376	121
Regional Development & Promotion	597	333	340	7
Public Safety	344	161	164	3
Recreation	505	286	328	42
Infrastructure	1,881	1,024	1,152	128
Waste Management	1,695	1,646	1,656	10
Total Income	20,318	16,519	16,841	322
EXPENDITURE				
Corporate Services	4,786	2652	2,607	45
Community Services	3,549	1,792	1,713	79
Regional Development & Promotion	2,338	1285	1,266	19
Public Safety	812	476	453	23
Recreation	1,538	826	808	18
Infrastructure	2,368	1,309	1,381	(72)
Waste Management	1,582	816	703	113
Total Expenditure	16,973	9156	8,931	225
NET	3,345	7363	7,910	547

Variance Report

Corporate Services

Variance - Surplus/(Deficit) 000's					\$56
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2010					
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	Note
CORPORATE SERVICES					
INCOME					
Revenue Services (Rates & M/C)	10,796	10,767	10,773	6	
Grants Commission	1,752	876	876	0	
Other Income	370	171	176	5	
Total Income	12,918	11,814	11,825	11	
EXPENDITURE					
Council & Executive Services	750	389	378	11	
Financial Services	906	521	527	(6)	
Technical Services	874	455	453	(2)	
Governance & IT	1,100	665	636	29	1
Organisational Development	377	219	204	15	
Other Administration	779	403	409	(6)	
Total Expenditure	4,786	2,652	2,607	45	
NET	8,132	9162	9,218	56	
NOTES					
1. Favorable variance mainly due to minor changes in timing of projects.					

Variance Report

Community Services

Variance - Surplus/(Deficit) 000's					\$200
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2010					
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	Note
COMMUNITY SERVICES INCOME					
Community Development	582	229	309	80	2
Family & Children's Services	153	110	119	9	
Aged & Disability Services	1,156	684	678	(6)	
Housing	87	32	34	2	
Contract Services	400	200	236	36	3
Total Income	2,378	1,255	1,376	121	
EXPENDITURE					
Community Development	1,391	567	558	9	
Family & Children's Services	365	183	175	8	
Aged & Disability Services	1,389	804	727	77	4
Housing	44	30	31	(1)	
Contract Services	360	208	222	(14)	3
Total Expenditure	3,549	1,792	1,713	(79)	
NET	(1,171)	(537)	(337)	200	
NOTES					
2. Unbudgeted funding received for Bush Fire recovery \$83k.(\$30K Bush Fire Community Recovery: \$53k Youth Bush Fire Response)					
3. Additional contract services requested offset by additional expenditure.					
4. Respite Care and Housekeeping expenditure below budget due to seasonal effects.					

Variance Report

Regional Development

Variance - Surplus/(Deficit) 000's					\$26
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2010					
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	Note
REGIONAL DEVELOPMENT INCOME					
Planning & Heritage Services	170	108	114	6	
Building Services	125	78	84	6	
Tourism & Economic Development	257	142	134	(8)	
Other Cultural Activities	39	1	6	5	
Public Halls	6	4	2	(2)	
Total Income	597	333	340	7	
EXPENDITURE					
Planning & Heritage Services	845	410	408	2	
Building Services	164	90	87	3	
Tourism & Economic Development	488	245	240	5	
Community Amenities	165	96	84	12	
Library Services	405	300	304	(4)	
Other Cultural Activities	194	97	99	(2)	
Public Halls	77	47	44	3	
Total Expenditure	2,338	1285	1,266	19	
NET	(1,741)	(952)	(926)	26	
NOTES					
No material variances from revised budget.					

Variance Report

Public Safety

Variance - Surplus/(Deficit) 000's					\$26
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2010					
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	Note
PUBLIC SAFETY					
INCOME					
Fire Prevention	41	8	6	(2)	
Animal control	91	10	14	4	
Compliance	30	18	21	3	
Health	162	109	107	(2)	
School Crossing	8	4	4	0	
Emergency Management	12	12	12	0	
Total Income	344	161	164	3	
EXPENDITURE					
Fire Prevention	60	44	31	13	5
Animal control	33	22	21	1	
Compliance	243	140	132	8	
Health	282	145	146	(1)	
Environmental Initiatives	111	65	63	2	
School Crossing	26	15	16	(1)	
Emergency Management	57	45	44	1	
Total Expenditure	812	476	453	23	
NET	(468)	(315)	(289)	26	
NOTES					
5. Contractors invoices yet to be received and hence not expensed.					

Variance Report

Recreation

Variance - Surplus/(Deficit) 000's					\$60
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2010					
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	Note
RECREATION INCOME					
Parks & Gardens	1	1	0	(1)	
Reserves	9	5	4	(1)	
Mineral Springs Reserves	480	280	324	44	6
Indoor Recreation	15	0	0	0	
Total Income	505	286	328	42	
EXPENDITURE					
Parks & Gardens	176	102	96	6	
Reserves	728	423	449	(26)	7
Mineral Springs Reserves	248	118	117	1	
Swimming Areas	240	109	95	14	
Cemeteries	1	1	0	1	
Recreation Projects	145	73	51	22	8
Total Expenditure	1,538	826	808	18	
NET	(1,033)	(540)	(480)	60	
NOTES					
<p>6. Lease income running ahead of Budget (Linked to performance).</p> <p>7. Higher expenditure due to outlines of Risk Assessments (i.e. Glenlyon Reserve footbridge) will be offset by savings in other areas to maintain balanced budget.</p> <p>8. Favorable variance due mainly to: timing of payment of the indoor Recreation Centre management fees; Mt Prospect Association & Lake Park project delayed (\$6k - to be completed in February).</p>					

Variance Report

Infrastructure

Variance - Surplus/(Deficit) 000's					\$56
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2010					
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	Note
INFRASTRUCTURE					
INCOME					
Road Maintenance	889	445	445	0	
Other Transport	992	579	707	128	9
Total Income	1,881	1,024	1,152	128	
EXPENDITURE					
Road Maintenance	1,912	1,044	1,130	(86)	9
Depots	51	29	28	1	
Other Transport	405	236	223	13	
Total Expenditure	2,368	1,309	1,381	(72)	
NET	(487)	(285)	(229)	56	
NOTES					
9. Plant recovery running ahead of schedule due to additional events associated with fire.					

Variance Report

Waste Management

Variance - Surplus/(Deficit) 000's					\$123
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2010					
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	Note
WASTE MANAGEMENT					
INCOME					
Waste Revenue	1,685	1,636	1,646	10	
Land Management	10	10	10	0	
Total Income	1,695	1,646	1,656	10	
EXPENDITURE					
Street Cleaning	127	72	52	20	11
Waste Management	1,437	735	643	92	11
Land Management	18	9	8	1	
Total Expenditure	1,582	816	703	113	
NET	113	830	953	123	
NOTES					
10. Contractors invoices yet to be received and hence not expensed.					

Variance Report

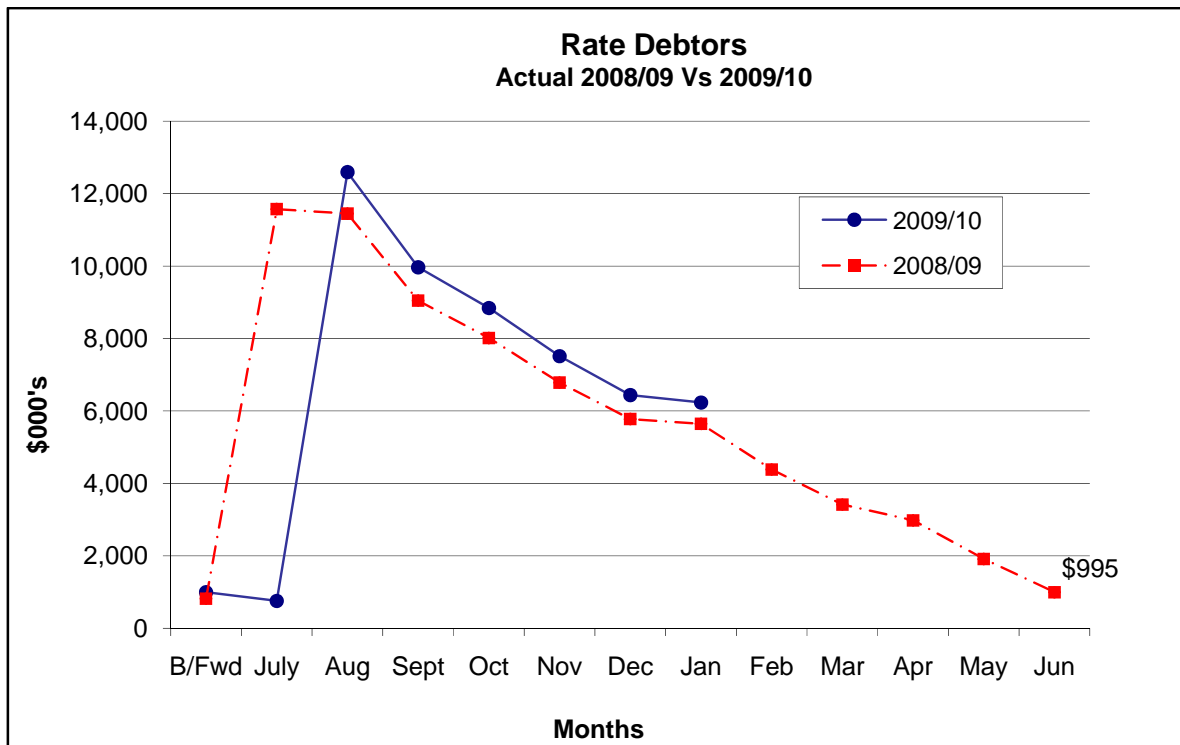
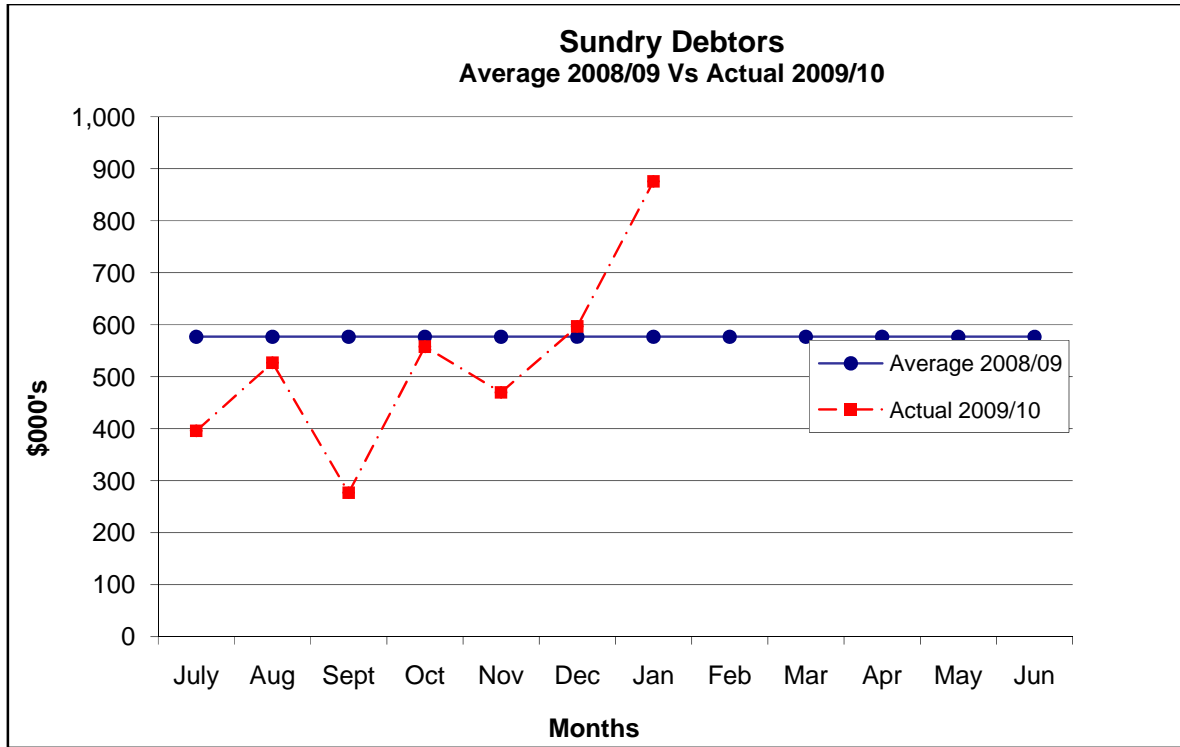
Capital Works & Major Projects

