



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

***TUESDAY 16 MARCH 2010***

**CRESWICK SENIOR CITIZENS  
WATER STREET  
7PM**

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# MINUTES

TUESDAY 16 MARCH 2010

Creswick Senior Citizens  
Water St, Creswick  
Commencing 7PM

CONTENTS	PAGE
1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS .....	1
2. OPENING OF MEETING .....	1
3. APOLOGIES .....	1
4. DECLARATION OF CONFLICTS OF INTEREST .....	1
5. CONFIRMATION OF MINUTES.....	2
6. NOTICES OF MOTION .....	3
7. PRESENTATION OF REPORTS .....	8
8. PUBLIC PARTICIPATION TIME.....	16
8.1 PETITIONS.....	16
8.2 QUESTIONS.....	16
9. EXECUTIVE SERVICES .....	22
9.1 TOURISM VICTORIA AND HEPBURN SHIRE COUNCIL REGIONAL TOURISM BOARD MEMORANDUM OF UNDERSTANDING .....	22
<i>Attachment 1</i> .....	<i>28</i>
9.2 INTER COUNCIL PROTOCOL FOR EMERGENCY SERVICES RESOURCE SHARING.....	41
<i>Attachment 2</i> .....	<i>44</i>
10. CORPORATE SERVICES.....	57
10.1 MONTHLY FINANCE REPORT .....	57
10.2 BUDGET 2010-11 FEES AND CHARGES .....	73
<i>Attachment 3</i> .....	<i>77</i>

10.3	<b>RENEWAL OF LEASE – CRESWICK MECHANICS INSTITUTE HALL ....</b>	<b>101</b>
10.4	<b>RENEWAL OF LEASE – 94 VINCENT STREET, DAYLESFORD .....</b>	<b>103</b>
10.5	<b>LICENCE RENEWAL – ALLENDALE RECREATION RESERVE .....</b>	<b>105</b>
<b>11.</b>	<b>COMMUNITY DEVELOPMENT .....</b>	<b>107</b>
11.1	<b>CLUNES BOOKTOWN MEMORANDUM OF UNDERSTANDING.....</b>	<b>107</b>
	<b>Attachment 4 .....</b>	<b>109</b>
11.2	<b>DAYLESFORD MEN’S SHED.....</b>	<b>120</b>
	<b>Attachment 5 .....</b>	<b>122</b>
11.3	<b>VICTORIA PARK ASSOCIATION – PROPOSED MULTI-PURPOSE FACILITY VICTORIA PARK, DAYLESFORD.....</b>	<b>124</b>
11.4	<b>RESERVE MANAGEMENT PLANS .....</b>	<b>127</b>
11.5	<b>LINDSAY ARTS TRAIL.....</b>	<b>130</b>
<b>12.</b>	<b>SUSTAINABLE DEVELOPMENT.....</b>	<b>136</b>
12.1	<b>GUN CLUB NOISE AT GLENLYON RECREATION RESERVE.....</b>	<b>136</b>
	<b>Attachment 6 .....</b>	<b>138</b>
	<b>Attachment 7 .....</b>	<b>138</b>
<b>13.</b>	<b>INFRASTRUCTURE.....</b>	<b>152</b>
	<b>NIL REPORTS</b>	
<b>14.</b>	<b>COUNCIL SECTION 86 AND ADVISORY COMMITTEES .....</b>	<b>152</b>
14.1	<b>SECTION 86 COMMITTEE MINUTES .....</b>	<b>152</b>
14.2	<b>REQUEST TO EXTEND USE OF FORMER CRESWICK V.I.C .....</b>	<b>154</b>
<b>15.</b>	<b>CLOSE OF MEETING .....</b>	<b>155</b>



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

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

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

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

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

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## 2. **OPENING OF MEETING: The meeting opened at 7.04pm**

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

**IN ATTENDANCE:** Chief Executive Officer, General Manager Corporate Services, General Manager Sustainable Development, General Manager Infrastructure, General Manager Community Development, Manager Community Strengthening, Manager Risk and Property.

### **STATEMENT OF COMMITMENT**

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

## 3. **APOLOGIES: Nil.**

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

- **Cr Tim Hayes declared a direct conflict of interest in writing to the CEO in The following items: 10.2 due to his ownership of retail business in Clunes that pays compliance fees and 11.1 due to his position on the Board of Creative Clunes.**
- **Cr Bill McClenaghan declared a direct conflict of interest in Item 10.2 in regards Waste Management fees. This is due to his ownership of a waste disposal business.**
- **Cr Jon Barrell declared a Conflict of Interest in Item 10.2 in regards Visitor Information Centre fees due to his ownership of a business that pays VIC fees.**

## 5. CONFIRMATION OF MINUTES:

### Recommendation

- 5.1 *That the Minutes of the Ordinary Meeting of Council held on 16 February 2010 and the Special Meeting of Council held on 23 February 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 16 February 2010 and the Special Meeting of Council held on 23 February 2010 (as previously circulated to Councillors) be confirmed as required under Section 93(2) of the Local Government Act 1989.*

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

## 6. NOTICES OF MOTION:

### CRESWICK RAILWAY WORKSHOPS PROPOSAL

#### MOTION

That Council

1. support in-principle the concept of developing a community and tourist hub at the old Creswick Railway Station; and
2. authorise officers to enter into discussions with VicTrack (land owner) regarding opportunities to lease the Creswick Railway Station and develop the community and tourist hub.

**Moved: Cr Don Henderson**

**Seconded: Cr Bill McClenaghan**

**Carried.**

#### Background

#### CRESWICK RAILWAY WORKSHOPS CONCEPT PLAN:

*“on track from the past to the future”*

#### Venue:

The disused Creswick Railway station is situated within easy walking distance of the town centre. There is plenty of parking space and adjacent external area. The complex contains a series of buildings within the station itself plus a large building previously used a freight shed. All the buildings are unoccupied and in relatively good condition however some work will be needed to bring them into line with modern expectations. An initial project, based around activity to upgrade existing buildings, is considered in terms of learning practical restoration skills via an on-site ‘Trades Workshop’, possibly being located in the Goods Shed.

#### Vision:

A welcoming place that is full of positive energy and interest

One that delivers results for the community and for individuals

A place of creativity and engagement

A place that caters to all sections of the community: the disabled, our aging population and young persons

A place that attracts visitors by offering diverse products and information of interest in a unique environment.

Aim:

To create a series of working and leisure areas to meet the needs of our community, now and into the future.

To create a community hub that encourages young people and the general community to become skilled and involved in the arts, trades, ecology and history of the area.

To enhance opportunity within an existing community facility by developing partnerships with the community, business, State and Federal government agencies and local government

To encourage greater interaction between the local community and the indigenous community.

To develop surrounds that will further tourism by providing products and information tourists seek.

To increase momentum in terms of building on what's already in the local area to support tourism and broader visitor interest. Diversity of products and activities will encourage visitors to spend greater time within the local area.

Main themes:

Given there are some dominant themes that form part of the history and current 'experience' of the Creswick district, it makes good sense to capitalize upon these, in terms of gaining leverage for funding submissions and in partnerships with other Shires, businesses, interest groups and educational establishments. Adding value by strengthening these key areas of interest also enhances the marketability of the project. This project will give renewed focus to Creswick's position and outreach into the Tourism environment.

- Arts and Culture
- Gold
- Forestry (& horticulture)
- Environment

The concept of a learning exchange was a central part of ideas, in terms of community learning and skilling. Explore partnership with Neighbourhood Learning Centre and other community groups.



The development aims to be inclusive of all groups, and will cater to all sections of the community including aged and disabled

Draft Concept Plan prepared by core Focus Group. There are 30 –40 other local people who will be involved in the next phase of community consultation. It is envisaged that a public meeting will be held and submissions taken to finalise the draft proposal below.

Activity	Details	Value Adding
Gold & Gems	Maps, information, skills, and gems. Gold detector hire and tours. History and events.	Linkage with local gold theme and historic aspects  Partnership with Creswick Museum and Historical Society, S/Hill Gold Museum and local Gemologists
Arts workshop	Sculpture, painting, pottery, glass making and etching, garden art, metal work, mosaics	Forum for local artists, sales potential, gallery for passive viewing, and working studio
Trades Workshop	Carpentry & building, welding, renovating, heritage restoration.	Partnership with Ballarat Trades School TAFE,  Landcare and local business
Plant propagation	Training and sales opportunity. Propagation of trees from botanic gardens and avenues of honour.	Partnership with Uni Melb  Partnership with HSC in production of plants suitable for carbon offset and local reforestation.
Environment	External garden area to be established. Outside area for sculpture display and garden art outreach. Area for picnic	Linkage with local Garden Club, Plant Nursery, Landcare and the Society for Growing Native Plants.  Tree planting with local business and groups e.g.

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	gatherings for visitors and locals.	Forest Resort.
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Other 'Down the Track' Ideas:

Indigenous Art & Culture & Music

Enhancement of cycle and walking tracks including bicycle hire

Possible horse drawn carriage tours

Vehicle restoration including metal shaping

Writing and books

Family Tree research & Information Hub

Music

Refreshments

Market

**Councillor Name: Cr Don Henderson, Creswick Ward**

**Councillor Signature:**

A handwritten signature in black ink, appearing to read "Don Henderson".

**CEO Signature:**

A handwritten signature in black ink, consisting of stylized initials.

## 7. PRESENTATION OF REPORTS:

### Mayor's Report

#### **Councillor Janine Booth, Creswick Ward delivered the following report:**

I am aware that it has been a busy month for all Councillors.

From a regional perspective, I have had a number of opportunities to represent Council at Regional forums. The highlight of course being the opportunity to meet with the Prime Minister Mr. Rudd on his recent visit to the Ballarat Electorate. The CEO and I, at the request of the Prime Minister and Catherine King MHR Member for Ballarat, joined with the CEO and Mayor of the City of Ballarat, Moorabool, Pyrenees and Golden Plains Shires to discuss with the Prime Minister the opportunities and challenges affecting local governments in this area. It was an important opportunity to present this Central Highlands region of Councils as a connected region of Councils focused on future opportunities around growth and development. The Prime Minister was most generous with his time and was particularly reflective and generous with his praise of Local Government as the government closest to the people and was keen for feedback in what we considered had been worthwhile programs and what services in particular still needed to be delivered across Regional Victoria. Infrastructure for Transport, Health and Communications were topics of discussion, and it was pleasing to hear the Prime Minister reiterate those important issues we raised during our session in his presentation at the Federal Community Cabinet Public session later that night.

I attended the Central Highlands Mayors and CEO Forum hosted by the Northern Grampians Shire at Stawell Grampians Region in which Hepburn Shire participates as a member of the CH21 group, and I attended Mayors and Business leaders meeting in Ballarat with the Premier of Victoria John Brumby and Minister for Regional Development Jacinta Allan in a round table discussion on regional issues relating to education, emergency services/bushfire recovery, population growth and employment and industry development for the region. This followed a full day of planning at the Regional Symposium to help develop a framework for regional development, a "Blueprint for Victoria" to facilitate growth and manage change throughout regional Victoria.

I also had the opportunity to attend the Goldfields Wimmera Mallee Consultative Rail forum meeting with Minister Martin Pakula the new State Minister for Public Transport, discussing regional rail freight and passenger services including the status and next steps for the Maryborough Passenger Service rail line upgrade which will be completed and operational by July this year, stopping at our new station at Creswick. I joined with the Mayor of Central Goldfields in making representation to the Minister around the need for funding an enhanced business case study to identify and develop potential

Business and Tourism opportunities for the region following the opening of this passenger line.

Councillors, the cynics in us might say that it must be a double election year with all these opportunities for Councils to participate in Regional development and meetings with Ministers and I accept there is some truth in that, however it is important at this time, that small rural Shires like Hepburn join with other regional Councils to punch above their weight in identifying regional priorities and adding strength to the voice of our rural communities.

The Hepburn Shire International Women's Day event featuring the Women's Honour Roll was held on 4 March and saw two new women inducted onto our Honour Roll. The event also featured a guest speaker from the International Women's Development Agency and I delivered a brief history on the origins of IWD and our Honour Roll. I would like to thank Cr Henderson, Cr McClenaghan, Cr May and Cr Barrell for their attendance and support for this event.

I also met recently with representatives of the Rural Women's Health Network discussing representation from across Hepburn Shire in regional forums and of Council's recognition of Women through the IWD event, our Honour Roll and future participation in the Year of Women in Local Government events.

Attending the funding announcement for the Daylesford Spa Country Railway of \$300,000 from the Bushfire Recovery Community Infrastructure Program jointly funded by Regional Development Victoria and the Bendigo Adelaide Bank to repair 2 kms of track burnt out in the Muskvale fire a year ago. Acknowledgement to Kathleen Brannigan from our Community Development department who worked with RDV and the Committee to identify objectives and complete the successful application.

Last weekend I attended the street parade of yet another successful and engaging Chillout Festival. I had the difficult task of helping to judge the best entry from a colourful and energetic array of participants in the Parade. I later attended the Carnival at Victoria Park featuring music entertainment and market stalls and made the announcement of the winner to the crowd of approximately 5000 visitors gathered there to join in the festivities despite the threat of rain. It was quite a unique and entertaining event and the small enthusiastic Chillout Committee are to be congratulated for all their work.

Yesterday I attended the launch of the L2P program with our partners of Hepburn Health Service and the Daylesford Neighborhood Centre. This program funded through VicRoads and the Transport Accident Commission will help young learner drivers to build up the necessary 120 hours of driving experience to enable them to obtain the "P"

plates. It targets young drivers who need help and support in the form of access to a vehicle and experienced volunteers to help them get the practice they need to gain their licence. Again Kathleen Brannigan our Community Strengthening Manager and particularly Simon Evans our Transport Connections Officer have provided invaluable assistance and co-ordination to make this project happen.

But the highlight for me personally this month was our Community Open Day at our newly completed Shire Depot. This day demonstrated, for me, Council's commitment to the future, proudly showcasing Council's services and programs with static and interactive displays, the microchipping service, a free BBQ and enthusiastic staff engaging with our Community. I would like to congratulate and acknowledge the participation of our CEO and the Leadership Team and thank Linda Newitt and the organizing team for providing Councillors, officers and staff with the opportunity to highlight the many essential and useful programs, infrastructure and services that Hepburn Shire Council provides for its community.

### **Councillor Reports**

#### **Councillor Rod May, Birch Ward delivered the following report:**

I attended the Hepburn Shire Women's Honour Roll event as reported by the Mayor. Grossly outnumbered by the women of the district it was a great honour to be present at the awarding of position of honour for outstanding women from the community.

This week I attended an innovative demonstration carried out for the Shire by Weedtechnics at the invitation of our environmental officer Thea Laidlaw. The demonstration was that of a thermal weed control device based on the use of steam as an alternative to herbicide. There would appear to be some opportunity for the use of a similar device in the urban areas of the shire.

This morning I attended the announcement of recipients of funding under the Victorian Local Sustainability Accord where Minister Gavin Jennings announced \$30,000 funding for our Shire's sustainability strategy. It was announced that \$4.2 million was being made available for climate change initiatives.

**Councillor Bill McClenaghan, Holcombe Ward delivered the following report:**

In the past month, I have been busy in Holcombe Ward attending several engagements and other special events or highlights. Some of these engagements include;

- the Jim Crow Planning Group at Yandoit
- Highlands Regional Waste Management Group at Ballan
- Drummond Hall Committee (Section 86)
- Glenlyon Art Show in the Glenlyon Hall and
- Community Open Day at the new Hepburn Shire Depot.

At the Depot Open Day, I was most impressed with the community's interest and the enthusiasm of the staff who worked hard to put on a great event. There were some terrific displays as well as a free BBQ lunch.

One of the highlights was a funding announcement for the Daylesford Spa Country Railway, which has received \$300,000 to repair bushfire damaged track between Daylesford and Musk. A public presentation was made on the railway platform on Sunday 21<sup>st</sup> February and one of those giant cheques was handed over. Thanks go to the State Government through the Department of Planning and Community Development and the Bendigo and Adelaide Bank's Community Enterprise Foundation™ Thanks also to Kathleen Brannigan, our Community Strengthening Manager, whose comprehensive submission for funding was cited by the Bank as one of the best they have seen.

Hepburn Shire celebrated International Women's Day on Thursday 4 March instead on the actual day being Monday 8 March because of ChillOut and the long weekend. Two women were inducted onto the Women's Honour Roll in a moving and magnificent ceremony. One of them was former Councillor Meg Elliott, a lady Mayor of the Daylesford and Glenlyon Shire. I knew Meg well and worked closely with her on community groups in the eighties and the nineties. Sadly ill health prevented her from attending the event but I commend those who nominated Meg for the Women's Honour Roll. Meg Elliott has made a great contribution to women's affairs and her Shire.

On Wednesday 10 March, I met with Council and VicRoads officers and members of the Drummond community to consider a better future for the Drummond Avenue of Honour. Despite early difficulties in reaching an agreement, VicRoads is now working with Council and the local community. An arborist's report has been commissioned that condemns six of the Dutch elms in the Avenue and specifies a program of dead-wooding, pruning and sucker removal to care for the remaining trees. VicRoads will perform the work and will bring a quantity of woodchips onto the site for mulching and moisture retention. As there are trees missing and one inappropriate replacement of a

different species, ten replacement Dutch elms of the beetle resistant type will be replanted. The community will slash the long grass in the Avenue in readiness for the works and mulching. Timber from removed trees will be salvaged by the Kyneton Men's Shed and a plaque will be made for each of the fifty local lads who joined up and went to the Great War. Kyneton RSL will co-ordinate the making and placing of the fifty individual plaques and will be erecting a separate monument near the school, naming all of the fifty servicemen. It is planned to have a public meeting on Wednesday 14 April in the Drummond Hall to decide what type of committee / group will manage the project. It could be a local free standing committee or a sub-group of Malmsbury Landcare. The group will work with VicRoads in the "Adopt a Roadside" program. Already new signs proclaiming the "Drummond Avenue of Honour" have been erected at both ends.

By Remembrance Day on 11 November 2010, it is planned to have the Drummond Avenue of Honour in pristine condition and ready for a ceremonial re-opening to once more pay our respects to the local men who went to war. The project is a victory for community strengthening and empowerment, assisted by Council and VicRoads.

**Councillor Jon Barrell, Birch Ward delivered the following report:**

1. **The Wombat Hill Botanical Gardens Advisory Committee** met this morning. Challenges and opportunities discussed included a Priority Action List with a recommendation that Council allocate in its 2010/2011 budget for
  - a. \$3000 to undertake Phase 1 works on the fern Gully & Rustic Cascade,
  - b. \$10000 to develop concise Tree Collection and Weed Management Guidelines and the initial implementation of same, and
  - c. \$10000 to perform minor works and sealing of the main Axial Path which may provide additional opportunities for educational grant funding to increase the skills of our staff with dry stone walling techniques.
  
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 delighted to report activity by a resurgent Daylesford & District Business Group, seeking to represent Business Tourism & Trades, in Daylesford, Hepburn Springs & surrounds.
  
3. **ARC Advisory Committee conducted a meeting of approximately 20 stakeholders, users groups, sports, interested persons & bodies on Wed 10 March 2010.**
  - a. The meeting was expertly co-ordinated by General Manager Community Development Mr Martin Walmsley and several of his team.



- b. The meeting was addressed by Mr Alan Wolf-Tasker on behalf of DIRC, Mr Ed Ferguson, General Manager Ballarat YMCA, and Mr Anthony Avotins, Acting Principal DSC.
- c. Mr Wolf-Tasker stated that he felt the ARC had not yet fulfilled the expectations of its creators.
- d. Mr Avotins, a Physical Education teacher who has travelled & taught extensively, including overseas, described the ARC as a world class facility which would be the envy of many private schools.
- e. Mr Ferguson acknowledged the constraints upon the ARCs operations due to its status as a combined school and community facility, and also that as managers, the YMCA may not have promoted aspects of the ARC as well as they may have done.
- f. Many ideas and opportunities were identified, some of which will be acted upon immediately, & I anticipate Mr Walmsley's busy team hope to present the recommendations to the next ARC Advisory Meeting April 12 where the Committee will continue its review of its Terms of Reference & further review its Strategic Plan.

**Councillor Tim Hayes, Cameron Ward delivered a verbal report re Central Highlands Regional Library Corporation.**

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

Having been away for the Month of February, I will start by thanking the residents of Coliban ward, the wider shire and my fellow councilors and council officers for their patience and understanding in conducting business in my absence. It seems that I wasn't missed and I trust that a lack of feedback suggests that my efforts at participating in council from afar were successful rather than reflecting on my efforts in general.

In the week that I have been back I have attended The Police Camp reserve AGM, a TRATA meeting and a business support Project meeting who have now acquitted their funding from the council and are preparing to put into place a more long-lasting body in representation of business interests.

**Councillor Don Henderson, Creswick Ward delivered the following report:**

Probably the most important event that I attended was the International Women's Day event. The Shires Women's Honour Roll was part of this and it was great to get an invite. It was a humbling experience to hear how the two women inducted had made such a difference to the lot of many women.



During the past month I attended the Community Cabinet in Ballarat. I enjoyed hearing the various answers to questions put by the public. Nothing new here as I felt that the politicians were gauging the feelings of the electorate and I think they went away with something to think about. I had a chance to catch up with some past contacts and was surprised by Lindsay Tanner and Simon Crean telling me they were heading home early because no one had made an appointment to meet them. I would have thought that there were some businesses in the region interested in trade. I noted quite a number of our Hepburn Shire community in attendance.

I went to a training session in Bendigo the following day along with the independent chair of our Audit Committee Mr Robert Taylor and Ms Roffey, General Manager Corporate Services. It seems that we are at the head of the pack in our understanding the role of audit committees and most of the recommended actions were ones that we had as a council recognised and implemented. Now that we have the framework in place it should be easy to monitor our progress and see that our processes are correct and protective of our ratepayer funds. The details were reported back to our Audit and Risk Advisory Committee

I have spent a deal of time assisting a focus group set up by the Friends of the Creswick Railway Workshops. This small group has been working very positively to gather some ideas and proposals that have been raised by our community. The next steps for them are to go back to the original 40 or so people who initially expressed an interest and then to a public meeting to ensure that the whole community has ownership of this worthwhile venture. As you are aware VicTrack are keen to see this important part of our heritage preserved and used . I commend this group for their excellent work so far.

On a sad note we have seen the destruction of a part of our streetscape dating from our earliest times. I refer to what became known as Doug Hawkey's Hayloft. I am told that the famous Lindsay children along with others spent time playing in the loft as it was quite near their home. The loss was made worse by the method of destruction and the scant regard for personal and public safety. The handymen employed to destroy this treasure had no idea how to do the job safely and in my 46 years in and around the construction and demolition industry, I have never seen such more dangerous behaviour. I have every confidence that our building department and planning officers will sort out this debacle.

I note with pleasure the proposed formation of a Residents Group in Creswick and my experience of these groups is that they are a great way to empower our communities and provide valuable feedback that ensures that our eyes are on the ball. I look forward to working with them in the future.

I attended a meeting called by our local CDDA along with CEO Conrick and it was very worthwhile to hear their visions for the community. In the past this organisation has been at the pointy end of starting many worthwhile projects not the least being the Lindsay Arts Trail and the Magic Pudding Playground.

**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 Bill McClenaghan**

**Seconded: Cr Sebastian Klein**

**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:**

Please see item 12.1 in response to petition received at January 2010 Meeting.  
Nil petitions for March 2010 Meeting received at time of collating Agenda.