Program	Major Activities	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	Note
9 Capital Income						
Land & Buildings	Doug Lindsay Project, Magic Pudding Playground, Collins Place Rotunda	995	0	0	0	
Environmental Initiatives	Carbon Negative Initiatives, Calambeen Caravan Park	115	42	42	0	
Infrastructure		1,275	584	584	0	
Furniture & Equipment	Computer Equipment	4	4	4	0	
Plant & Machinery	Passenger & Commercial Fleet, Works Plant & Equip	383	83	83	0	
Other Structures	Vic Park Project	140	0	0	0	
Total Capital Income		2,912	713	713	0	
9 Capital Expenditure						
Land & Buildings	Doug Lindsay Project, Magic Pudding Playground, Clunes Football Netball Club, Collins Place Rotunda	3,853	1178	1,197	(19)	
Environmental Initiatives	Carbon Negative Initiatives, Calambeen Caravan Park	317	65	77	(12)	
Infrastructure	Reseals, Resheets, Gooches Bridge Infrastructure Gap Project	3,610	644	649	(5)	
Furniture & Equipment	Computer Equipment	327	109	106	3	
Plant & Machinery	Passenger & Commercial Fleet, Works Plant & Equipment	1,093	243	243	0	
Waste Management	Sealing of access way, new bins	155	37	36	1	
Other Structures	Playground Replacement, Victoria Park Project	280	74	73	1	
Total Capital Expenditure		9,635	2350	2,381	(31)	
	NET	(6,723)	(1,637)	(1,668)	(31)	
NOTES						
No material variances from revised budget.						

Balance Sheet

Balance Sheet		
As at 31 January 2010		
	\$000's	\$000's
	30-Jun-09	31-Jan-10
Assets		
Current assets		
Cash and cash equivalents	5,661	5,159
Trade and other receivables	1,739	7,425
Inventories	25	37
Other assets	94	0
Total current assets	7,519	12,621
Non-current assets		
Trade and other receivables	2	1
Financial assets	899	899
Investments in associates accounted for using the equity method	447	447
Property, plant and equipment, infrastructure	160,605	162,273
Total non-current assets	161,953	163,620
Total assets	169,472	176,241
Liabilities		
Current liabilities		
Trade and other payables	899	116
Trust funds and deposits	795	1,005
Provisions	1,660	1,530
Interest-bearing loans and borrowings	419	213
Total current liabilities	3,773	2,864
Non-current liabilities		
Provisions	736	736
Interest-bearing loans and borrowings	3,193	3,193
Total non-current liabilities	3,929	3,929
Total liabilities	7,702	6,793
Net Assets	161,770	169,448
Equity		
Accumulated surplus	96,311	96,311
Operating result for period	0	7,593
Reserves	65,459	65,544
Total Equity	161,770	169,448

Attachment 2: Debtors Graphs



10.2 POLICY NO. 60: PLAQUES AND MEMORIALS ON PUBLIC LAND OR BUILDINGS

(Action Officer – General Manager Corporate Services)

File Ref:

Introduction

The purpose of this Policy is to provide a framework for Council to use when dealing with requests for the installation of plaques or memorials in or on buildings, on the pavement, in public parks, open space gardens, streets or public places.

Report

Council currently has no Policy to consistently deal with applications from persons or organisations wishing to install a plaque or memorial on Council or Council controlled public property. In the past these requests have been dealt with at the time of application based on the considered importance of the purpose for the plaque or memorial.

Examples of plaques or memorials may include a tablet, stone timber or metal object which includes text or images which commemorates a person, event or historical information or a monument.

This Policy proposes to restrict the approval of installation of plaques and memorials to events or persons of outstanding significance to an area within the Hepburn Shire.

It also has the objective of minimizing the incidence of plaques and memorials in open space, safety, risks and environmental impact.

Existing plaques and memorials will generally be retained but if maintenance costs become prohibitive or there is a need to re-locate, then those originally involved in its placement, where practical will be consulted before re-citing or removal.

At the 19 January 2010 Ordinary Council Meeting Council resolved to:

1. Amend the policy to include an additional clause 4.1 as follows: "Requests for plaques and memorials will be assessed against the following criteria"
2. Advertise inviting community comment and resolve to reconsider the matter at the February 2010 Ordinary Meeting of Council.

The policy was amended and is included in Attachment 1. An advertisement was included in the Advocate on January 27 inviting community comment. No responses have been received.

Relevant Policies

Hepburn Planning Scheme

Guidelines –Bushfire Memorials (Victorian Bushfire Reconstruction and Recovery Authority)

Regulations for the Care, Protection and Management of Crown Reserves

Community Engagement

As per Council's resolution at the January Ordinary Meeting of Council, the policy was made available on Council's website for public comment. No comments were received by the advertised due date of 8 February 2010.

Financial Implications

The Policy requires applicants to meet all costs associated with the design, manufacture, and installation of a plaque or memorial.

Recommendation

10.2.1 That Council adopt Policy No 60, Plaques and Memorials on Public Land or Buildings.

Motion

10.2.1 That Council adopt Policy No 60, Plaques and Memorials on Public Land or Buildings.

Moved: Cr Jon Barrell

Seconded: Cr Don Henderson

Carried.

Attachment 1
Item 10.2



HEPBURN SHIRE COUNCIL

POLICY NUMBER: 60

Plaques and Memorials On Public Land and Buildings

Adopted: Date:

PROGRESSIVE ORGANISATIONS HAVE GOOD POLICIES

Policies help organisations and the public to better understand an organisation's priorities and where it is heading. Hepburn Shire Council is committed to developing and maintaining a comprehensive set of policies to guide the organisation towards a better future.

Policies are regularly reviewed and staff input is actively sought in this process. Community input is sought for those policies which have a major public focus.

Comments are also welcomed after policies have been adopted to assist in their continuous review and improvement.

KAYLENE CONRICK

CHIEF EXECUTIVE OFFICER

HEPBURN SHIRE COUNCIL

LAST AMENDED:

AMENDED:

NEXT REVIEW: **2013**

RESPONSIBLE OFFICER: General Manager, Corporate Services

1. Purpose

The purpose of this Policy is to provide a policy framework for the installation of plaques or memorials in or on buildings, on the pavement, in public parks, open space, gardens, streets or public places. All plaques or memorials installed within the Hepburn Shire should conform to this Policy.

Some parks or other locations already contain plaques or memorials that predate this Policy. These markers will generally remain but should not be taken as a precedent for future approvals.

2. Policy Objective

This Policy has as a key objective to:

- Restrict plaque and memorials to events or persons of outstanding significance to an area.
- Minimise the risks and environmental impact of plaques and memorials
- Minimise the incidence of plaques and memorials in open space.
- Ensure safety of motorists where plaques or memorials are located on streets or roadsides.

3. Definitions

- Plaque – A flat tablet, stone, or other material which includes text or images which commemorate a person, event or historical information relative to a location.
- Memorial – an object established in memory of a person, association, anniversary or event and includes a monument.
- Open Space – refers to all land owned and or /managed by Council that is zoned Public

- Public Park & Recreation Zone (PPRZ) and Public Conservation & Resource Zone (PCRZ) and is available for public access. Typically open space includes parks, gardens, trails, habitat corridors, utility reserves, water ways, foreshores, sportsgrounds and conservation reserves.
- Public Place – refers to road reserves, streetscapes and other municipal places that are owned and /or managed by Council.

4. Council Policy

Requests for plaques and memorials will be assessed against the following criteria.

4.1 Existing plaques and memorials will generally be retained.

If the existing site is inappropriate, maintenance cost prohibitive or the condition of the plaque or memorial is poor, those originally involved in its placement should, where practical be consulted before re-siting or removal. Replacement plaques or memorials of a different style and material may also be considered.

4.2 Council does not encourage the installation of plaques or memorials in open space and only events or people of outstanding significance may be commemorated by a plaque or memorial.

4.3 Subjects for plaques and memorials will be limited to the following:

- an individual or association that has contributed significantly to the cultural, political or social aspects of the Hepburn Shire or its community;
- an individual or association strongly linked to the Hepburn Shire and its history;

- a significant anniversary of an event unique to the history or development of the locality;
 - historical or other information relevant to the site/location of the plaque.
- 4.4 Recognition of significant contributions for open space infrastructure can be acknowledged by a way of a plaque mounted on the infrastructure. E.g requirement of funding agency.
- 4.5 Plaques and memorials shall be designed and sited so as not to intrude upon or damage the structure or natural environment or otherwise create a public risk. Their construction should require little maintenance and should be resistant to vandalism.
- 4.6 The approved plaque or memorial will be located at the designated site for a period of not less than ten years. Council however maintains the right to remove or relocate it should the site be redeveloped or significantly changed in character
- prior to the expiration of this period. Council does not guarantee the retention of any plaque or memorial beyond ten years.
- 4.7 A Plaque or memorial should be:
- located in a position where it will not distract a driver's attention or interfere with the role of any traffic control item.
 - located in a position where it will not be hazardous to passing traffic or prevent appropriate maintenance of open space, reserve, road reserve or public infrastructure.

- 4.8 Applicants must meet all costs associated with the design, manufacture and installation of a plaque or memorial, which shall be undertaken by, or under the supervision of Council.
- 4.9 Requests for a plaque or memorial shall be made in writing to the Chief Executive Officer, Hepburn Shire Council detailing the following:
- location of intended installation
 - reason for installation
 - brief statement of significance of the event or person concerned
 - name of proponent
 - intended date of installation
 - copy of any text already prepared
 - acceptance to policy conditions of installation.
- 4.10 The General Manager, Corporate Services should keep a record of all approved installations in Councils Corporate records.
- 4.11 Plaques or Memorials which have been placed in any location without authorisation, or which do not meet the general requirements of this policy may be removed after attempts have been made to consult with the persons responsible for the installation.

10.3 LOAN APPROVAL ⁽¹⁾

(A/O – General Manager Corporate Services)

File Ref:

Introduction

Council resolved to borrow \$300,000 in order to contribute to the Doug Lindsay Recreation Reserve Project (\$201,000) and for the new Corporate IT Finance System (\$99,000) when adopting the 2009/10 budget. Given the anticipated increase in interest rates the loan will need to be taken up prior to the end of February 2010.

At the time of adopting the budget, the Council considered that it would not need its full contribution to the Doug Lindsay Recreation Reserve Project during 2009/10 and therefore the balance would be borrowed in 2010/11.

Report

The Council's 2009/10 budget provided for a loan of \$300,000 to be taken out during the financial year to fund their contribution to the Doug Lindsay Recreation Reserve Project (\$201,000) and for the new corporate computer software (\$99,000).

For comparison purposes quotes are sought for provision of the loan at a set time of a specified day. The quotes are only open for a short period of time to achieve the most competitive rates. For this reason past practice has been to authorise the CEO to accept the most advantageous quote.