### **8.2 QUESTIONS:**

#### **SUBMITTED BY EARL INGLEBY, CRESWICK.**

##### **Question 1:**

*A question to council re the disused Creswick Railway station.*

*In view of the following:*

- *That VicTrack Heritage has offered the use of the buildings and their surrounds at little or no cost for community activity.*
- *That there is demonstrable local support within the local community and established community groups for the concept.*
- *That maintaince shall be the responsibility of the user jointly with VicTrack and will not be a cost to council.*
- *That the intention of the project is to create a area that will extend the capabilities of local groups and strengthen community bonds.*

- *That the project will assist in furthering tourism within the area.*

*Will council support the proposal in principal so as to allow discussions between VicTrack and the "Creswick Railway Workshops focus group to continue?*

**Answer by General Manager Sustainable Development:**

VicTrack was invited to speak to Council at a Council briefing on 9 March 2010 regarding this proposal and a number of other issues relevant to the Shire.

Council is now aware of the interest in this project by the community for the concept and a report will be presented to Council in May 2010 for their consideration and accordingly their support.

Council is aware that both the communities of Clunes and Creswick have formed community groups of interested people and have met regarding opportunities for their respective old disused railway stations.

Council recently invited VicTrack representatives to address a Councillor Briefing Session. This session served to introduce VicTrack to Council and vice versa and although particular issues were mentioned the opportunity to discuss anything in detail will come at future meetings.

**SUBMITTED BY SUZIE ST GEORGE, DAYLESFORD.**

**Question 1:**

*The Daft Management Plan for Jubilee Lake Reserve recommends that community input into management of the reserve be channelled through an advisory committee. In view of the fact that advisory committees have no formal powers to ensure their recommendations are upheld what mechanisms does the Council propose to make sure that ongoing community concerns are incorporated effectively into future actions and decisions?*

**Answer by General Manager Community Development:**

The draft Jubilee Lake Management Plan recommends establishment of a local advisory group for Jubilee Lake, and if the Plan is adopted by Council, Terms of Reference and a process for establishing the advisory committee will be developed for Council's consideration. It is anticipated that community members appointed to the Committee would raise any concerns for consideration in the decision-making process.

**SUBMITTED BY DALLAS KINNEAR, DAYLESFORD.**

**Question 1:**

*The Draft Plan on page 25 mentions construction of several buildings. The first is a new kiosk and canoe hire “between the lake and oval area”, one of the prettiest views of the lake as one drives/walks into the Reserve. The second is of a recreation room and camp kitchen facility with no mention of whether these are to be on the lease area of the Reserve. Will the sites of these structures be negotiated with the community and is the Native Title Act relevant here?*

**Answer by General Manager Community Development:**

The draft Management Plan suggests that some of the proposals in the caravan park lessees (ATPM) draft development plan will improve the general amenity of the area and provides some general guidelines about the proposals to ensure the character of the area is enhanced. Any plans for additional facilities would have to be considered as part of Council's Planning Permit process which would also address any Native Title issues.

**Question 2:**

*Page 36 Stage 2 mentions “Provide pea gravel beach” and “provide flotation device or rope for learners”. Obviously the Advisory Group representing the community should be involved in deciding such things. Is it possible for us regular users of Jubilee Lake to have a pontoon again?*

**Answer by General Manager Community Development:**

The draft Management Plan makes no recommendation about a pontoon. The pea gravel beach and flotation device for learners is recommended in Stage 2 of implementation of the Management Plan and will be considered by the Advisory Committee.

**SUBMITTED BY ZACHARY CASPAR, GLENLYON**

**Question 1:**

*Prior to the commencement of the building of the new HSC Depot on the Daylesford-Trentham Road, was a Planning Permit and a Building Permit issued for this project? If so, what were the dates of each respective Permit? And could the HSC kindly provide a copy of each Permit sometime in the near future, not necessarily today?*

**Answer by General Manager Sustainable Development:**

A Planning Permit was issued on 14 February 2007. Access to the planning permit, conditions and endorsed plans can be provided at the HSC Duke Street customer service office.

A Building Permit was issued on 22 December 2008 for the slab of the building. A letter from the Municipal Building Surveyor confirms that the buildings are suitable for occupation.

**SUBMITTED BY MABEL MORAN, CRESWICK.**

**Question 1:**

*I wish to inquire if Hepburn Shire Council has done soil testing on the soil at the former Microwave block in Clunes Street.*

*Several years ago, approx 2001, Friends of Calembeen Park Committee decided to make a path to link the bank of the back lake to the island. We began to collect broken bricks and rock for the base. Council approached our workers and suggested Council would complete the path with excess soil and rocks which would be removed from Clunes road. When finished a road wide enough to carry a truck resulted. Some time later Friends of Calembeen were informed the soil used was contaminated with asbestos which had been dumped on the site of the Microwave site.*

*My question to Council is A = has a recent test been done on the Microwave area, and because the soil was dumped in the fishing lake can tests be done on fish to find if they have been affected by asbestos which could cause asbestos cancer when eaten by humans.*

**Answer by General Manager Sustainable Development:**

The question on this item was received this morning and Council will need time to investigate the detailed information provided in this question. We will respond to your query in writing within the next two weeks. It should be noted that this site is not Council owned land.

**SUBMITTED BY TERRY MERRITT, CRESWICK.**

**Question 1:**

*Doug Lindsay tendering: Where is the tendering process at? Why has there been a delay?*

**Answer by General Manager Corporate Services:**

Hepburn Shire Council will shortly advertise a new tender process for the Doug Lindsay Recreation Reserve project to address concerns about some technical irregularities with the original tender.

Hepburn Shire Council is committed to fairness and transparency in its tender process and suspended the tender on becoming aware of the concerns. We asked an

independent probity expert to review the matter who did find some technical irregularities.

The review found that a typographic error in the documents had caused some confusion about the close off time and that some applicants failed to receive addendum documents sent electronically. In addition, there was a concern that some contractors may have received additional information about the project through an earlier procurement process for some earthworks. While the specifications for these works were revised and rescope when they were incorporated into the larger tender project, Council has decided that in the interests of fairness the information given out to contractors as part of the earlier procurement process should now be given to all tenderers.

Council is taking action to address these matters. The tender will be finalised in coming weeks to minimise any delays to the construction. All current tenderers may submit a tender as part of this new process.

**Question 2:**

*What is the tonnage on council maintained roads?*

**Answer by General Manager Infrastructure:**

Council operates as per the Road Traffic Regulations, which allow up to 42 tonnes without a permit. An operator can apply for a permit for any tonnage and Council would consider it subject to the determination of load limits on each road.

**SUBMITTED BY MICHELLE POTTER, CRESWICK.**

**Question 1:**

*I understand that the consultancy has returned its findings to Council. My questions are: Given events that preceded this report and newspaper story – Water study to supply Lindsay Park: surveyors on my land and subsequent meeting with CEO – assuring public consultation when report was available.*

*A – Is this report now publicly available?*

*B – What is the next process?*

*C – This Report was water – then industrial land investigation – what are the findings of this report? What has it now become?*

*D – This report was begun in November 2008, made available to Council March 2010. Why did Council not consider this report before making a decision on Structure Plan? A matter of two weeks.*

**Answer by General Manager Sustainable Development:**

- A. The study has been developed. Formal presentations to Council will be held in April 2010. It will then be available as a public item.



- B. After formal presentation to Council, the next process will be determined.
- C. After the formal presentations to Council the document findings can be made public.
- D. The study was not finished at the time of the Structure Plan's consideration.

**Question 2:**

*As Secretary of Calembreen Park Inc, I would ask the following:*

- A: Tower. Report now has been made to Council. Heritage has not accepted modified plans under existing permit. What does Council now resolve for the Tower?*
- B: Lighting. Last week a set of lights were installed at Calembreen Park (unfinished now). Is this part of permit from Heritage? Is this the only lighting component to be installed? Is lighting to be completed as endorsed plan?*
- C: Shade. Met with Council 2 December 2009. Shade was hopefully to be installed before Christmas but deferred until after swimming season as it forms part of the above-mentioned permit. What is the timeline now for the shade sails?*

**Answer by General Manager Infrastructure:**

Council has applied to Heritage Victoria for a modification to the existing permit. That modification would remove the top diving platform. Verbal advice from Heritage Victoria is that this will be approved.

Lighting has now been completed.

Council has accepted a quote for shade sails and they will be installed in the near future.

**SUBMITTED BY EMILY CHATHAM, CRESWICK.**

**Question 1:**

*Can the Council please advise what steps they are taking to that Creswick receives funds for children and youth focused grants from the Federal and State Governments?*

**Answer by General Manager Community Development:**

Council is currently undertaking a Pre-school Inclusion Program which is investigating the opportunity of providing 15 hours of pre-school per week for all 4-year-old children. This project will conclude in late April 2010.



## **9 EXECUTIVE SERVICES:**

### **9.1 TOURISM VICTORIA AND HEPBURN SHIRE COUNCIL REGIONAL TOURISM BOARD MEMORANDUM OF UNDERSTANDING**

(Action Officer – Chief Executive Officer)

#### **Introduction**

This report updates Council on the progress of the Daylesford Macedon Ranges Regional Tourism Board Implementation Committee in establishing the new Regional Tourism Board and presents Council with a copy of the Memorandum of Understanding to be signed between Tourism Victoria and the partnering municipalities Hepburn, Macedon Ranges, Moorabool and Hume.

#### **Report**

In December 2008 Minister Tim Holding released the Regional Tourism Action Plan (RTAP). The Plan was developed following extensive consultation with the regional tourism industry throughout Victoria.

The RTAP highlighted concerns with the operation and function of some Campaign Committees and the general frustration with the “structure” of tourism in regional areas.

In 1993 Tourism Victoria’s Jigsaw campaign, one of Australia’s most respected and successful tourism marketing and advertising campaigns was launched. Thirteen Regional Campaign Committees were established across Victoria that focused on regional product strengths. Hepburn Shire Council municipal area is captured in the Daylesford Macedon Ranges (DMR) Campaign Committee.

Although the DMR Campaign Committee has a track record for achieving excellent marketing outcomes for the region, including the production of the high quality Official Visitors Guide for the Region the work of the Committee is largely undertaken on a voluntary basis with project management support. This places a large impost on Committee members who have their own businesses to operate.

Since the release of the RTAP and the identified opportunity to review regional tourism structures and move towards the establishment of funded Regional Tourism Boards to replace campaign committees, Tourism Victoria has been working with regional

campaign committees, local government and industry to establish new governance structures across Victoria.

The Daylesford Macedon Ranges Interim Tourism Board Implementation Committee was established in July 2009. Hepburn Shire Council Chief Executive Officer represents Hepburn Shire Council on the Implementation Committee.

The Terms of Reference for the Implementation Committee are to work to develop and implement the strategies to consider the opportunity and establishment of a new Daylesford and Macedon Ranges Tourism Board in order to better facilitate industry activity within the region.

The Implementation Committee is chaired by Noel Harvey and comprises:

Kylie Lethbridge	Manager Economic Development & Tourism Macedon Ranges Shire
Amanda Martindale	Hume Council
Leanne Brown	Moorabool Shire
John Ellis	Managing Director, Hanging Rock Winery
Carol Hulst	Sault Estate Daylesford
Graham Jasper	Daylesford Macedon Ranges Campaign Committee
Chris Malden	Peppers Spring Retreat
Alla Wolf-Tasker	Lake House Daylesford
Frank Page	Daylesford (previous chair Destination Daylesford)
Dorana Wirne	General Manager. - Destination & Product Marketing Tourism Victoria (TV)
Tom Smith	Regional Tourism Advisor, TV
Graham Middleton	Executive Officer, Daylesford Macedon Ranges, TV
<b>Kaylene Conrick</b>	<b>Chief Executive Officer, Hepburn Shire Council</b>

The existing campaign committee has continued to operate as a separate entity and will do so until the Regional Tourism Board is established.

The Implementation Committee has met on a monthly basis since July 2009.

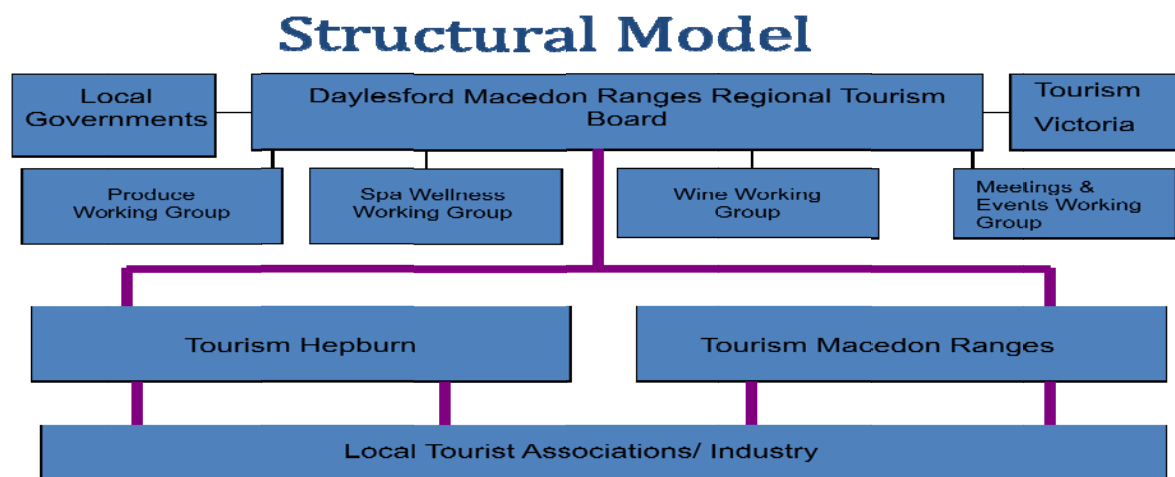
Regional Tourism Boards have been established in Gippsland and the Grampians regions. Local government is a key partner in both structures.

Each region will establish the most relevant Board structure for that region. By way of example the Grampians Tourism is chaired by an independent Chairperson, and

consists of representatives of 5 local governments, Parks Victoria, Tourism Victoria and the local industry.

Since the establishment of the Daylesford Macedon Ranges RTB Implementation Committee Council has had two presentations from Tom Smith, Regional Tourism Advisor, Tourism Victoria to update Council on the development of the RTB structure.

The proposed Daylesford Macedon Ranges Regional Tourism Board structure is depicted below:



It is proposed that the RTB will be chaired by an Independent Chair and will be managed by an Executive Officer. Two tourism officers are proposed to support the operations of the Board and more importantly provide on the ground assistance for Tourism Hepburn and Tourism Macedon Ranges.

Position descriptions have been developed for all of the above positions. The Implementation Committee is planning to conduct the recruitment and appointment process for the position of Independent Chair in April 2010.

Once the Independent Chair position has been finalized the staffing model will be established, the legal structure established (an incorporation) and the Executive Officer recruitment process undertaken. It is anticipated that these activities will be completed by June 2010.

The launch of the new RTB is planned for July 2010. The DMR Campaign Committee will wind up in September 2010.

Thirteen members will make up the new RTB comprising:

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

The new RTB will play a critical role in creating a platform for future growth and will have responsibility for a range of key tourism functions. One of the advantages of the RTB will be a consolidated strategic direction of the tourism industry for the entire region. Regional Tourism Associations (RTA's) such as Tourism Hepburn and Tourism Macedon Ranges will be aligned with the Board.

RTA's (previously Hepburn Regional Tourism Association (HRTA) now Tourism Hepburn) are responsible for

- The management and development of tourism within a sub-region or product group;
- Increasing visitation and yield through destination marketing in partnership with the RTB;
- Representing Local Tourism Associations (ie Clunes, Creswick), industry sectors and/or Local Government on issues affecting the tourism industry within their region;
- Liaising between the RTB and local industry; and
- Delivering industry development programs in partnership with the RTB.

Tourism Hepburn operations are guided by the Destination Daylesford Strategic Plan 2008.

Local Tourism Associations (LTA's)

- Represent local tourism businesses at the sub destination level;
- Enhance the visitor experience;
- Conduct industry networking functions;
- Conduct local familiarisation tours; and Advise Local Government on local tourism issues.

The Regional Tourism Board will be responsible for holistic tourism development and advocacy for the region and functions will include:

:

- Industry development;
- Product development;

- Regional marketing;
- Skills training;
- Mentoring;
- Networking; and
- Identifying investment priorities and managing sustainability.

To establish the new RTB local government partners are required to enter into a three year Memorandum of Understanding (MoU) with Tourism Victoria to fund the Board.

A copy of the MoU is attached for Councillor Information.

The MoU is for three years commencing July 2010 and concluding June 2013 and is between Tourism Victoria and the partnering councils Hepburn, Moorabool, Hume and Macedon Ranges.

The MoU binds Tourism Victoria and partnering Councils to fund the RTB with annual contributions by 1 September each year (2010, 2011 and 2012) as follows:

	2010-2011	2011-2012	2012-2013
	\$	\$	\$
Macedon Ranges Shire	\$75,000	\$75,000	\$75,000
Hepburn Shire	\$75,000	\$75,000	\$75,000
Hume City	\$17,000	\$17,000	\$17,000
Moorabool Shire	\$17,000	\$17,000	\$17,000
Tourism Victoria	\$150,000 (min)	\$150,000 (min)	\$150,000 (min)
	\$334,000	\$334,000	\$334,000

Years 2001-2012 and 2012-2013 will be subjected to CPI increases.

In addition to this core funding Tourism Victoria will make annual grants of approximately \$300,000 to the RTB to assist with marketing, industry development, events and product development.

Under the new RTB model the staffing, management and operations of Hepburn Shire Council's Visitor Information Centres remains the responsibility of Council.

### **Relevant Policies**

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

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

### **Community Engagement**

There has been extensive community consultation during the mapping of the Destination Daylesford Strategic Plan, which forms the foundation for Council's direction in Tourism. The Tourism Industry was heavily consulted as part of the development of the RTA in 2008.

### **Financial Implications**

As per the Memorandum of Understanding, Hepburn Shire will commit \$75,000 per year for three years.

### **Recommendation**

9.1.1 That Council authorise signing the Memorandum of Understanding between Hepburn Shire Council and Tourism Victoria.

#### ***Motion:***

*9.1.1 That Council authorise signing the Memorandum of Understanding between Hepburn Shire Council and Tourism Victoria.*

**Moved: Cr Rod May**

**Seconded: Cr Don Henderson**

**Carried.**

**Attachment 1**  
**Item 9.1**

3 March 2010

Kayleen Conrick  
Chief Executive Officer  
Hepburn Shire Council  
P.O Box 21  
Daylesford Vic 3460

Level 32, 121 Exhibition Street  
Melbourne VIC 3000 Australia  
GPO Box 2219T  
Melbourne VIC 3001 Australia  
Tel 03 9653 9777  
Fax 03 9653 9755  
ABN 18 381 772 530  
[tourismvictoria.com.au](http://tourismvictoria.com.au)

Dear Kayleen

The Daylesford Macedon Ranges Regional Tourism Board Implementation Committee has now reached the stage where they are seeking a firm commitment from Local Government partners.

As you are aware the committee have presented to Local Governments in the regional outlining the benefits of a new Regional Tourism Board and the financial commitments required from each Local Government partner. Since that time the Committee has been working on a detailed Memorandum of Understanding which outlines the partnership required between Local Government and Tourism Victoria to set up a Regional Tourism Board. A copy of the memorandum is attached.

The concept of the RTB was a key action in the Regional Tourism Action Plan released by the Minister in December 2008.

The new Boards will set the overarching strategic vision and direction for tourism in your region. The Board will be responsible for holistic tourism development and advocacy for the region. Functions will include regional marketing, industry development, product development, skills training, mentoring, networking, identifying investment opportunities and managing sustainability.

The new Boards will establish clear professional leadership, overcome fragmentation and duplication, improve communication and provide a central point of contact for Governments.

All future Tourism Victoria funding will be channelled through the new Regional Tourism Board.

With the above in mind and given the extensive consultation to date we are now seeking a formal commitment from your shire to become a key partner in the Regional Tourism Board.

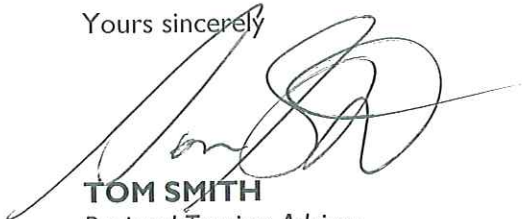
The Hepburn Shire's recommended commitment (as previously detailed) is \$75,000 per annum for a 3 year period commencing July 1, 2010. The attached Memorandum of Understanding details the conditions associated with this funding commitment.



It would be appreciated if you could consider the above and provide a formal response, either by letter or signed MOU, outlining your commitment to become a partner in this exciting new initiative.

Tourism Victoria appreciates your leadership and involvement in this project and we look forward to your response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Smith', written over a large, stylized circular flourish.

**TOM SMITH**  
*Regional Tourism Advisor*

*Attch.*

**MEMORANDUM OF UNDERSTANDING**

**between**

**TOURISM VICTORIA**

**and**

**HEPBURN SHIRE COUNCIL  
MACEDON RANGES SHIRE COUNCIL  
HUME CITY COUNCIL  
MOORABOOL SHIRE COUNCIL**

**February 2010**

Daylesford and Macedon Ranges Regional Tourism Board  
Memorandum of Understanding

### **Parties to the Agreement**

The Parties to this Memorandum of Understanding (MOU) are:

- **TOURISM VICTORIA**, a Statutory Authority established under the Tourism Victoria Act 1992; and
- **Partner Councils** established under the Local Government Act 1989:-
  - **MACEDON RANGES SHIRE COUNCIL**
  - **HEPBURN SHIRE COUNCIL**
  - **HUME CITY COUNCIL**
  - **MOORABOOL SHIRE COUNCIL**

### **Preamble**

1. In order to grow and develop the tourism industry in the Daylesford and Macedon Ranges Region in the long term, it is proposed to establish a Regional Tourism Board and provide the initial funding over three years.
2. With an expectation of ongoing funding for the Regional Tourism Board, this MOU may be renewed or renegotiated by further agreement between the parties to this MOU.
3. The Parties to this MOU have recorded their understandings and obligations and as signatories to this document agree to the following:-

### **Daylesford and Macedon Ranges Regional Tourism Board**

#### *Establishment and Role*

3. In conjunction with the parties to this Agreement, it is proposed to establish a Daylesford and Macedon Ranges Regional Tourism Board (the Board) which will be responsible for the development and growth of the tourism industry in the Daylesford and Macedon Ranges region.
4. The Board will play an important role in consolidating the strategic direction of the tourism industry for the entire region and communicating with key partners such as Local Government, Tourism Victoria and the industry.
5. The Board will be responsible for strategic tourism development and advocacy for the region. The Board's functions will include:-
  - Industry Development
  - Product Development
  - Regional Marketing
  - Strong Advocacy and United Voice for the Region
  - Effective Coordination and Communication
  - Skills Training
  - Leadership and Mentoring
  - Networking
  - Identifying Investment/Infrastructure Opportunities
  - Managing Tourism Sustainability

Daylesford and Macedon Ranges Regional Tourism Board  
Memorandum of Understanding

6. The Board will work with Tourism Hepburn Inc., Tourism Macedon Ranges Inc. and all appointed official Working Groups to ensure a consistent approach and application to tourism across the Daylesford and Macedon Ranges Region.
7. The Board will be established as an Incorporated Association under the Associations Incorporation Act 1981 and will be maintained as a financially autonomous body with responsibilities for its program, budget and financial sustainability.
8. The Partner Councils recognise the independent role, structure and mission of the Board and understand the function also includes being an independent voice and advocate for the regional tourism industry in local, state, national and international media.
9. The Board will be responsible for ensuring regular and formal communication with its key stakeholders including Partner Councils, Tourism Victoria, Regional Tourism Associations Product Groups and the wider industry.