To further facilitate the process it has been requested that the Council move a resolution authorising the CEO to sign and seal the Mortgage document when it is available so that the loan can be drawn down by the end of the month.

Relevant Policies / Council Plan implications:

Per s98 *Local Government Act 1989*:

(1) A Council may by instrument of delegation delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act other than—

- (a) this power of delegation; and
- (b) the power to declare a rate or charge; and
- (c) the power to borrow money; and**
- (d) the power to approve any expenditure not contained in a budget approved by the Council; and

(1) The heading amended during meeting from previous title "Loan For Local Contribution to the Doug Lindsay Recreation Reserve Project."

- (e) any power, duty or function of the Council under section 223; and
- (f) any prescribed power.

Community / Engagement / Communication / Consultation:

Not applicable.

Financial Implications

The loan funds have been provided for in the 2009/10 budget.

Recommendation:

10.3.1 That Council authorise the CEO to accept the most advantageous quote and sign and seal the mortgage documents for a loan of \$300,000 for the Council's contribution to the Doug Lindsay Recreation Reserve Project and a Corporate IT Finance System

Motion:

10.3.1 That Council authorise the CEO to accept the most advantageous quote and sign and seal the mortgage documents for a loan of \$300,000 for the Council's contribution to the Doug Lindsay Recreation Reserve Project

Moved: Cr Don Henderson
Seconded: Cr Bill McClenaghan

Amendment:

Add the words, "And a Corporate IT Finance System."

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

Amendment:

Add "\$201,000 after Doug Lindsay Recreation Reserve project, and \$99,000 after Corporate IT Finance System."

Moved: Cr Rod May
Seconded: Cr Jon Barrell.
Carried.

Amended Motion:

10.3.1 That Council authorise the CEO to accept the most advantageous quote and sign and seal the mortgage documents for a loan of \$300,000 for the Council's contribution to the Doug Lindsay Recreation Reserve Project (\$201,000) and a Corporate IT Finance System (\$99,000)

Carried.

11. COMMUNITY DEVELOPMENT

11.1 LOCALITIES ENHANCING ARTS PARTICIPATION (LEAP) PROJECT

(Action Officer – General Manager Community Development)

File Ref:

Introduction

The purpose of this report is for Council to nominate a Councillor to represent the interests of Hepburn Shire Council at the Localities Enhancing Arts Participation Ambassadors conferences. (Schedule for 2010 – 2012 listed below).

Report

LEAP is a new three year arts participation pilot project that aims to increase participation in arts and cultural activities for individuals and communities. It will achieve this by:

- Supporting councils to improve the quality, reach and sustainability of local arts and culture infrastructures;
- Increasing the capacity of Council to promote and provide opportunities for participation in arts activities within their communities; and
- Strengthening the links between state and regionally funded arts organisations, local Councils and local communities.

This project is one of three funded across the State by VicHealth and is a joint initiative submitted by the Shires of, Hepburn, Moorabool, Golden Plains, Pyrenees, Rural City of Ararat, and the City of Ballarat.

The overall funding for the project is \$200,000 each year for three years.

The initial phase of the project will result in the establishment of a Central Highland Arts Network (CHAN). This network will use modern technologies to map and promote cultural activities across the region, identify target areas and populations across the six municipalities for future engagement, and establish a professional arts residency web portal to maximise community participation and engagement in both creative activities and diverse cultural experiences.

By building new connections between the arts community and other sectors, such as education, sporting communities and workplaces, CHAN will encourage and support professional development opportunities for local artists and arts participation for local communities.

The LEAP project is intended to be implemented in partnership with a variety of community organisations and service providers, depending on the specific project. VicHealth has implied that further funding for specific projects should be pursued by the responsible municipalities to ensure their ability to participate in specific project outcomes.

LEAP AMBASSADORS GROUP

Due to the collaborative and cross municipal nature of this project, it is imperative that each council nominates a representative to be informed and advocate for their municipalities' interests at LEAP Ambassadors Group conferences, to be held three times a year. The working and steering groups who will be facilitating the LEAP project have requested representation of a Councillor from each of the municipalities. Commitment to the Board should be representative of a staunch interest in the development of community strengthening activities in Hepburn Shire.

Relevant Policies

Council Plan Objective – Healthy Safe and Vibrant Communities – “We will assist our residents improve the health, safety and vibrancy of our communities”.

Community Engagement

There has been consultation about this project with local arts and cultural initiatives. Information about the project has been presented to the Culture and Arts Advisory Committee. A Community Engagement strategy will be developed for this project.

Financial Implications

There are no financial implications to being involved in the LEAP project. Hepburn Shire will benefit from information and resource exchange, and community and regional consultations that will form the preliminary stage of this project.

During the application process financial commitments have been made from other participating councils and some partner organisations. At present Hepburn Shire has not committed any financial contribution to the LEAP project. It is expected that the current and future arts and culture budgets and future funding applications will be utilised to implement project outcomes.

In order for Hepburn Shire to be involved in specific community art projects and to fully realise the benefits of being involved in this project, further funds may need to be accessed, which will be addressed through the budgetary process at the appropriate time.

Recommendation

- 11.1.1 *That Council nominates a Councillor to represent the interests of Hepburn Shire Council at the Localities Enhancing Arts Participation Ambassadors conferences.*

Motion

11.1.1 *That Council nominates Councillor Tim Hayes to represent the interests of Hepburn Shire Council at the Localities Enhancing Arts Participation Ambassadors conferences.*

Moved: Cr Rod May

Seconded: Cr Jon Barrell

Carried.

Attachment 2
Item 11.1

Attachment 1

Localities Enhancing Arts Participation (LEAP) Project

Localities Enhancing Arts Participation Ambassadors conferences.
Schedule for 2010 – 2012

Meeting Date	Chair	Location
Feb 2010		Ballarat City Council, Art Gallery Boardroom
June 2010		Pyrenees Shire,
Dec 2010		Hepburn Shire
Feb 2011		Moorabool Shire
June 2011		Ararat Rural City Council
Dec 2011		Golden Plains Shire,
Feb 2012		Ballarat City Council, Art Gallery Boardroom

Attachment 3
Item 11.1

Attachment 2

Localities Enhancing Arts Participation (LEAP) Project

Localities Enhancing Arts Participation Ambassadors Group

12 SUSTAINABLE DEVELOPMENT

12.1 TOWNSHIP PROTECTION PLANS (TPPS)

(Action Officer – General Manager Sustainable Development) File Ref: 27/06/02

Introduction

A draft set of Township Protection Plans (TPPs) was provided by CFA to Council in late 2009 for consideration. Council officers provided comments and feedback on the drafts. The amendments have been completed and will be presented to Council for adoption.

Report

In response to the Victorian bushfires in early 2009, a Royal Commission was instigated which handed down 51 Interim Recommendations to the State Government on 17 August 2009.

Immediate attention was required for 52 townships in 25 Local Government areas which were identified as being particularly vulnerable to bushfire. Within Hepburn Shire, the townships of Hepburn Springs, Trentham, Creswick and Daylesford have been assessed as being vulnerable to bushfire.

Individual Township Protection Plans (TPPs) were seen as mandatory for the identified townships and the plans will form part of the County Fire Authority's (CFA) operational preparedness program. (Refer to separate attachments for TPPs)

Township Protection Plans provide a planned response to a bushfire within, or in close proximity to the township, that has the potential to impact on the local community. The plan provides pre-determined actions that will enable quick and informed decision making by both the community and emergency services.

The TPPs contain three parts:

- *Part 1 Community Information*
A stand alone section that the community (permanent and tourists/ visitors) may freely access throughout the year to enhance their knowledge of key locations and facilities and details of where they can obtain the latest information
- *Part 2 Township Planning Factors*
Provides planning factors to enhance the initial operational response to a bushfire impacting the town

- *Part 3 Fire Prevention*

Provides a graphical representation of the fire prevention works (completed and planned) for the area.

In the latter half of 2009, Council assisted CFA to populate their standard templates and matrices to develop TPPs for the identified townships. Municipal contribution emanated principally from the current Municipal Fire Prevention Plan (MFPP), a document that contains commitments from various agencies for the Hepburn Shire for the prevention of bushfire.

Relevant Policies

Municipal Emergency Management Plan

Council Plan 2009-2013:

49. Involving communities in emergency response preparedness and ensuring our response plans are sufficiently robust to deal with not only the familiar emergencies like bushfire but possible emergency crises like fuel shortages or widespread financial distress.

Community Engagement

Community notification about the TPPs will be handled by CFA with support of Council.

Visitor Information Centres will also carry TPP plans

Financial Implications

There will be an ongoing cost for TPP assessments and maintenance by officers in preparation for all future fire seasons.

Recommendation

That Council :

- 12.1.1 Endorse the CFA Township Protection Plans (TPPs) for Creswick, Daylesford, Hepburn and Trentham;*
- 12.1.2 Attach the CFA Township Protection Plans for Creswick, Daylesford, Hepburn and Trentham to the Municipal Emergency Management Plan;*
- 12.1.3 Notify the Municipal Association of Victoria (MAV) of Council's adoption of the Township Protections Plans (TPPs).*
- 12.1.4 Note that CFA has advised that it will distribute the Township Protection Plans (TPPs) to relevant parties including CFA Brigades, DSE Depots, Incident Control Centres, Municipal Emergency Control Centres (MECCs) and Municipal Emergency Management Planning Committee (MEMPC).*
- 12.1.5 Note that the CFA has advised that it will notify residents about the Township Protection Plans (TPPs) by mail.*

Motion:

That Council :

- 12.1.1 Endorse the CFA Township Protection Plans (TPPs) for Creswick, Daylesford, Hepburn Springs and Trentham;*
- 12.1.2 Attach the CFA Township Protection Plans for Creswick, Daylesford, Hepburn Springs and Trentham to the Municipal Emergency Management Plan;*
- 12.1.3 Notify the Municipal Association of Victoria (MAV) of Council's adoption of the Township Protections Plans (TPPs).*
- 12.1.4 Note that CFA has advised that it will distribute the Township Protection Plans (TPPs) to relevant parties including CFA Brigades, DSE Depots, Incident Control Centres, Municipal Emergency Control Centres (MECCs) and Municipal Emergency Management Planning Committee (MEMPC).*
- 12.1.5 Note that the CFA has advised that it will notify residents about the Township Protection Plans (TPPs) by mail.*
- 12.1.6 Advise the endorsement of the Township Protection Plans by providing a link on Council's website to the CFA website*

Moved: Cr Bill McClenaghan

Seconded: Cr Don Henderson

Carried.

12.2 DAYLESFORD PARKING PRECINCT PLAN

(Action Officer – Manager Planning)

File Ref: H195-2009

Introduction

In late 2008 a Reference group made up of Council Planning, Engineering, Local Laws and Economic Development staff met to compile the project brief for a car parking precinct study and strategy.

The Shire had identified that there may be a need for increased parking in the future due to population (population growth is estimated at approx 1% per annum, source Council Plan 2006-2010), business and residential growth and increased car use.

Ratio consultants were commissioned by Council in January 2009 to investigate the need for a Parking Precinct Plan (PPP). A final report was prepared by Ratio in August 2009.

Report

The study area applies to Business 1 zoned land within the Township of Daylesford.

Car parking requirements for different land uses are detailed in Clause 52.06 Car Parking – Hepburn Planning Scheme.

Some examples of car parking requirements:

Shop Must provide 8 Car Spaces to each 100sq m of leasable floor area.

Restaurant Must provide 0.6 Car Spaces to each seat available to the public.

The requirements to provide Car Spaces may be waived if the applicant can provide justification based on the following decision guidelines:

- Any relevant parking precinct plan.
- The availability of car parking in the locality.
- The availability of public transport in the locality.
- Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.
- Any car parking deficiency or surplus associated with the existing use of the land.

- Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.
- Local traffic management.
- Local amenity including pedestrian amenity.
- An empirical assessment of car parking demand.
- Any other relevant consideration.

Ratio consultants determined that in the Business 1 zone there are a total of 929 public parking spaces of which 802 are located on the street (curb side parking). In assessing car parking availability, the entire business zone should be included in the study area.

Ratio conducted the parking review on Friday 3 April 2009 between 9am and 7pm and Saturday 28 March 2009 between 10am and 4pm. These days and times are typically peak periods for parking demand.

Conclusions

Ratio's study suggests "that the current supply of parking meets the current demand and that there is sufficient capacity to meet currently expected future demand...." This means that a PPP (Parking Precinct Plan) is not needed at this time."

Ratio held discussions with the Department of Planning and Community Development (DPCD) to discuss whether a PPP is the most appropriate way forward for Daylesford. These discussions with the DPCD determined that a PPP is not warranted at this time.

Recommendations by RATIO

Ratio made a number of recommendations which are detailed in the study. A copy of the study has been made available to all councillors. Most notable of these recommendations is to improve the current enforcement or utilisation of parking available at present and improvements to pedestrian links. In order to do this, Council would develop a parking management plan.

Relevant Policies

Council Plan 2009 - 2012 – A more prosperous economy

32. Preparing main street revitalization plans for our key towns and completing as a priority the rejuvenation of Vincent Street, Daylesford.

Community Engagement

Not required to this stage.

Financial Implications

A budget allocation will need to be included in Council's 2010/2011 Budget for the development of a Parking Management Plan.

Recommendation:

That Council:

12.2.1 Resolve not to adopt a Daylesford Parking Precinct Plan.

12.2.2 Prepare a Parking Management Plan to better use the existing parking supply based on the recommendations of the car parking study and strategy.

Motion:

That Council:

12.2.1 Ask Council officers to prepare a Daylesford Parking Plan, and;

12.2.2 Ask Council officers to present to Council in 3 months, the proposed scope of the Daylesford Parking Plan and the scope of the Vincent Street Revitalisation plan.

Moved: Cr Jon Barrell

Seconded: Cr Rod May

Carried.

12.3 AMENDMENT C47 - UNIGRAIN

(Action Officer – Manager Planning)

File Ref: 66/20/04/C47

Introduction

This report seeks formal endorsement to proceed with application to the Minister of Planning in accordance with the Council Resolution of 15 July 2008.

Report

In order to facilitate removing Exhibition and Notice requirements that would be required for an amendment, the Minister must be satisfied that there would be no community concerns.

To meet this requirement Council sent notices to near and adjoining land owners and placed an advertisement in the Advocate Newspaper seeking views on the matter. In addition a public information session was held on Monday 7 December from 4pm to 7pm at the Smeaton Community Centre and Bowling Rooms. In attendance were representatives from Unigrain, along with the Manager Planning and the General Manager of Sustainable Development.

At the end of this period, Council, if satisfied that there are no community concerns may resolve to relinquish rights to formally advertise the amendment and give control of the amendment process to the Minister. If this option is chosen and the Minister agrees, the amendment will be exempt from formal Exhibition and Notification. The rationale for this approach is that it speeds up the time it takes for the amendment to be processed after establishing that there are no significant community or council concerns.

The amendment does not propose any change to the current land use or zone (Farming Zone), and a development plan overlay covers this site, which, will continue to control future development on this site.

After the public information session and up until the close date (09/12/2009) to receive submissions on the matter, Council has received two submissions; one submission has since been withdrawn. It must be noted that Council is willing to receive submissions after 9 December 2009. The basis of these submissions is summarized as follows:

Submission 1

1. Proper processes and community consultation need to take place.
2. Confusion over the proposal, lack of information over existing permits/overlays and conditions.
3. Inappropriate and overdevelopment of the site on an ad hoc basis in the past.
4. Failure of enforcement by authorities to the detriment of the local environment.
5. Existing planning scheme based on a broad community view and should not be changed unless it is in the public interest.

The basis of the submitters concerns are compliance issues in relation to the current land use and development plan overlay controls which affect the land. A development plan was approved by Council on 5 November 2001 and is incorporated into the Hepburn Shire Planning Scheme. These issues were investigated by council's Manager Planning and Planning Compliance Officer along with a representative from EPA Victoria. It was found that there was no breach of the development plan, any planning permits issued or of the Hepburn Planning Scheme.

(Note: Council records indicate prior to the above compliance issues being raised as a result of this amendment, the last complaint to be registered with Council is dated 23 October 2000.)

Submissions should directly relate to the subdivision. In this instance given that there was no significant community concern and the controls over the subject site will remain the same, it is deemed that there is no reason for not allowing a site specific subdivision.

Relevant Policies

Council Plan 2009-2013:

37. Using the review of the Hepburn Planning Scheme and the Municipal Strategic Statement to explore the options and business precinct opportunities which maximise infrastructure utilisation and promote local resource sharing and complementary activity.

Community Engagement

Council sent notices to near and adjoining land owners and placed an advertisement in the *Advocate* newspaper seeking views on the matter. In addition, a public information session was held on Monday 7 December from 4pm to 7pm at the Smeaton Community Centre and Bowling Rooms

Financial Implications

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

Recommendation:

- 12.3.1 *That Council resolve to seek the Minister's approval to amend the Hepburn Planning Scheme through the adoption of Amendment C47 – Unigrain utilising Section 20(4) of the Planning and Environment Act 1987 which exempts the Minister from any Exhibition and Notice requirements of sections 17, 18 and 19 of the Act.*

Motion

- 12.3.1 *That Council resolve to seek the Minister's approval to amend the Hepburn Planning Scheme through the adoption of Amendment C47 – Unigrain utilising Section 20(4) of the Planning and Environment Act 1987 which exempts the Minister from any Exhibition and Notice requirements of sections 17, 18 and 19 of the Act.*

Moved: Cr Don Henderson

Seconded: Cr Jon Barrell

Carried.

Cr McClenaghan moved a motion to adjourn the Meeting at 9.25pm.

Carried.

Cr May moved a motion to resume the Meeting at 9.37pm.

Seconded: Cr Hayes

Carried.

12.4 HEPBURN PLANNING SCHEME AMENDMENT C38, TO INCORPORATE THE REVISED STRUCTURE PLANS AND AMEND THE MUNICIPAL STRATEGIC STATEMENT

(Action Officer – Manager Planning)

File Ref: 66/20/11, 66/20/04/C38

Introduction

Amendment C38 is the result of a review of town structure plans for the five main towns of the Shire of Hepburn. Following the hearing of submissions from referral authorities, the community and Hepburn Shire Council, the Independent Panel appointed by the Minister has completed its Report with recommendations regarding the C38 Amendment to the Hepburn Planning Scheme.

The next step in the amendment process is to seek Ministerial approval and incorporation into the Scheme, which requires Council to resolve to accept the recommendations of the Panel.

Report

Amendment C38 to the Hepburn Planning Scheme amends the Municipal Strategic Statement (MSS Clause 21) by updating the municipal profile, replacing the existing township structure plans with the new plans and including new objectives/strategies that provide the strategic basis for the new plans. The Amendment also updates Local Policy 22.07 (Settlement and Housing).

In December 2008, the C38 Panel completed its report with recommendations. The five structure plans and Clauses 21 and 22 have been modified to take account of the Panel recommendations. .

An attachment Table includes officer recommendations in relation to each of the modifications recommended by the Panel (Refer to Attachment 4B). The final structure plans incorporating most of the changes recommended by the Panel are attached (Refer to Attachments 4A 1-5).

This Report also summarises the changes made to structure plans and relevant planning scheme clauses and explains the remaining steps in the amendment approval process.

Panel Report

Recommendations of the Panel generally fall into the following summary points:

- Minor adjustments to the urban growth boundaries for Daylesford, Hepburn Springs and Creswick to reflect servicing issues raised by Central Highlands Water.
- Deletion of some areas identified for low density residential infill in Creswick, Clunes and Trentham to reflect servicing issues raised by Central Highlands Water.

The changes made to each of the Structure Plans are summarised below.

The Panel recommended some changes at Clause 21.05 (MSS) to reinforce some elements of Structure Plans. These changes have been made and include:

- Suitability of Sailors Hill area (Ridge Road-Hoaths Road area) for low density 1.0-2.0 hectare lots,
- Need for further strategic work to identify appropriate zone and overlays provisions in Sailors Hill area,
- Need for strategic investigation for future business rezoning at 97 Main Road Hepburn Springs, and
- Need for further strategic work to investigate opportunities for future industrial zoning in Clunes.

The Panel recommended that Council review the need to include all areas of Low Density Residential within the urban growth boundary of each town. The Panel also recommended that Council review the size of the proposed residential infill (investigate rezoning to Residential 1) to the south west of Trentham township. The Panel requested that these reviews take place prior to adoption of the Amendment C38.

These reviews have been undertaken by consultant David Robb of Planit Urban Design and Planning. A copy of correspondence on these matters received from the planning consultant is included as an Attachment (Refer to Attachment 4C).

The consultant recommended:

- That, as a general rule, all LDR land situated at the edge of townships should be located within the urban growth boundary shown on township structure plans, and
- That the size of the “Potential Residential Infill” area in Trentham remain as shown on the exhibited Structure Plan as it includes a qualification that rezoning to Residential 1 is to be investigated.

Structure Plans Summary of Changes Adopted from Panel Report

Changes have been made to the Structure Plans to reflect the recommendation of the Panel. These are summarised for each town below. Copies of the structure plans for Daylesford, Hepburn Springs, Creswick, Clunes and Trentham are included in the Attachment.

Daylesford

- Sailors Gully area (Ridge Road/Hoaths Road) shown as proposed Low Density Residential infill at 1-2 ha lots.
- Urban Growth Boundary amended to exclude Sailors Gully area.
- Tipperary Springs in Daylesford identified as Restructure Area to achieve lot sizes capable of on-site effluent disposal.
- Urban Growth Boundary adjusted at Tipperary Springs to exclude Rural Living and Farming zoned land.
- Land at west end of Central Springs Road shown as area suitable for Low Density Residential (min 0.4 ha lot size).
- Crown land at southern end of Daylesford (along east side of Ballan-Daylesford Road) excluded from urban growth boundary.
- Jamieson Street area (west of Smith St) included within urban growth boundary and deletion area north of Geake Street.

Hepburn Springs

- Urban growth boundary at Fourteenth Street adjusted to exclude area which is above 445m AHD with notation on plan that boundary aligns with 445 AHD line.
- Urban growth boundary at Eighteenth Street adjusted to exclude part of area identified by CHW as having servicing difficulties.
- References to “investigate alternative business or mixed use zoning” for Hepburn Springs Town Centre Precinct excluded.

Creswick

- Urban Growth Boundary realigned at Bald Hills Road to exclude area west of Elizabeth Street.
- Area south of Bald Hills Road shown as potential low density residential infill (i.e. red dashed line) deleted.
- Urban Growth Boundary realigned to exclude area at end of Bridge Street and deletion of this area as identified Low Density Residential infill.

- Two areas off White Hills Road identified as Low Density Residential infill deleted with adjustment to urban growth boundary.
- Urban growth boundary adjusted to include small area of land with Residential 1 zoning west of Midland Highway at southern end of township.
- Reference to Strategic Investigation Area (Industrial 1 Zone) deleted and new notation inserted.
- Asterisk at the intersection of Aston Road and Ring Road included to identify town entrance.
- Urban growth boundary adjusted to locate Crown land at south east of town between Bungaree-Creswick Road and White Hills Road outside of boundary.