***Resourcing***

10. Tourism Victoria and the Partner Councils agree to three year funding support to the Board as per **Schedule A** to this MOU. Annual payments are to be made to the Board by 1 September each year.
11. The funding commitment commences on 1 July 2010 and concludes on 30 June 2013 and may continue beyond that date subject to the details set out in Para 35 & 36 of this MOU.
12. Commitments in years two and three will be subject to CPI increases.
13. It is agreed that Tourism Victoria will commit to funding the Board a minimum of \$150,000 per annum over the three-year term of this MOU (refer **Schedule A**). Tourism Victoria will also continue to support the region through a range of additional programs including implementation of a major destination campaign, events funding and international and product marketing.
14. The Partner Councils' financial commitments to the Board over the term of this MOU will be dependent on Tourism Victoria providing an annual financial contribution to the Board of at least \$150,000 over the term of this MOU.
15. It is agreed that all allocations and grants relevant to the defined Daylesford and Macedon Ranges region will be managed by the Daylesford and Macedon Ranges Regional Tourism Board.
16. As a condition of funding, the parties to this MOU expect that the Board will consult with each of them in the development of the overall three-year Strategic Plan as well as the Annual Business Plan(s).



Daylesford and Macedon Ranges Regional Tourism Board  
Memorandum of Understanding

*Activities*

17. Partner Councils agree to support, where relevant, the involvement of their tourism, economic development and Visitor Information Centres personnel in appropriate Board activities. Partner Councils will determine the relevance of Board activities in consultation with the Executive Officer of the Board.
18. The Board will provide leadership to the regional tourism industry through a range of regional stakeholders in the areas of industry development, product development, marketing, skills and leadership as they relate to the Daylesford and Macedon Ranges Region.
19. The Board will undertake the broad functions outlined in Para 5 above and the activities as detailed in the three-year Strategic Plan and in Annual Business Plan(s) in full consultation and cooperation with Tourism Victoria, Partner Councils, Hepburn Tourism Inc. and Tourism Macedon Ranges Inc. and other key industry stakeholders.
20. The Board will distribute its annual work plan to the key stakeholders and the industry in March each year incorporating relevant business development, marketing, investment opportunities and setting out partner 'buy-in' arrangements.
21. Following completion of the Annual Business Plan(s), a service level agreement will be developed and agreed with Partner Councils, Tourism Victoria and relevant sub-destination tourism organisations and official working groups by 30 April each year for the following financial year.
22. The Board will work with relevant tourism bodies and their representatives to ensure regular meetings and communication between key personnel.

*Board Membership*

23. The Board will consist of:
  - Four Local Council Directors
  - Seven Skills based Directors
  - One Independent Chair
  - One Tourism Victoria Director (non voting)Skills-based members appointed by an Independent Panel following a public advertising for Expressions of Interest.
24. The Independent Panel to appoint the initial Board will consist of one Partner Council representative, one representative from Tourism Victoria, one Implementation Committee representative and one industry representative jointly nominated by Partner Councils and Tourism Victoria.  
All subsequent Skills based appointments will be made by a panel consisting of one Partner Council representative, one representative from Tourism Victoria, the Chair of the Regional Tourism Board and one industry representative jointly nominated by Partner Councils and Tourism Victoria.

Daylesford and Macedon Ranges Regional Tourism Board  
Memorandum of Understanding

25. Membership on the Board will be for a term of up to three years and may be renewed for one further term

*Reporting*

26. The Board will provide a detailed quarterly report on activities and key issues to the Tourism Victoria, Partner Councils and key stakeholders. This report will focus on the broader Daylesford and Macedon Ranges Region as well as analysis for each sub destination within the region.
27. The Board will make a detailed presentation to the Partner Councils annually and will include the following:-
- Visitation – visitor nights, length of stay, trends, comparison with other regions, purpose of visit etc.
  - Financial Report
  - Revenue generated from tourism
  - Employment
  - Infrastructure Development – tourism building approvals
  - Media exposure achieved
  - Results from web-based activity
  - Special activities undertaken

*Annual Review*

28. As the major stakeholders in the Board, Tourism Victoria and the Partner Councils will undertake a review of the Board each year. The scope of the review is detailed in **Schedule B** to this MOU.
29. As part of the annual review process, the Board will complete the “Aspire” national benchmarking regional tourism monitoring program.
30. The review will be undertaken by specially convened Review Panel consisting of one representative from each of the Partner Councils, Tourism Victoria, and the Board.
31. The Review Panel will provide a detailed report to Partner Councils and will present its findings and recommendations to the Board and major stakeholders by no later than 30 September each year.

*Dispute Resolution*

32. Any disputes arising from this MOU will be first referred to a joint meeting of the Chairperson of the Board, two Partner Council representatives and a representative of Tourism Victoria. Tourism Victoria will convene and manage this process.

Daylesford and Macedon Ranges Regional Tourism Board  
Memorandum of Understanding

33. Final dispute resolution, if required, will be referred to a Committee consisting of one representative from – Partner Councils, the Board, Tourism Victoria and an independent industry representative. Tourism Victoria will convene the meeting and chair the Dispute Resolution Committee.

*Indemnity*

34. This MOU does not constitute a guarantee or indemnity by Tourism Victoria or by the Partner Councils in regard to activities undertaken by the Board.

*Term of MOU*

35. This MOU lapses on 30 June 2013 and may be renewed or renegotiated by further agreement between the parties.
36. Negotiations to renew or renegotiate the MOU must be completed by 31 December 2012.

*Parties Agree to be Bound*

37. It is the intention that this MOU be binding on the parties without the right of withdrawal from the arrangement except where there is a fundamental breach of any term or condition of this MOU.

*Regional Tourism Board Implementation Committee*

38. The parties to this MOU acknowledge the establishment of the Daylesford and Macedon Ranges Regional Tourism Board Implementation Committee to facilitate the establishment of the Board.



Daylesford and Macedon Ranges Regional Tourism Board  
Memorandum of Understanding

**SCHEDULE A**

**Stakeholder Funding**

It is agreed that the following funding commitments will apply for the period 1 July 2010 to 30 June 2013.

	2010-11	2011-12	2012-13
	\$	\$	\$
<b>Macedon Ranges Shire</b>			
<b>Hepburn Shire</b>	<b>\$75,000</b>	<b>\$75,000</b>	<b>\$75,000</b>
<b>Hume City</b>			
<b>Moorabool Shire</b>			
<b>Tourism Victoria</b>	<b>150,000(min)</b>	<b>150,000(min)</b>	<b>150,000(min)</b>

**NOTE:**        Years two and three are subject to CPI adjustment.  
Above figures exclude GST.



**SCHEDULE B**

**Review Panel**

1. The Review Panel will consist of a representative from each of the stakeholders and from the Board.

**Review Process**

2. The Review Panel will undertake an annual review of the performance of the Board.
3. The Review Panel will provide a detailed report to Partner Councils and will present its findings and recommendations to the Board and major stakeholders by no later than 30 September each year.
4. The Review Panel will consider the following key areas during the review process.

***Board Membership***

- Contribution of Board members to the effective operation of the Board.

***Leadership***

- Provides effective leadership for the region's tourism industry.
- Development of co-operative industry partnerships.
- Maintenance of quality consultation and communication with all stakeholders.
- Conducts regular forums with Tourism Managers, Visitor Information Centre Managers and Economic Development Managers.
- Provides strong advocacy for the entire region

***Management***

- Operates sound Board governance processes.
- Developed and implemented effective planning, monitoring and reporting processes.
- Effective management of annual budgets.
- Securing additional funds – increase in industry contributions.

***Reporting***

- Delivers detailed quarterly reports which focus on the key areas of economic activity and employment.
- Provides monthly updates as arranged.
- Highlights the value of tourism to the region.
- Considers tourism infrastructure development in the region.

Daylesford and Macedon Ranges Regional Tourism Board  
Memorandum of Understanding

- Provides effective communications to stakeholders and the industry generally.

***Industry Development***

- Focus on industry education to improve service delivery.
- Develops cooperative plans/service agreements with relevant industry associations.

***Marketing***

- Undertakes strategic marketing programs to grow visitation and length of stay.
- Undertakes detailed reviews of all marketing activities with a focus on Return on Investment.

***Infrastructure***

- Works in partnership with the key stakeholders to promote tourism investment into the region.

***Parties Satisfaction***

- Consideration of all stakeholder satisfaction with the performance of the Board.

***Benchmarking***

- Results of the “Aspire” national benchmarking regional tourism program.

Daylesford and Macedon Ranges Regional Tourism Board  
Memorandum of Understanding

**The Parties below agree to be signatories to the Memorandum of Understanding**

**HEPBURN SHIRE COUNCIL** .....  
**Kaylene Conrick**  
**Chief Executive Officer**

**MACEDON RANGES SHIRE COUNCIL** .....  
**Peter Johnston**  
**Chief Executive Officer**

**HUME CITY COUNCIL** .....  
**Domenic Isola**  
**Chief Executive Officer**

**MOORABOOL SHIRE COUNCIL** .....  
**Robert Debrzynski**  
**Chief Executive Officer**

**TOURISM VICTORIA** .....  
**Gregory Hywood**  
**Chief Executive**

**Dated: February 2010**

## **9.2 INTER-COUNCIL PROTOCOL FOR EMERGENCY MANAGEMENT RESOURCE SHARING**

(Action Officer – Chief Executive Officer)

File Ref:

### **Introduction**

This report recommends that Council formally indicate its support for the principles of the Protocol for Inter-Council Emergency Management Resource Sharing (Refer to Attachment 2).

### **Report**

The Municipal Association of Victoria (MAV) and the Municipal Emergency Management Enhancement Group (MEMEG) identified a need to determine an agreed position between Councils regarding the provision of Council resources to assist other Councils with response and recovery activities during emergencies.

This identified need has resulted in the development of a protocol for inter-Council emergency management resource sharing.

The protocol is intended to clarify operational, insurance and reimbursement issues that may arise through municipal resource sharing arrangements.

All Councils were consulted in the development of the draft version of the protocol in October 2006.

In developing the protocol, the MAV consulted with the Office of the Emergency Services Commissioner, Civic Mutual Plus, WorkSafe and the Victorian Managed Insurance Authority. Civic Mutual Plus has also provided some additional information about their involvement with this protocol which can be found in resources below.

This protocol is consistent with the concepts and policy guidelines articulated in the *Emergency Management Act 1986* and the *Emergency Management Manual of Victoria* and was endorsed by the MAV Board of Management at their meeting in May 2007.

As at 4 March 2010 the MAV website Emergency Management & Communication section lists fifty-two (52) Victorian Councils as having formally indicated their support for the principles Protocol for Inter-Council Emergency Management Resource Sharing.

Mt Alexander Shire Council at its Ordinary Meeting dated 27 January 2010 formally endorsed support for the Protocol increasing the number of Councils to fifty-three.

Council's have always assisted other Council's in times of emergencies and during the following recovery phase. Hepburn Shire Council exchanged letters of agreement with

its neighbouring Councils prior to this current fire period. However, this Protocol formalizes existing arrangements.

### **Relevant Policies**

The formal indication of Councils support for the principles of the Inter-Council Emergency Management Resource Sharing Protocol is consistent with Council Plan 2009-2013 Healthy Safe and Vibrant Communities objective 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**

This protocol represents potential operating and response arrangements with other Victorian Councils in the event of an emergency.

### **Financial Implications**

There are no financial or resource implications arising from the adoption of this recommendation.

Under the terms of the Protocol, the Council receiving assistance will be responsible for the reimbursement, or payment, of all expenses incurred by the assisting Council, including salaries, overtime, penalties, travel and accommodation expenses and consumables utilised in conjunction with the resources provided.