Clunes

- Areas identified as residential infill potential investigation areas in the Consol Court and north of Marlborough Road areas deleted.
- Areas on west side of township between West Street and Kilkenny Creek shown as potential residential infill deleted.
- Arrow north side of Bailey Street identifying “town centre direction for future expansion” deleted.
- References to “.investigate light /business use” and “investigate for Industrial” on Structure Plan deleted. (At recommendation of Council this has been retained.)
- Recommendation of Council to include “Potential extension of Town Centre’ along Bailey Street

Trentham

- Area on north side of West Street as “Residential Infill” deleted.
- Land in Vincent Street exhibited as “potential industrial development” identified as “potential mixed use activity commensurate with Township zoning”

Completion of the Amendment Approval Process

Following Council’s resolution on the Panel Recommendations, the adopted C38 Amendment documents and plans will be forwarded to the Minister for Planning for approval.

On approval of the Amendment, it is gazetted and the planning scheme is amended accordingly.

Relevant Policies

Hepburn Planning Scheme - Clause 21 Municipal Strategic Statement and Clause 22.07 (Settlement and Housing)

Council Plan 2009-2013:

30. Ensuring that Council's heritage controls, neighbourhood character guidelines, urban design frameworks and eco-tourism strategies, balance the protection of the essential tourism features of the Shire with economic development.
37. Using the review of the Hepburn Planning Scheme and the Municipal Strategic Statement to explore the options and business precinct opportunities which maximise infrastructure utilisation and promote local resource sharing and complementary activity.

Community Engagement

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

Further community consultation took place as part of the formal exhibition of the planning scheme amendment. This included workshops for each town.

Financial Implications

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

Recommendation:

- 12.4.1 *That Council resolve to accept the Panel recommendations with modifications as outlined in Attachment B and formally resolve to seek the Minister's approval to amend the Hepburn Planning Scheme through adoption of Amendment C38.*

Motion:

12.4.1 *That Council resolve to accept the Panel recommendations with modifications as outlined in Attachment B and formally resolve to seek the Minister's approval to amend the Hepburn Planning Scheme through adoption of Amendment C38.*

Moved: Cr Rod May

Seconded: Cr Bill McClenaghan

Carried.

Attachment 4 A-1
Item 12.4

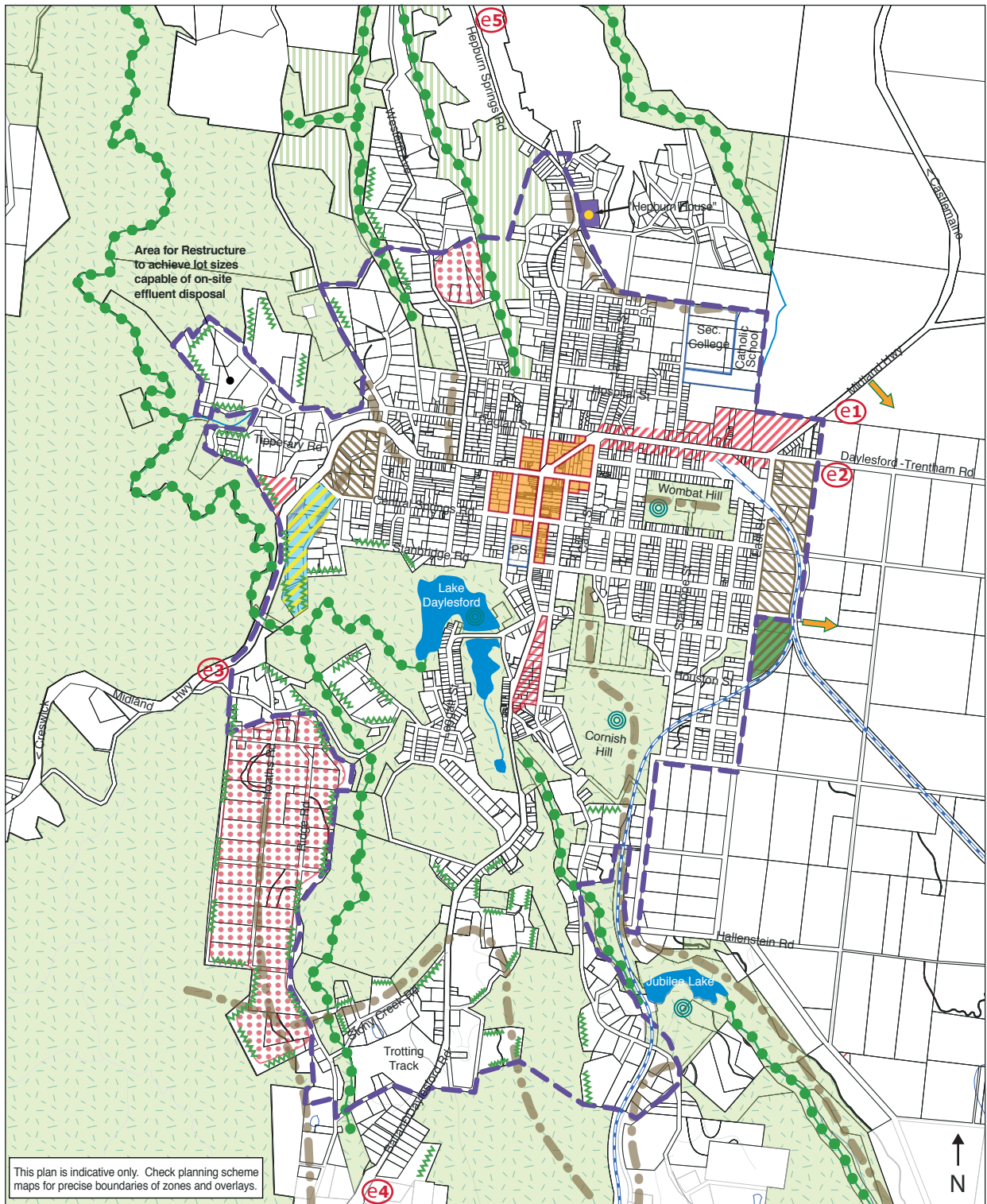
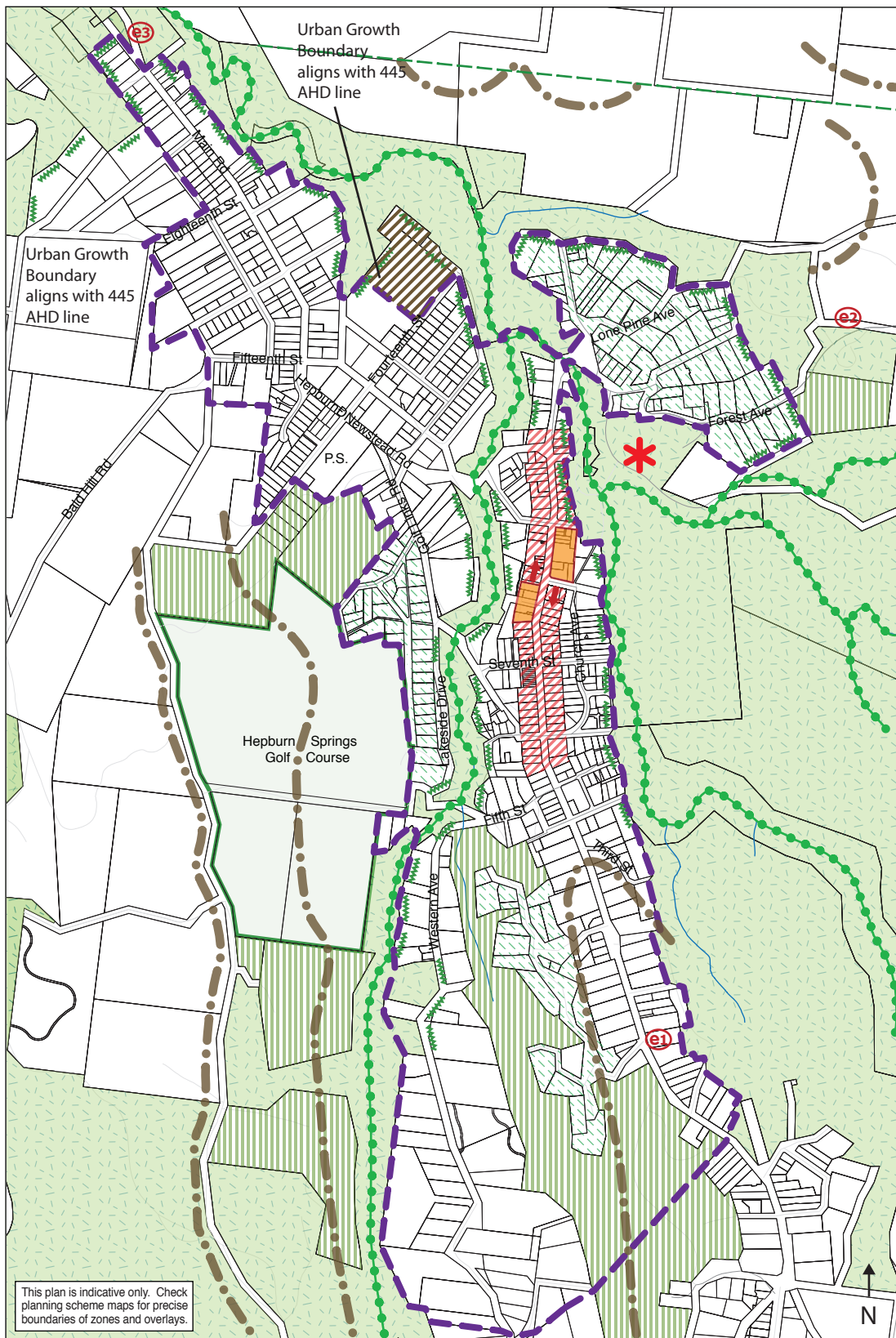









Fig.1 DAYLESFORD STRUCTURE PLAN Hepburn Structure Plan Review 2007

- Urban growth boundary**
Contain township development within boundary
Ensure consolidation of township within boundary.
- Low density residential Infill**
Preferred Minimum lot size of between 1 - 2 ha
- Town Centre (Business 1 zone)**
Develop and implement parking traffic & retail strategy for town centre
Ensure new development complements streetscape character
- Residential Design to Address Town Entrance Character**
Investigate use of Design and Development Overlay for visually exposed residential zoned land adjacent to town entrance
- Areas/Sites of Natural Beauty and Cultural Landscape Significance**
Wombat Hill, Cornish Hill, Lake Daylesford, Jubilee Lake
Protect major viewlines to significant areas/sites
Ensure adjacent development proposals protect environmental and cultural landscape significance of areas/sites
- Suitable for low density residential**
(0.4ha min. lot size)
- Investigate residential potential**
- Prominent ridgelines**
Protect ridgelines and hilltops from visually intrusive development
- Protection of Significant Views and Vistas**
Maintain and protect significant views of rural hinterland east of township
- Open space network**
Open space network based on watercourses and major drainage lines.
Encourage establishment of walking trails and bicycle paths
Protect and create wildlife corridors
- Urban - Public Forest Interface**
Development proposals at interface to address potential bushfire risk and habitat significance of forests
- Existing Industrial 1 Zone**
Encourage improved amenity and vehicle access
- Town entrances - maintain and enhance town entrance character and presentation**
e1, e2 - Protect avenue planting and rural character of entry
e3, e4 - Maintain rural and forest setting at entry
e5 - Define entry and transition from Daylesford and Hepburn Springs
- Green Wedges including existing Public Park & Recreation Zone and Public Conservation & Resource Zone**
- Rural Conservation Zone**