### **Recommendation**

*That Council:*

*9.2.1 Support the principles of the Protocol for Inter-Council Emergency Management Resource Sharing; and*

*9.2.2 Notify the Municipal Association of Australia (MAV) and neighbouring Councils of Hepburn Shire Council’s support for the principles of the Protocol for Inter-Council Emergency Management Resource Sharing.*

## **Recommendation**

*That Council:*

*9.2.1 Support the principles of the Protocol for Inter-Council Emergency Management Resource Sharing; and*

*9.2.2 Notify the Municipal Association of Victoria (MAV) and neighbouring Councils of Hepburn Shire Council's support for the principles of the Protocol for Inter-Council Emergency Management Resource Sharing.*

**Moved: Cr Bill McClenaghan**

**Seconded: Cr Tim Hayes**

**Carried.**

**Attachment 2**  
**Item 9.2**

# PROTOCOL FOR INTER-COUNCIL EMERGENCY MANAGEMENT RESOURCE SHARING





## **Table of Contents**

<i>Table of Contents</i> .....	2
<i>Acronyms and Definitions</i> .....	3
1. Introduction / Background .....	4
2. Purpose.....	4
3. Emergency Management Legislation and Policy.....	4
4. Scope of Activities .....	5
5. Memorandum of Understanding .....	5
6. Commencement Date .....	5
7. Requests for Assistance.....	5
Limitations.....	6
8. Operation.....	6
Control and Co-ordination.....	6
Authority to Perform Duties.....	6
Induction / Occupational Health & Safety .....	6
Payment of Expenses.....	7
Claims for Reimbursement of Expenditure from the State.....	7
Liability for Loss or Injury .....	7
Withdrawal from Protocol.....	7
Participating Councils .....	8
Appendix 1 - Checklist.....	10
Appendix 2 - Extract from Part 6 of the Emergency Management Manual Victoria. ....	10
Operational role statement for municipal councils .....	11
Response.....	11
Recovery.....	12

### ***Acronyms and Definitions***

<b>Reference</b>	<b>Description</b>
AFAC	Australasian Fire Authorities Council
Assisting Council	Council providing resources under this protocol
CEO	Chief Executive Officer
RERC	Regional Emergency Response Coordinator
EMA	Emergency Management Australia
EMMV	Emergency Management Manual Victoria
MAV	Municipal Association of Victoria
MECC	Municipal Emergency Coordination Centre
MEMEG	Municipal Emergency Management Enhancement Group
MEMPC	Municipal Emergency Management Planning Committee
MEMP	Municipal Emergency Management Plan
MERC	Municipal Emergency Response Coordinator (Police)
MERO	Municipal Emergency Resource Officer
MRM	Municipal Recovery Manager
Receiving Council	Council that requests and receives resources under this protocol

## **1. Introduction / Background**

Emergencies sometimes require councils to source additional resources to ensure that the affected community is restored to normal functioning as efficiently as possible. Some emergency response agencies have agreements for mutual aid with kindred organisations that allows them to plan appropriately for responding to large scale or complex emergencies, and this protocol is intended to provide a similar agreement for local councils.

Council emergency management resources are generally sourced from within the municipal boundaries where the emergency occurs, which can impact significantly on the resources of the responsible council, particularly for larger or more complex emergencies. The Municipal Association of Victoria (MAV) and the Municipal Emergency Management Enhancement Group (MEMEG) have identified a need to determine an agreed position between councils regarding the provision of council resources to assist other councils with response and recovery tasks during emergencies.

The EMA Guidelines for Interstate Disaster Assistance and the AFAC Mutual Aid and Resource Sharing Guidelines were recognised as having similar requirements to this inter-council resource sharing protocol. As such, some of the key concepts and policies detailed in these documents have been applied to this protocol.

This protocol is not intended to inhibit, or diminish the effectiveness, of any existing inter-council resource sharing arrangement. Councils should however review any such existing arrangements to ensure that issues identified in this protocol are addressed.

It is recognised that local government personnel who perform duties at another council in relation to an emergency event will gain valuable skills and experience. This knowledge will provide an opportunity for the council that provided personnel to refine their MEMP and enhance performance for future emergency events.

In order to be effective this protocol will require the support and commitment of council executive staff.

## **2. Purpose**

The purpose of this protocol is to provide an agreed position between councils for the provision of inter-council assistance for response and recovery activities during an emergency. This protocol details the process for initiating requests for resources from another council and identifies associated operational and administrative requirements.

The application of this protocol is expected to enhance the capability of councils to provide the best possible outcomes for emergency management and to support the step up arrangements as detailed in the Emergency Management Manual Victoria (EMMV).

The co-ordination of responding agencies involves the systematic acquisition and application of resources (personnel, equipment and facilities) in accordance with the requirements of the emergency. This protocol will facilitate appropriate timely mustering of resources ready to discharge municipal functions.

## **3. Emergency Management Legislation and Policy**

This protocol is consistent with the concepts and policy guidelines articulated in the *Emergency Management Act 1986* and the Emergency Management Manual of Victoria (EMMV).

#### **4. Scope of Activities**

This protocol applies to requests for human resources, equipment and/or facilities in relation to response or recovery activities associated with an emergency.

Duties undertaken by council staff seconded to another council for assisting with response and recovery operations should be within the scope of councils' emergency management responsibilities as set out in Part 6 of the EMMV (extract included as Appendix 2).

#### **5. Memorandum of Understanding**

Some councils may prefer to enter memoranda of understanding with neighbouring councils to formalise resource sharing arrangements, although this is not considered to be a requirement. There is an existing memorandum of understanding template included in the Municipal Public Health Emergency Management Guidelines. This memorandum of understanding was developed for the purpose of supporting partnerships between council environmental health departments, however it could be easily adapted for resource sharing in relation to emergency management. The Municipal Public Health Emergency Management Planning Guidelines are available from the Australian Institute of Environmental Health – Victorian Branch.

#### **6. Commencement Date**

Arrangements based on this protocol will commence operation immediately following the endorsement and agreement to operate within its framework by more than one council.

#### **7. Requests for Assistance**

Resources can be requested at any time during an emergency including the recovery stages. Requests for assistance may be initiated by the CEO (or person acting in this role) or by any person nominated by the CEO at the receiving council. Requests should be directed to the CEO, or any person nominated by the CEO, at the assisting council. It is noted that in many cases the person nominated by the CEO will be the MERO at both the assisting and receiving council.

Such requests may be oral or in writing, however oral requests must be confirmed in writing as soon as is practicable and in most cases will be logged at the Municipal Emergency Coordination Centre (MECC).

Requests for assistance should include the following information:

- A description of the emergency for which assistance is needed;
- The number and type of personnel, equipment and/or facilities (resources) required;
- An estimate of time as to how long the resources will be required; and
- The location and time for the staging of the resources and a point of contact at that location.

## PROTOCOL FOR INTER-COUNCIL EMERGENCY MANAGEMENT RESOURCE SHARING

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The Municipal Emergency Response Coordinator (MERC) or Regional Emergency Response Coordinator (RERC) should be contacted before the resources are moved. Requests for resources should be logged in the Municipal Emergency Coordination Centre (MECC).

It is anticipated that a requesting council will initially seek assistance from surrounding councils. This will reduce travel times and expenses for assisting councils to respond and return.

### **Limitations**

A council that has committed to this protocol and is requested to provide assistance should endeavour to provide the resources requested unless such resources are required for that council's own purposes.

A council that provides resources that are later required for that council's own purposes may request such resources to be returned prior to the agreed time-frame the receiving council will release those resources as soon as possible.

## **8. Operation**

### **Command and Co-ordination**

The council receiving assistance will be responsible for the command and management of council functions for the emergency response and recovery activities, and specifically for the management of resources made available.

The control agency will manage municipal resources assigned to response activities.

The council receiving assistance will endeavour to afford the same powers, duties, rights and privileges to staff from the assisting council as its own staff performing equivalent roles or functions.

### **Authority to Perform Duties**

Where staff from an assisting council are requested to perform duties in specific roles, those staff must be appropriately authorised to undertake the role prior to commencement.

### **Induction / Occupational Health & Safety**

The statutory and common law obligations which require the receiving council to provide for the health and safety of its own employees apply equally in relation to those personnel deployed from an assisting council.

The control agency will be responsible for the occupational health and safety (OH&S) of all council personnel deployed in emergency response roles.

Prior to personnel from assisting councils being deployed to assist with the emergency, the council receiving assistance will make arrangements for such personnel to be registered and appropriately briefed and debriefed. The briefing must include details of hazards and safety requirements and any measures required to respond to these, an overview of the emergency, the tasks/activities to be performed and reporting lines including the process for reporting OH&S concerns or incidents. A representative from the control agency should participate in the induction briefing sessions and it should be recorded that this induction took place.

The receiving council will be diligent in assigning appropriate roles to the personnel from an assisting council. The performance of some duties may require personnel to

PROTOCOL FOR INTER-COUNCIL EMERGENCY MANAGEMENT  
RESOURCE SHARING

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possess specific qualifications or accreditation. Personnel from an assisting council will not be assigned to a role if uncertainty exists regarding the competency of the person to perform those duties. Personnel from an assisting council may be reassigned to alternative duties or stood down at any time.

The receiving council will assume an employer's normal responsibilities for the wellbeing of personnel from the assisting council/s. This responsibility covers issues such as rostering, fatigue, psychological well-being, and all occupational health and safety requirements.

The assisting Council will be responsible for the payment of workers compensation premiums for their own staff and for the payment of any accident compensation payments to their own staff. The assisting council is responsible for ongoing staff support and should ensure that any notifiable workplace incidents under the *Occupational Health and Safety Act (2004)* that may have occurred during the emergency event are reported to Worksafe and recorded in an incident register for investigation follow up as per OH&S regulations. The assisting council should ensure that debriefing opportunities and support services are available for their staff as necessary.

### **Payment of Expenses**

The council receiving assistance will be responsible for the reimbursement, or payment, of all expenses incurred by the assisting council, including salaries, overtime, penalties, travel and accommodation expenses and consumables utilised in conjunction with the resources provided.

The assisting council will calculate expenses and provide a detailed account for all reasonable costs incurred by the seconded staff. Salaries, overtime and penalty rates will be calculated at rates applicable to the assisting council. The assisting council may at its absolute discretion waive any part of these costs.

### **Claims for Reimbursement of Expenditure from the State**

Claims for reimbursement of eligible municipal expenditure on defined natural disasters from the State Government may include the expenses paid to the assisting council.

### **Liability for Loss or Injury**

It is agreed and understood that each individual council (assisting/receiving council) will be responsible for its own potential liabilities in respect to any losses arising out of activities associated with "Resource Sharing" under this protocol on the assumption that common law will prevail.

It is further agreed and understood that each council's CMP Liability Insurance Policy is extended to indemnify those councils providing the resource service/equipment (principal/assisting council) in respect of any claim able to be indemnified under the policy brought in respect of personal injury or damage to property caused by an occurrence, or for breach of professional duty arising directly and solely out of the negligent acts, errors or omissions of those councils receiving the resource service/equipment. This extension does not extend to any negligent acts, errors or omissions of the principal council, its staff or agents themselves.

### **Withdrawal from Protocol**

A participating council may withdraw from the arrangements based on this protocol at anytime by providing written notice to the MAV.

### **Participating Councils**

A list of participating councils will be maintained by the MAV and will be available on the MAV website. The MAV will notify all councils of any changes to the protocol membership. Membership will be reviewed and confirmed on a three yearly basis by the MAV.

Councils are requested to formally committ to this protocol by signing and returning the attached letter template for this purpose.

PROTOCOL FOR INTER-COUNCIL EMERGENCY MANAGEMENT  
RESOURCE SHARING

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(Insert Council Letterhead)

[Name]

Policy Advisor

Municipal Association Victoria

GPO Box 4326,

Melbourne VIC 3001

Dear [salutation],

**Re: Protocol for Inter-council Emergency Management Resource Sharing**

The \_\_\_\_\_ Council confirms its commitment to this protocol.

The purpose of this protocol is to provide an agreed position between councils for the provision of inter-council assistance for response and recovery activities during an emergency. This protocol details the process for initiating requests for resources from another council and identifies associated operational and administrative requirements.