Attachment 4 A-2
Item 12.4



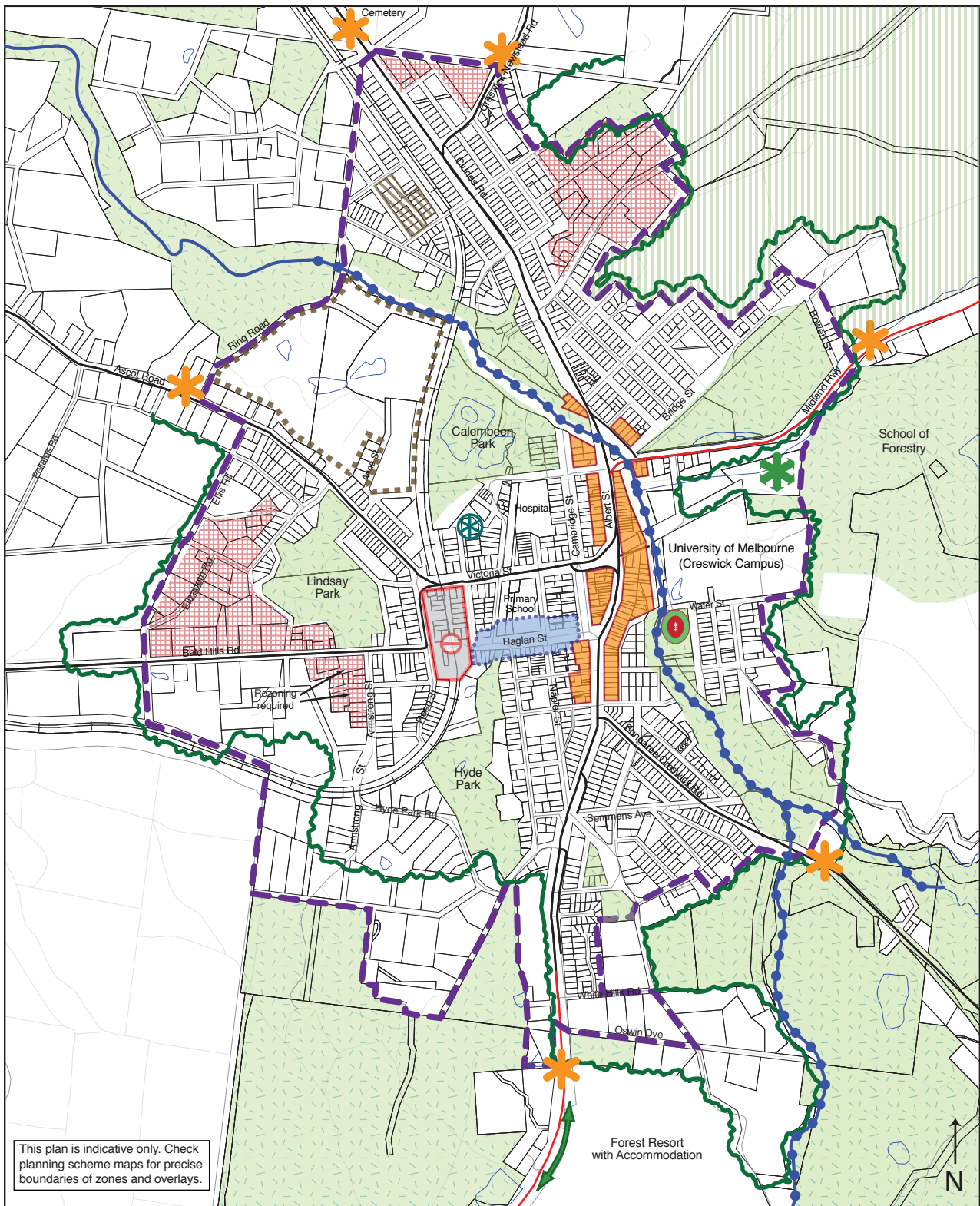
HEPBURN SPRINGS STRUCTURE PLAN

-  Urban growth boundary
Maintain compact urban form
Contain and consolidate development within boundary
Ensure subdivision and siting dwellings has regard to landform constraints, vegetation retention and significant viewlines.
Encourage energy efficiency in the siting and design of buildings
-  Town centre activity precinct
Encourage mixed use (business, residential).
Maintain and enhance pedestrian scale
Strengthen village atmosphere
-  Existing Business Zone
-  Any future expansion
-  Potential residential infill
Encourage sustainable residential layout and design on undulating land with significant native vegetation. Investigate use of Development Plan and Design & Development Overlay.
-  Forest Residential Areas (existing Residential 1 Zone)
Residential infill to be sensitive to landscape character of gullies and reserves
Protect existing native vegetation
Provide buffer areas from public and private forests
-  Investigate rezoning to Farming or Rural Living Zone

Hepburn Structure Plan Review 2007

-  Green Corridors
Protect and manage green corridors and gullies.
Protect existing native vegetation
Improve walking trail access
-  Prominent ridgelines
Protect ridgelines and hilltops from visually intrusive development
-  Urban-Public Forest interface
Development proposals at interface to address potential bushfire risk and habitat significance of forests and bushland
-  Town Entrances
E1 Define entry & transition from Daylesford & Hepburn Springs
E2 Maintain forest edge
E3 Maintain and enhance rural character
-  Site of cultural significance
- Bathhouse & Mineral Springs Reserve
-  Rural Conservation Zone - limited opportunities for housing
-  Green Wedges including existing Public Conservation and Resource Zone and Public Park and Recreation Zone

Attachment 4 A-3
Item 12.4



This plan is indicative only. Check planning scheme maps for precise boundaries of zones and overlays.

Fig.3 CRESWICK STRUCTURE PLAN

Hepburn Structure Plan Review 2007

-  Urban Growth Boundary
-  Potential residential infill (5 year) - mainly existing R1Z (except LDRZ south of Bald Hills Rd at corner of Armstrong St). Apply Development Plan and Design and Development Overlays, as appropriate.
-  Investigate railway precinct (5-10 years) - identify future use options for heritage buildings and unused land
-  Protect existing industry (Creswick Woollen Mill) - retain existing Residential 1 Zone
-  Strategic Investigation Area - Review existing zoning of land to identify areas of crown land in appropriate public use zones, identify areas subject to flooding and environmental constraint. Consider rezoning existing industrial zone freehold title area to Industrial 3 zoning, recognising its proximity to residential uses
-  Open space corridor based on major watercourses - encourage establishment of walking trails, bicycle paths and secondary open space links
-  Possible retirement living area - strategic investigation required
-  Investigate appropriate alternative future use of the football oval site

-  "Green wedges" - retain existing recreation land as "green wedge" feature of town's urban structure - includes Public Park & Recreation Zone and existing Existing Public Conservation and Resource Zone
-  Town Centre - encourage compact town centre - improve on street parking availability in Cambridge St - implement streetscape recommendations - investigate relocation of Council depot and future use as car parking & business
-  Raglan Street Heritage Precinct - protect heritage significance of buildings and streetscape. Strengthen link to railway station.
-  Town entrances - maintain and enhance town entrance character and presentation
-  Timber Training School - investigate alternative zoning that reflects existing and potential future use and development of the site
-  Urban-Forest interface - adjacent development to address potential fire risk and habitat significance of forests
-  Potential to link Forest Resort to township with walking trail
-  Rural Conservation Zone

Attachment 4 A-4
Item 12.4

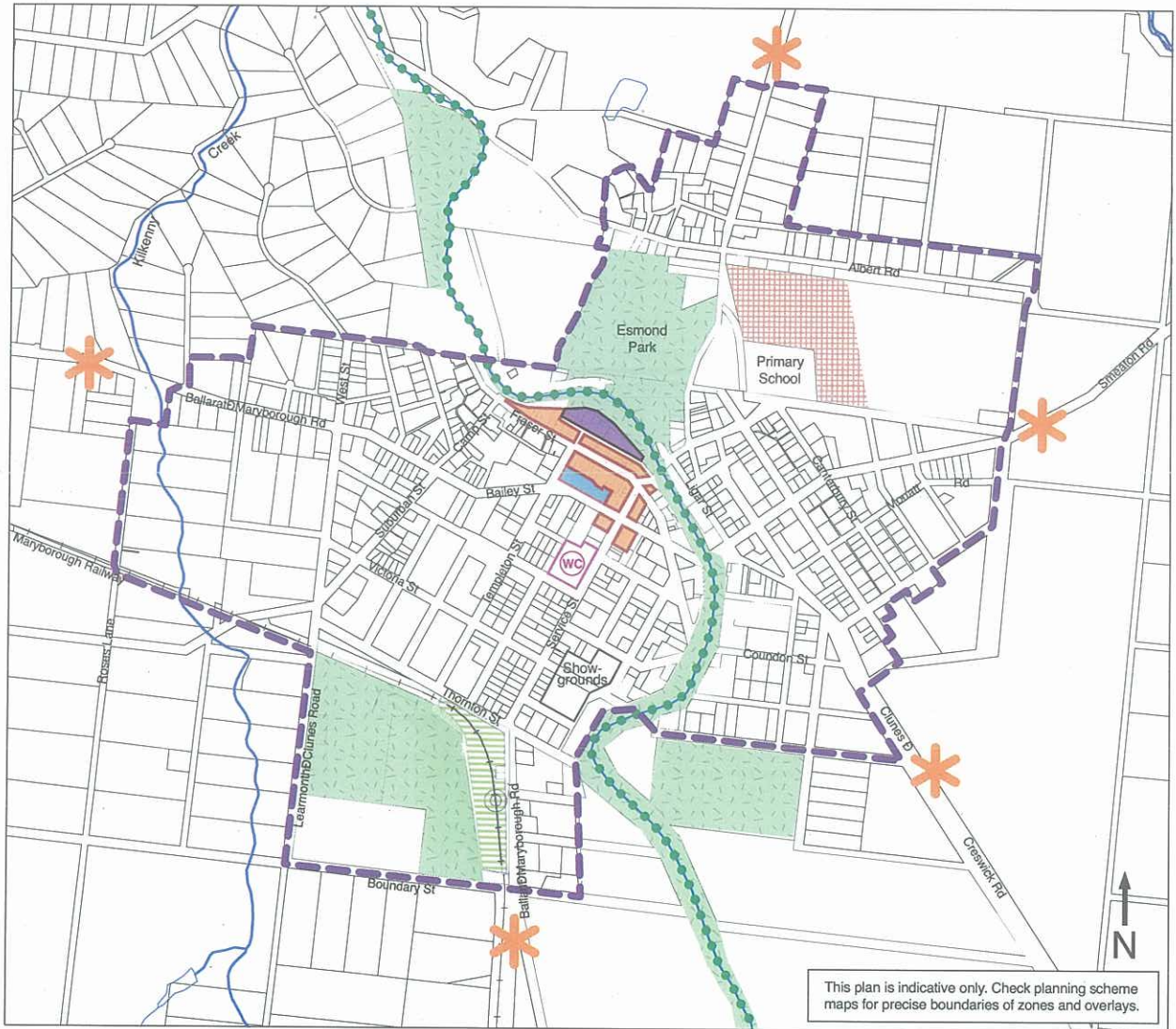












Fig.4 CLUNES STRUCTURE PLAN Hepburn Structure Plan Review 2007

- 
Urban Growth Boundary
 Township development to be contained within boundary
 Urban/rural edge defined at boundary
 Boundary to encourage township consolidation
- 
Residential infill potential (5-10 year)
 Investigate for rezoning to TZ, proposed as R1Z
- 
Green wedges and corridors (Public Park & Recreation Zone)
 Protect and enhance creek environment
 Improve walking trail access along creekside
 Retain existing recreation facilities and areas
- 
Open Space Corridor based on watercourse
 Encourage walking trails, bicycle paths and secondary open space links
- 
 Investigate railway precinct mainly for future industrial use
- 
Town Centre (existing Business 1 Zone)
 Protect the significance, character and appearance of heritage places, buildings, streetscapes and places
 Encourage heritage conservation through re-use of buildings
 Encourage stronger physical and visual links to creek
 Encourage compact town centre form
- 
Town Centre Civic Improvement Area
 Investigate potential for civic improvement and improved physical and visual links to Creek.
 Retain residential and recreational uses
- 
Potential extension of Town Centre
- 
Town entrances
 Retain and enhance town entrance character
- 
Wesley College site