The application of this protocol is expected to enhance the capability of councils to provide the best possible outcomes for emergency management and to support the step up arrangements as detailed in the Emergency Management Manual Victoria (EMMV).

The co-ordination of responding agencies involves the systematic acquisition and application of resources (personnel, equipment and facilities) in accordance with the requirements of the emergency. This protocol will facilitate appropriate timely mustering of resources ready to discharge municipal functions.

Signed CEO or Delegated Officer.



## Appendix 1 – Checklist

### Requesting Assistance or Resources from Another Council

Action to Complete	Yes/No
CEO (or person acting in this role) or person nominated by the CEO at the receiving council to direct request for resources to the CEO at the assisting council either verbal or in writing.	
Request for resources must be confirmed in writing and should include: <ul style="list-style-type: none"> <li>• A description of the emergency;</li> <li>• The number and type of personnel, equipment and/or facilities required;</li> <li>• An estimate of how long resources will be required; and</li> <li>• The location and time for the staging of the resources and a point of contact at that location.</li> </ul>	
The Municipal Emergency Response Coordinator (MERC) or Divisional Emergency Response Coordinator (DERC) should be contacted before resources are moved.	
Control agency to manage municipal resources assigned to response activities. Receiving council to endeavour to afford the same powers, duties, rights and privileges to staff from the assisting council as its own staff performing equivalent roles or functions.	
Staff from an assisting council must be appropriately authorised to undertake roles prior to commencement.	
Personnel from assisting council should be registered and appropriately briefed prior to being deployed. Any briefing should include: <ul style="list-style-type: none"> <li>• Details of hazard and safety requirements;</li> <li>• An overview of the emergency;</li> <li>• The tasks/activities to be performed; and</li> <li>• Reporting lines including for OH&amp;S incidents.</li> </ul> A representative of the control agency should participate in this briefing.	
Receiving council should reimburse, or directly pay, for all expenses incurred by the assisting council including salaries, overtime, penalties, travel and accommodation expenses and consumables utilised in conjunction with the resources provided as outlined by the assisting council. The assisting council will calculate expenses and provide a detailed account for all reasonable costs incurred.	
Assisting council should ensure that appropriate debriefing and support services are available for their staff. The assisting council should also ensure that any workplace incidents that may have occurred during the emergency event are recorded and that WorkSafe is advised	

## Appendix 2 - Extract from Part 6 of the EMMV

### Operational role statement for municipal councils

The operational role statement identifies the resources or services councils should provide within Victoria's emergency management arrangements, and sets out key operational management requirements.

The council is responsible for managing and coordinating municipal resources for responding to, and recovering from emergencies. *Municipal resources* include those owned by the council and those under its control if sourced from other agencies. Local and regional planning ensures that agencies' expectations of council services are based on a realistic assessment of council capability.

Councils may obtain part or all of these services or resources from outside contractors. In such cases, the council is responsible for providing the agreed resources on time, and paying the costs incurred.

### Response

#### Response activities

A council's response activities include:

- **Establishing and operating centres and facilities** such as:
  - a municipal emergency coordination centre (MECC);
  - emergency relief centres; and
  - emergency services staging areas.
- **Providing and coordinating emergency catering:**
  - in conjunction with Red Cross and other providers;
  - for response agency personnel; and
  - for affected members of the community.
- **Facilitating the provision of information:**
  - as warnings to the community in consultation with other agencies; and
  - as information to public and media in consultation with control agencies.
- **Coordinating and ensuring effective transport** in the area by:
  - providing transport for those at risk;
  - clearing impassable roads, including removing trees;
  - unblocking drains; and
  - assisting with resources to partially or completely close roads and determining alternative routes.
- **Providing and coordinating equipment** for response support:
  - equipment for traffic or crowd diversion (e.g. barricades, traffic signs);
  - material to absorb spilt fluids;
  - levee or damming materials; and
  - heavy equipment for tasks such as: earth moving; clearing large material or debris; transporting large or heavy materials, water or personnel; lifting materials or personnel; and pumping water.

## **Recovery**

### ***Recovery activities***

Activities required at a local level may include, and should be documented in the MEMPlan:

#### ***Coordinating and managing:***

- municipal resources through the Municipal Recovery Manager;
- the provision of material needs to affected persons;
- environmental health such as food, water, sanitation, and vector control;
- volunteer helpers; and
- public appeals.

#### ***Providing:***

- community development services;
- personal support services (e.g. counselling, advocacy); and
- emergency and/or temporary accommodation.

#### ***Gathering and processing information:***

- for post-impact assessments; through survey and determination of occupancy of damaged buildings; and by monitoring the progress of recovery.

#### ***Providing information and advice:***

- through provision and staffing of recovery/information centre(s); information services to the affected community such as public meetings, newsletters, and advertising; and to recovery agencies and the State Government.

#### ***Organising clean-up and repair activities:***

- removing debris, clearing blocks (hazard removal);
- disposing of dead, maimed or diseased stock;
- repairing/restoring infrastructure such as roads, bridges, sporting facilities, and public amenities;
- supervising and inspecting rebuilding and redevelopment; and
- providing heavy equipment for earth moving; clearing large material or debris; transporting large and/or heavy materials, water or personnel; and lifting materials or personnel.

#### ***Sponsorship and advocacy:***

- of community recovery committees;
- of the interests of the affected community.

Councils will need to identify and negotiate with local agencies that are able to provide these services. Some services may be internally provided, others may be local agencies, State or Australian government agencies. Agencies are responsible for funding the provision of these services themselves, as these services are existing services that they already provide to the community.

## 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 the 28 February 2010 is provided for information.

#### Report

This report provides information on Council's operating performance for the 8 months to 28 February 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 is \$7.716k, which is \$504k ahead of year to date budget. While there are a number of variances contributing to this result the following items are of note:

- Unbudgeted grants totaling \$183 thousand for; Bush Fire Community recovers \$30 thousand and Youth Bush Fire Response Gift \$53 thousand and extra \$100k (\$50k DCDP Community Grant and \$50k Front Seat Grant).
- \$91k in Bathhouse rent income ahead of budget (approximately \$10k per month)

These grants will be spent on projects in the current financial year or carried forward to next year.

#### Capital Works and Major Projects:

Expenditure on the capital works program has totaled \$2.2M to date out of the revised annual budget of \$9.6M. Of this \$2m in expenditure is anticipated to be carried forward until the next financial year, the majority being in relation to the Doug Lindsay Recreation Reserve. Expenditure on projects has totaled \$443k to date out of a revised annual budget of \$957k. Of this \$39k in expenditure is anticipated to be carried forward to next year.

Major infrastructure expenditure is anticipated to occur in March and April.

## **Balance Sheet**

### **Current Assets:**

Cash and investments at 28 February total \$6 million, this is inline with expectations given rate installments were due at month end.

Net current receivables are \$6.4 million including \$5.1 million in rates. Trade debtors at 28 February are \$1.1 million. Debtors include VicRoads (\$313k), Department of Planning (\$38k), DIIRD (\$46k), Department of Health (\$125k) and various other minor government grants.

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

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

### **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.

Note new borrowings of \$300k for the Doug Lindsay Recreation Reserve project and new corporate IT finance system will be made in March 2010.

### **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 outstanding debtors listed above in current assets.

### **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 That Council receives the Monthly Financial Report for the eight months from 1 July 2009 to 28 February 2010*

### **Motion**

*10.1 That Council receives the Monthly Financial Report for the eight months from 1 July 2009 to 28 February 2010*

**Moved: Cr Jon Barrell**

**Seconded: Cr Sebastian Klein**

**Carried.**

Variance - Surplus/(Deficit)				000's	\$	504
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2010						
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's		
<b>OVERALL</b>						
<b>INCOME</b>						
Corporate Services	12,919	12,322	12,319	-3		
Community Services	2,379	1,535	1,784	249		
Regional Development & Promotion	596	372	397	25		
Public Safety	343	189	196	8		
Recreation	505	326	415	89		
Infrastructure	1,882	1,466	1,469	2		
Waste Management	1,695	1,655	1,671	16		
<b>Total Income</b>	<b>20,319</b>	<b>17,866</b>	<b>18,251</b>	<b>385</b>		
<b>EXPENDITURE</b>						
Corporate Services	4,785	3,076	3,029	47		
Community Services	3,549	2,151	2,126	25		
Regional Development & Promotion	2,337	1,433	1,395	38		
Public Safety	812	543	525	18		
Recreation	1,537	935	939	-4		
Infrastructure	2,368	1,552	1,527	26		
Waste Management	1,582	964	994	-30		
<b>Total Expenditure</b>	<b>16,970</b>	<b>10,654</b>	<b>10,535</b>	<b>119</b>		
<b>NET</b>	<b>3,349</b>	<b>7,212</b>	<b>7,716</b>	<b>504</b>		

Variance - Surplus/(Deficit) 000's						\$43
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2010						
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	YTD Variance	Note
<b>CORPORATE SERVICES</b>						
<b>INCOME</b>						
Revenue Services (Rates &	10,796	10,773	10,780	7	0%	
Grants Commission	1,752	1,314	1,314	0	0%	
Other Income	370	235	224	-11	-5%	
<b>Total Income</b>	<b>12,919</b>	<b>12,322</b>	<b>12,319</b>	<b>-3</b>	<b>0</b>	
<b>EXPENDITURE</b>						
Council & Executive Services	750	446	441	5	1%	
Financial Services	906	624	620	4	1%	
Technical Services	874	543	558	-15	-3%	1
Governance & IT	1,100	715	687	28	4%	1
Organisational Development	377	229	238	-9	-4%	
Other Administration	779	519	486	33	6%	2
<b>Total Expenditure</b>	<b>4,785</b>	<b>3,076</b>	<b>3,029</b>	<b>47</b>	<b>0</b>	
<b>NET</b>	<b>8,134</b>	<b>9,246</b>	<b>9,289</b>	<b>43</b>	<b>0</b>	
<b>NOTES</b>						
1. YTD variances in relation to salaries in one department are to be offset by another. An archivist is to be contracted to assist in the Records Dept.						
2. Expenditure varies month to month - includes office operations, telephone and postage. Anticipated that total budget will be spent by year end.						



Variance - Surplus/(Deficit) 000's						\$274
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2010						
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	YTD Variance	Note
<b>COMMUNITY SERVICES</b>						
<b>INCOME</b>						
Community Development	582	369	563	194	53%	3
Family & Children's Services	153	119	129	10	9%	
Aged & Disability Services	1,156	778	786	8	1%	
Housing	87	36	38	2	6%	
Contract Services	400	233	267	34	15%	4
<b>Total Income</b>	<b>2,379</b>	<b>1,535</b>	<b>1,784</b>	<b>249</b>	<b>16%</b>	
<b>EXPENDITURE</b>						
Community Development	1,391	764	797	-33	-4%	3
Family & Children's Services	365	205	198	7	3%	
Aged & Disability Services	1,389	912	842	70	8%	5
Housing	44	34	34	0	-1%	
Contract Services	360	236	254	-18	-8%	4
<b>Total Expenditure</b>	<b>3,549</b>	<b>2,151</b>	<b>2,126</b>	<b>25</b>	<b>1%</b>	
<b>NET</b>	<b>-1,170</b>	<b>-616</b>	<b>-342</b>	<b>274</b>	<b>-45%</b>	
<b>NOTES</b>						
3. Higher income is due to unbudgeted funding received for Bush Fire recovery \$83k. (\$30K Bush Fire community Recovery: \$53k Youth Bush Fire response); \$50k DPCD Community Grant and \$52k Front SEEAT Grant.						
4. Additional contract services requested offset by additional expenditure, small gross margin is being made.						
5. Personal Care and Housekeeping demand is less than budget YTD, resulting in decreased salary costs in these areas.						