Attachment 4 A-5
Item 12.4

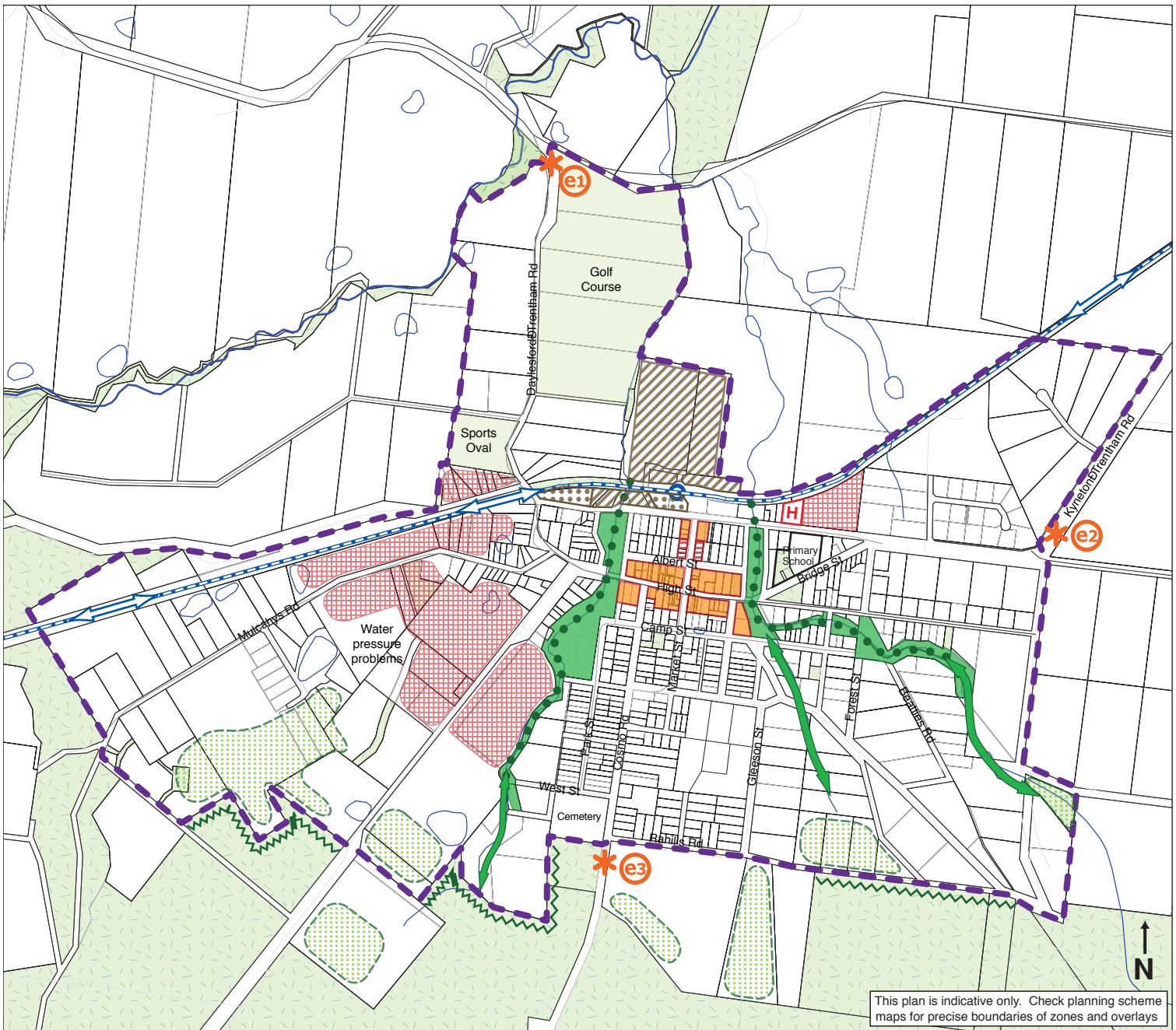


Fig.5 TRENTHAM STRUCTURE PLAN

Hepburn Structure Plan Review 2007

-  **Urban growth boundary**
Ensure consolidation of township within boundary.
Achieve a more compact township form
-  **Potential residential infill**
Investigate rezoning to Residential 1 Zone.
-  **Native vegetation protection**
Protect native vegetation blocks and wildlife corridors
Ensure development proposals on adjacent cleared land address need to protect habitat significance and reduce potential bushfire risk
-  **Open space network**
Open space network based on watercourses and major drainage lines
Encourage establishment of walking trails and bicycle paths
Ensure continuation of open space links with progressive township expansion
-  **Closed railway - investigate use for cycle/equestrian/walking trail**
-  **Hospital**
-  **Urban -Public Forest interface**
Development proposals at interface to address potential bushfire risk and habitat significance of forests
-  **Existing Public Conservation and Resource zone**
-  **Existing Industrial 1 Zone**
-  **Potential Mixed Use activity commensurate to township zoning**
-  **Town Centre (Business 1 zone)**
Encourage compact town centre
Implement streetscape recommendations
-  **Town centre infill**
Investigate town centre expansion and Business 1 rezoning along Market Street north of Albert Street to connect to existing business zoning
-  **Town entrances**
Maintain and enhance town entrance character and presentation
E1 - main entry with character defining transition from lower to higher residential densities
E2 - character defined by rural living and views of rural landscape
E3 - character defined by forest and bushland setting

Attachment 4 B
Item 12.4

HEPBURN STRUCTURE PLAN REVIEW AMENDMENT C38 POST PANEL

Modifications made to Plans as a Result of Panel

Daylesford

- Sailors Gully area (Ridge Road/Hoaths Road) proposed as Low Density Residential infill at 1-2 ha lots
- Amend Urban Growth Boundary to exclude Sailors Gully area
- Tipperary Springs identified as Restructure Area to achieve lot sizes capable of on-site effluent disposal
- Urban Growth Boundary adjusted at Tipperary Springs to exclude Rural Living and Farming zoned land
- Land at west end of Central Springs Road shown as area suitable for Low Density Residential (min 0.4 ha lot size)
- Include Jamieson Street area (west of Smith St) within urban growth boundary and delete area north of Geake Street
- Exclude crown land at southern end of Daylesford (along east side of Ballan-Daylesford Road) from urban growth boundary

Hepburn Springs

- Adjustment to urban growth boundary at Fourteenth Street to exclude area which is above 445m AHD with notation on plan that boundary aligns with 445 AHD line
- Adjustment of urban growth boundary at Eighteenth Street to exclude part of area identifies by CHW as having servicing difficulties
- Delete references to “investigate alternative business or mixed use zoning” for Hepburn Springs Town Centre Precinct

Creswick

- Urban Growth Boundary realigned at Bald Hills Road to exclude area west of Elizabeth Street
- Deletion of the area south of Bald Hills Road shown as potential low density residential infill (i.e. red dashed line)
- Urban Growth Boundary realigned to exclude area at end of Bridge Street and deletion of this area as identified Low Density Residential infill
- Deletion of two areas off White Hills Road identified as Low Density Residential infill with adjustment to urban growth boundary
- Adjust urban growth boundary to include small area of land with Residential 1 zoning west of Midland Highway at southern end of township
- Delete reference to Strategic Investigation area (Industrial 1 Zone) and insert new notation
- Include an asterisk at the intersection of Aston Road and Ring Road to identify town entrance

- Urban growth boundary adjusted to locate Crown land at south east of town between Bungaree-Creswick Road and White Hills Road outside of boundary

Clunes

- Deletion of areas identified as residential infill potential investigation areas in the Consol Court and north of Marlborough Road areas
- Deletion areas on west side of township between West Street and Kilkenny Creek shown as potential residential infill
- Deletion of arrow north of Bailey Street identifying “town centre direction for future expansion”
- Deletion of references to “..investigate light /business use” and “investigate for Industrial” on Structure Plan

Trentham

- Deletion of area on north side of West Street as “Residential Infill”
- Land in Vincent Street exhibited as “potential industrial development” be identified as “potential mixed use activity commensurate with Township zoning”

Attachment 4 C
Item 12.4



URBAN DESIGN AND STRATEGIC PLANNING
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20 July 2009

Sylvester Tan
Manager Planning and Economic Development
Hepburn Shire Council
PO Box 21
Daylesford VIC 3460

Dear Sylvester

C38: PREPARATION OF AMENDMENT DOCUMENTS FOR APPROVAL

There are two matters that I need to respond to with respect to the above Amendment. These matters raised by the C38 Panel include the inclusion/exclusion of the Low Density Residential Zone in the urban growth boundary of each of the five towns and the size of the "Potential Residential Infill" area shown on the Trentham Structure Plan. In its report, the Panel specifically requested that these matters be dealt with prior to adoption of the Amendment by Council.

Low Density Residential Zone and urban growth boundary

This issue was raised by the Panel principally in response to the submission by Central Highlands Water suggesting that areas of LDR with servicing constraints at the edge of the township should be located beyond the township urban boundary. Environmental constraints and landform conditions will often require larger lot sizes and if located at the town edge the question arises whether lots LDR lots in this case should be located beyond the boundary.

A most important consideration for determining the location of LDR zoned land is that the land has an urban use. This is reflected in the purposes of the zone. As a general rule, land zoned LDR should be included within the urban growth boundary. Whether lots in the LDR Zone can be serviced is not the only determining factor. A LDR area that falls outside of a sewer district can still be part of an urban area if it is actually part of the physical fabric of the township.

Turning to the five towns and their corresponding structure plans. Low Density Residential zoned areas in Daylesford, Hepburn Springs and Trentham are all located within the urban growth boundary shown on each of the structure plans.

The situation in Clunes is unusual with massive areas of land to the west of the township zoned Low Density Residential. This land was zoned for this purpose many years ago without any assessment of supply and demand of low density residential land. This would not happen under the today's planning system. A poor decision in the past should not be used to justify a position supporting the location of LDR land outside of the township boundary.

In Creswick there is a relatively small area of LDR zoned land outside of the structure plan urban growth boundary. This land is situated at the western edge of the town south of Ascot Road. Given that there are extensive opportunities for low density residential infill to the south west of the town there is little need to include this area within the urban boundary.

It is *recommended* that, as a general rule, all Low Density Residential land situated at the edge of townships should be located within the urban growth boundary shown on township structure plans.

Trentham Structure Plan: "Potential Residential Infill" area

In its report, the Panel recommends that the size of the area marked "Potential residential infill - investigate rezoning to Residential 1" be reviewed prior to adoption by Council.

Investigations by Council's planning unit indicate that over the past 10 years there have been 85 lots created by subdivision within the township and a further 82 lots created in the surrounding Parish area. As many of the outer areas within the boundary are within the Parish of Trentham, it is assumed that majority of the 82 lots would be within the urban boundary and should therefore be considered as potential residential supply.

Dwelling approvals in Trentham have only been provided for 2006. In this year there were 25 dwellings. An historical trend cannot be established from one year's dwelling approvals.

Based on recent subdivision activity and making an allowance for some lot creation within the Parish but outside of the urban growth boundary, it is conservatively estimated that 10-15 residential lots have been created per annum over the past 10 years.

A preliminary assessment of residential land supply indicates that there is between 80-100 hectares of undeveloped land in larger parcels with a LDR zoning. Assuming this land was to be developed at a density of 2 dwellings per ha, there is of a potential supply of LDR lots to satisfy in excess of 10 years demand. In terms of overall residential for the township there is significant potential for further subdivision of land with a Residential 1 zoning.

The Panel requested a review of the "Potential residential infill-investigate rezoning to Residential 1" area to the south west of the town. It is estimated that approximately 200 fully serviced lots could be created under a Residential 1 zoning within this area shown on the structure plan. This would provide supply of residential lots to cater for 10-13 years township supply based on a historical trend of 15-20 lots created per year.

~~This area was identified in the Hepburn Structure Plan Review Report 2007 as potential residential infill as a means to establish a more efficient and sustainable urban form. Most of this area is within 200 to 600 metres of the Trentham town centre.~~

It is recommended that the size of the "Potential residential infill .." area remain as is shown on the exhibited Trentham Structure Plan. It includes as a qualification that rezoning to Residential 1 be investigated. This investigation should be done as part of a Trentham residential or town strategy. Council should consider including this as further strategic work in Clause 21.

I look forward to discussing the above advice prior to completion of the Amendment C38 package to be submitted to Council for adoption. Please do not hesitate to contact me on 0431521505 or via email planit@netcon.net.au

Yours sincerely

David Robb
Manager and Principal Consultant

13. INFRASTRUCTURE

Nil Reports.

14. COUNCIL SECTION 86 AND ADVISORY COMMITTEES

14.1 SECTION 86 COMMITTEE MINUTES

(A/O – General Manager Corporate Services)

File Ref: Various

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

Report

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

- Minutes of the Creswick InfoLink meeting dated 29 November 2009 File No: 22/15/02
- Minutes of the Drummond Hall Committee meeting dated 4 December 2009 File No: 5/2105/00400
- Minutes of the Lyonville Hall Committee meeting dated 9 December 2009 File No: 4/0860/00600

Relevant Policies

Nil

Community Engagement

Members of the community are represented on these committees.

Financial Implications

Nil

Recommendation:

- 14.1.1 *That Council note the Minutes of the Committees listed above which have been distributed under separate cover*

Motion:

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

Moved: Cr Don Henderson

Seconded: Cr Bill McClenaghan

Carried.

14.2 APPOINTMENT TO SECTION 86 COMMITTEE

(Action Officer – General Manager Corporate Services) File Ref: 1/0320/00070

Introduction

This report will provide Council with a further nomination for The Lee Medlyn Home of Bottles Section 86 Committee.

Report

At the 21 October 2008 Ordinary Meeting of Council 9 members were appointed to The Lee Medlyn Home of Bottles Committee (formerly the Clunes Medlyn Complex Committee) for a period of three years. A further nomination has subsequently been received from Barbara Fyfe and the Committee has written to Council recommending her appointment.

To keep the period of this appointment in line with the rest of the Committee, it is recommended that the appointment be for the period ended 21 October 2011.

Relevant Policies

Local Government Act 1989

Council Plan 2009-2013 : Item 17 Embracing community knowledge and expertise to help guide decision making and implementation.

Community Engagement

The call for nominations to the above Special Committee was undertaken via a public advertisement in "The Advocate ." The Committee members have endorsed and recommended this nomination.

Financial Implications

There are no financial implications

Recommendation:

14.2.1 That Council accept and resolve to appoint the Barbara Fyfe as a Special Committee member to the Lee Medlyn Home of Bottles Section 86 Committee until 21 October 2011.

Motion

14.2.1 That Council accept and resolve to appoint the Barbara Fyfe as a Special Committee member to the Lee Medlyn Home of Bottles Section 86 Committee until 21 October 2011.

Moved: Cr Don Henderson

Seconded: Cr Rod May

Carried.

14.3 ESTABLISHMENT OF AN ENVIRONMENTAL SUSTAINABILITY ADVISORY COMMITTEE

(Action Officer – Chief Executive Officer)

File Ref: 46/18/08

Introduction

This report proposes that Council establishes an Environmental Sustainability Advisory Committee to progress actions as listed in the Council Plan 2009-2013.

Terms of Reference for the Committee are also presented for Council endorsement.

Report

The Council Plan 2009-2013 outlines priorities in a Hepburn Shire context to progress sustainability across the organisation and the municipality. To guide the accomplishment of the Environmental Sustainability Strategies, it is proposed to establish an *Environmental Sustainability Advisory Committee* as an advisory group to Council, to provide input and advice to Council on issues of Environmental Sustainability.

The *Environmental Sustainability Advisory Committee* will aim to address integrated sustainability issues by:

- Providing input and advice to Council on issues of environmental sustainability;
- Providing input to the development of environmental policies;
- Providing representative input on behalf of the community and community organisations;
- Developing a local *Energy Descent Action Plan*, including the priority of activities to be undertaken and annual objectives;
- Actively supporting Council's consultation with and advocacy to the broader community;
- Monitoring and review environmental and sustainability issues in Hepburn Shire; and

The membership of the *Environmental Sustainability Advisory Committee* will be appointed by Council and is proposed to comprise:

- Seven (7) Community Members
- Up to three (3) Councillors;
- Up to four (4) officers potentially including Hepburn Shire Council Environment Officer, Manager Economic Development and Tourism, General Manager Infrastructure and General Manager Sustainable Development.

The *Environmental Sustainability Advisory Committee* should attract community members with special interests and skills in the environment field and could include some of the following selection criteria:

1. Be a Hepburn Shire resident, a Hepburn Shire business person or have a specific set of professional skills and background that will help achieve the purpose and objectives of the Environment Sustainability Advisory Committee;
2. Be able to demonstrate a broad understanding of environmental issues and in particular, the issues associated with sustainable living, planning and development;
3. Be able to demonstrate an understanding of the role of local government in environmental management;
4. Be able to communicate effectively with a wide range of individuals, organisations and professionals;
5. Be able to review and provide commentary feedback on policies and strategies as part of Environment Sustainability Advisory Committee provision of advice to Council.

Should Council determine to establish the Committee, nominations to the Committee will be publically advertised in early March 2010. Officers would aim to present nominations to Council for consideration at either the March 2010 or the April 2010 Ordinary Council Meeting.

The proposed Terms of Reference for the *Environmental Sustainability Advisory Committee* are attached in Attachment 6.

Relevant Policies

Council Plan 2009-2013: Environmental Sustainability strategies under the general mandate of “We will guide our Shire towards environmental sustainability.”

Community Engagement

Engagement and consultation will be a significant and ongoing part of the Environmental Sustainability Advisory Committee, drawing upon the Hepburn Council and community expertise. The membership of the committee and the consultation with existing Sustainability Organisations and the involvement and education of the greater community are key to the success of the Advisory Committee.

Financial Implications

Establishment of the Environmental Sustainability Advisory Committee will assist operations of the Environmental Sustainability Officer and integrate decision making across community, business sector and Council to progress forward Council Plan objectives. This will draw upon the Officer recurrent budget and new project allocations.

Recommendation

That Council:

- 14.3.1 Establish an Environmental Sustainability Advisory Committee to Council;*
- 14.3.2 Endorse the Terms of Reference Environmental Sustainability Advisory Committee as attached;*
- 14.3.3 Advertise calling for expressions of interest across the municipality for membership of this Advisory Committee.*

Motion:

That Council:

14.3.1 Establish an Environmental Sustainability Advisory Committee to Council;

14.3.2 Endorse the Terms of Reference Environmental Sustainability Advisory Committee as tabled and amended to remove the word “to” in the last two bullet points on page 1, and remove the word “voting” on page 3.

14.3.3 Advertise calling for expressions of interest across the municipality for membership of this Advisory Committee.

Moved: Cr Rod May

Seconded: Cr Tim Hayes

Amend 14.3.2 to add the words “ and amended to make the 4 Officers ex-officio.”

Moved: Cr Bill McClenaghan

As there was no seconder, the motion lapsed.

Amend 14.3.2 to add the words “and amended to ‘up to 3 (three) Officers would have voting rights.’”

Moved: Cr Don Henderson

Seconded: Cr Bill McClenaghan

Lost.

Amend 14.3.2 to add the words “and amended to ‘up to 8 (eight) community members.’”

Moved: Cr Don Henderson

Seconded: Cr Bill McClenaghan

Carried.

Amended Motion:

That Council:

14.3.1 *Establish an Environmental Sustainability Advisory Committee to Council;*

14.3.2 *Endorse the Terms of Reference Environmental Sustainability Advisory Committee as tabled and amended to remove the word “to” in the last two bullet points on page 1, and remove the word “voting” on page 3 and amended to “up to 8 (eight) community members.”*

14.3.3 *Advertise calling for expressions of interest across the municipality for membership of this Advisory Committee.*

Carried.

Attachment 5
Item 14.3

Terms of Reference Hepburn Shire

Environmental Sustainability Advisory Committee

Introduction

Environmental Sustainability is one of the current focus areas for the Hepburn Shire Council.

Issues such as peak oil and climate change will have significant impacts on our local community.

Council through its Environmental Sustainability Advisory Committee wishes to progress sustainability across the organisation and the municipality.

Definition

Environmental Sustainability is improving the quality of human life while living within the carrying capacity of supporting eco-systems.

Aim

The *Environmental Sustainability Advisory Committee* will address integrated sustainability issues and will:

- Provide input and advice to Council on issues of environmental sustainability;
- Provide input to the development of environmental policies;
- Provide representative input on behalf of the community and community organisations;
- Develop a local *Energy Descent Action Plan*, including the priority of activities to be undertaken and annual objectives;
- Actively support Council's consultation with and advocacy to the broader community;
- Monitor and review environmental and sustainability issues in Hepburn Shire; and
- Advocate to Council for the benefit of the Hepburn Shire environment.

Principles

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

Operating Principles

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

The Advisory Committee will work to:

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

The Hepburn Shire Council will:

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

Terms of Office

Community Member appointments to the Committee by Council will be for two years. Council will review the future of the Committee after two years.

Casual vacancies that occur are to be ratified by Council.

Selection Criteria for Nominations

The Committee should be a mix of community and skills based members and aim to reflect various age groups.

Nominations should:

1. Be a Hepburn Shire resident or ratepayer, a Hepburn Shire business person or have a specific set of professional skills and background that will help achieve the purpose and objectives of the Environment Sustainability Advisory Committee;
2. Be able to demonstrate a broad understanding of environmental issues and in particular, the issues associated with sustainable living, planning and development;
3. Be able to demonstrate an understanding of the role of local government in environmental management;
4. Be able to communicate effectively with a wide range of individuals, organisations and professionals;
5. Be able to review and provide commentary feedback on policies and strategies as part of Environment Sustainability Advisory Committee provision of advice to Council.

Meetings

At least 4 meetings will be held each year.

Chair

Appointed annually by Council and nominated by the Committee.

Members

Membership of the *Environmental Sustainability Advisory Committee* will be appointed by Council and is proposed to comprise:

- Seven (7) Community Members
- Up to three (3) Councillors;
- Up to four (4) officers potentially including Hepburn Shire Council Environment Officer, Manager Economic Development and Tourism, General Manager Infrastructure and General Manager Sustainable Development.

Quorum

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

The Chair in conjunction with the General Manager Sustainable Development will be responsible for calling meetings.

An annual meeting Agenda will be set at the first Committee Meeting and thereafter annually.

Preparation of meeting papers and Committee support will be provided by the General Manager Sustainable Development.

Agenda papers will be distributed to Committee Members at least seven days prior to the scheduled meeting.

Annual Work Plan

The Committee will develop an annual work plan and report to Council on the Plan as part of the annual presentation to Council.

Reporting

The Committee will forward Minutes of all meetings to Council.

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

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

15. CLOSE OF MEETING

The Meeting closed at 10.43pm