Variance - Surplus/(Deficit) 000's						\$63
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2010						
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	YTD Variance	Note
<b>REGIONAL DEVELOPMENT</b>						
<b>INCOME</b>						
Planning & Heritage Services	170	120	140	20	17%	6
Building Services	125	87	95	8	9%	
Tourism & Economic	257	158	153	-5	-3%	
Other Cultural Activities	39	2	6	4	262%	
Public Halls	6	4	3	-2	-38%	
<b>Total Income</b>	<b>596</b>	<b>372</b>	<b>397</b>	<b>25</b>	<b>7%</b>	
<b>EXPENDITURE</b>						
Planning & Heritage Services	845	463	460	2	0%	
Building Services	164	103	99	4	4%	
Tourism & Economic	488	287	269	18	6%	7
Community Amenities	165	100	96	3	3%	
Library Services	405	307	305	2	1%	
Other Cultural Activities	194	120	121	0	0%	
Public Halls	77	52	43	9	17%	
<b>Total Expenditure</b>	<b>2,337</b>	<b>1,433</b>	<b>1,395</b>	<b>38</b>	<b>3%</b>	
<b>NET</b>	<b>-1,741</b>	<b>-1,061</b>	<b>-998</b>	<b>63</b>	<b>-6%</b>	
<b>NOTES</b>						
6. Permit fees collected are \$17k greater than budget.						
7. Project expenditure in relation to a number of council planned initiatives is behind budget at end of February, but anticipated to be spent by year end.						

Variance - Surplus/(Deficit) 000's

\$26

DEPARTMENTAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2010

	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	YTD Variance	Note
<b>PUBLIC SAFETY</b>						
<b>INCOME</b>						
Fire Prevention	41	8	9	1	15%	
Animal control	91	22	27	5	22%	
Compliance	30	21	23	2	12%	
Health	162	123	122	-1	-1%	
School Crossing	8	4	4	0	0%	
Emergency Management	12	12	12	0	0%	
<b>Total Income</b>	<b>343</b>	<b>189</b>	<b>196</b>	<b>8</b>	<b>4%</b>	
<b>EXPENDITURE</b>						
Fire Prevention	60	47	51	-4	-9%	
Animal control	33	24	23	1	3%	
Compliance	243	159	150	9	6%	
Health	282	169	166	4	2%	
Environmental Initiatives	111	73	72	2	2%	
School Crossing	26	17	19	-2	-12%	
Emergency Management	57	55	45	10	17%	9
<b>Total Expenditure</b>	<b>812</b>	<b>543</b>	<b>525</b>	<b>18</b>	<b>3%</b>	
<b>NET</b>	<b>-469</b>	<b>-354</b>	<b>-329</b>	<b>26</b>	<b>-7%</b>	

NOTES

9. \$10k remaining to be spent in relation to bushfire disaster management.

Variance - Surplus/(Deficit) 000's						\$85
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2010						
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	YTD Variance	Note
<b>RECREATION</b>						
<b>INCOME</b>						
Parks & Gardens	1	1	0	-1	-60%	
Reserves	9	6	5	-1	-20%	
Mineral Springs Reserves	480	320	410	91	28%	10
Indoor Recreation	15	0	0	0		
<b>Total Income</b>	<b>505</b>	<b>326</b>	<b>415</b>	<b>89</b>	<b>27%</b>	
<b>EXPENDITURE</b>						
Parks & Gardens	176	116	111	6	5%	
Reserves	728	486	505	-19	-4%	11
Mineral Springs Reserves	248	139	130	9	6%	
Swimming Areas	240	130	129	1	1%	
Cemeteries	1	1	0	1	97%	
Recreation Projects	145	63	64	-1	-1%	
<b>Total Expenditure</b>	<b>1,537</b>	<b>935</b>	<b>939</b>	<b>-4</b>	<b>0%</b>	
<b>NET</b>	<b>-1,033</b>	<b>-608</b>	<b>-523</b>	<b>85</b>	<b>-14%</b>	
<b>NOTES</b>						
10. Lease income running ahead of budget (linked to performance)						
11. Higher expenditure due to storm damage.						

Variance - Surplus/(Deficit) 000's						\$28
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2010						
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	YTD Variance	Note
<b>INFRASTRUCTURE</b>						
<b>INCOME</b>						
Road Maintenance	889	667	667	0	0%	
Other Transport	992	799	802	2	0%	
<b>Total Income</b>	<b>1,882</b>	<b>1,466</b>	<b>1,469</b>	<b>2</b>	<b>0%</b>	
<b>EXPENDITURE</b>						
Road Maintenance	1,912	1,248	1,235	14	1%	
Depots	51	34	31	3	8%	
Other Transport	405	270	261	9	3%	
<b>Total Expenditure</b>	<b>2,368</b>	<b>1,552</b>	<b>1,527</b>	<b>26</b>	<b>2%</b>	
<b>NET</b>	<b>-487</b>	<b>-86</b>	<b>-58</b>	<b>28</b>	<b>-32%</b>	
<b>NOTES</b>						

Variance - Surplus/(Deficit) 000's						(\$15)
DEPARTMENTAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2010						
	Revised Annual Budget 000's	Revised YTD Budget 000's	YTD Actual 000's	YTD Variance 000's	YTD Variance	Note
<b>WASTE MANAGEMENT</b>						
<b>INCOME</b>						
Waste Revenue	1,685	1,645	1,661	16	1%	12
Land Management	10	10	10	0	0%	
<b>Total Income</b>	<b>1,695</b>	<b>1,655</b>	<b>1,671</b>	<b>16</b>	<b>1%</b>	
<b>EXPENDITURE</b>						
Street Cleaning	127	86	67	20	23%	13
Waste Management	1,437	865	916	-51	-6%	14
Land Management	18	12	11	1	11%	
<b>Total Expenditure</b>	<b>1,582</b>	<b>964</b>	<b>994</b>	<b>-30</b>	<b>-3%</b>	
<b>NET</b>	<b>114</b>	<b>691</b>	<b>676</b>	<b>-15</b>	<b>-2%</b>	
<b>NOTES</b>						
<p>12. Income ahead of budget due to higher number of properties than estimated in supplementary valuations</p> <p>13. The level of Litter trap cleaning is down compared to budget/prior years.</p> <p>14. Transfer stations/Recycling departments have incurred higher than budgeted contractor costs. Green waste expenditure higher due to free fire reduction waste and grinding costs.</p>						

**CAPITAL WORKS**

<b>ASSET DESCRIPTION</b>	<b>December 2009 Forecast (Revised Budget)</b>	<b>Expenditure as at 17 February</b>	<b>Reforecast to 30 June 2010</b>	<b>Anticipated over/(under expenditure) at 30 June 2010</b>	<b>Notes</b>
	\$	\$	\$	\$	
TOTAL LAND & BUILDINGS	3,853,067	1,036,531	1,781,443	(2,001,124)	1
TOTAL ENVIRONMENTAL INITIATIVES	317,000	27,324	252,000	(65,000)	2
TOTAL INFRASTRUCTURE	3,609,810	681,211	3,025,260	(550)	3
TOTAL OFFICE EQUIPMENT	327,000	106,447	327,000	0	
TOTAL PLANT & MACHINERY	1,093,000	266,265	1,093,000	0	
TOTAL WASTE MANAGEMENT	155,000	36,741	155,000	0	
TOTAL OTHER STRUCTURES	279,733	79,394	275,300	0	
<b>GRAND TOTAL - CAPITAL WORKS</b>	<b>9,634,610</b>	<b>2,233,913</b>	<b>6,909,003</b>	<b>(2,066,674)</b>	
<b>NOTES</b>					
<p>1. \$66k from an estimated \$1.8m has been spent to date on the Doug Lindsay Recreation Reserve Project as the tendering process has not been completed. Therefore the majority of works are not anticipated to be completed this financial year. Further, the \$250k anticipated to be spent on the Cameron Court Units is unlikely to be spent until next year as similarly the tendering process has not been completed as yet. \$70.5k to be spent on the CDDA Magic Pudding Playground will also be carried forward until the next financial year as the Council are awaiting copyright resolution and a funding variation.</p> <p>2. 50% of the \$125k Newlyn &amp; Clunes Reserves Water Tank Projects is anticipated to be spent this financial year as additional quotes to align with changed internal processes are currently being sought.</p> <p>3. Full details of the Infrastructure capital works will be presented to the Councillors by the GM - Infrastructure.</p>					

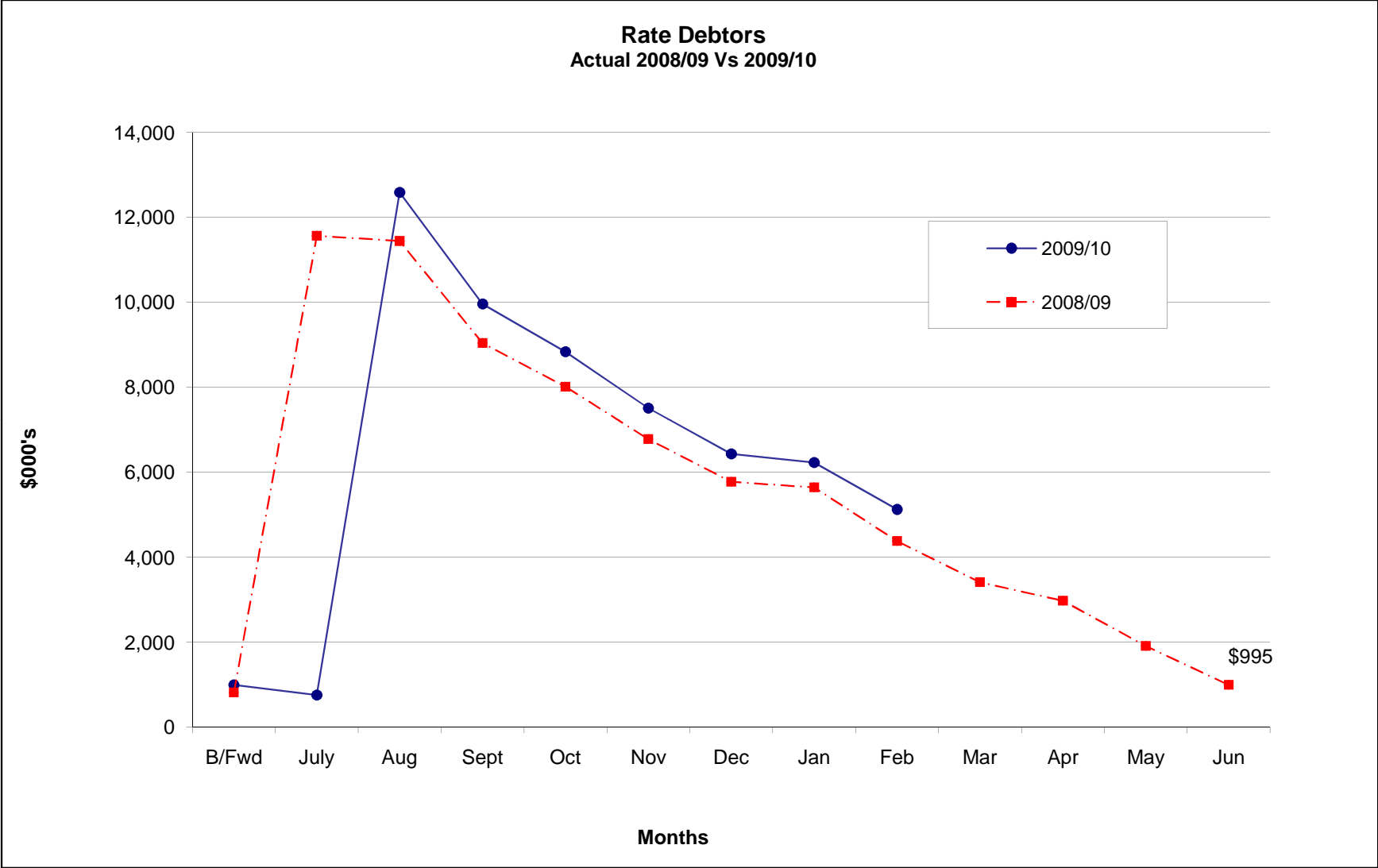
**PROJECT EXPENDITURE**

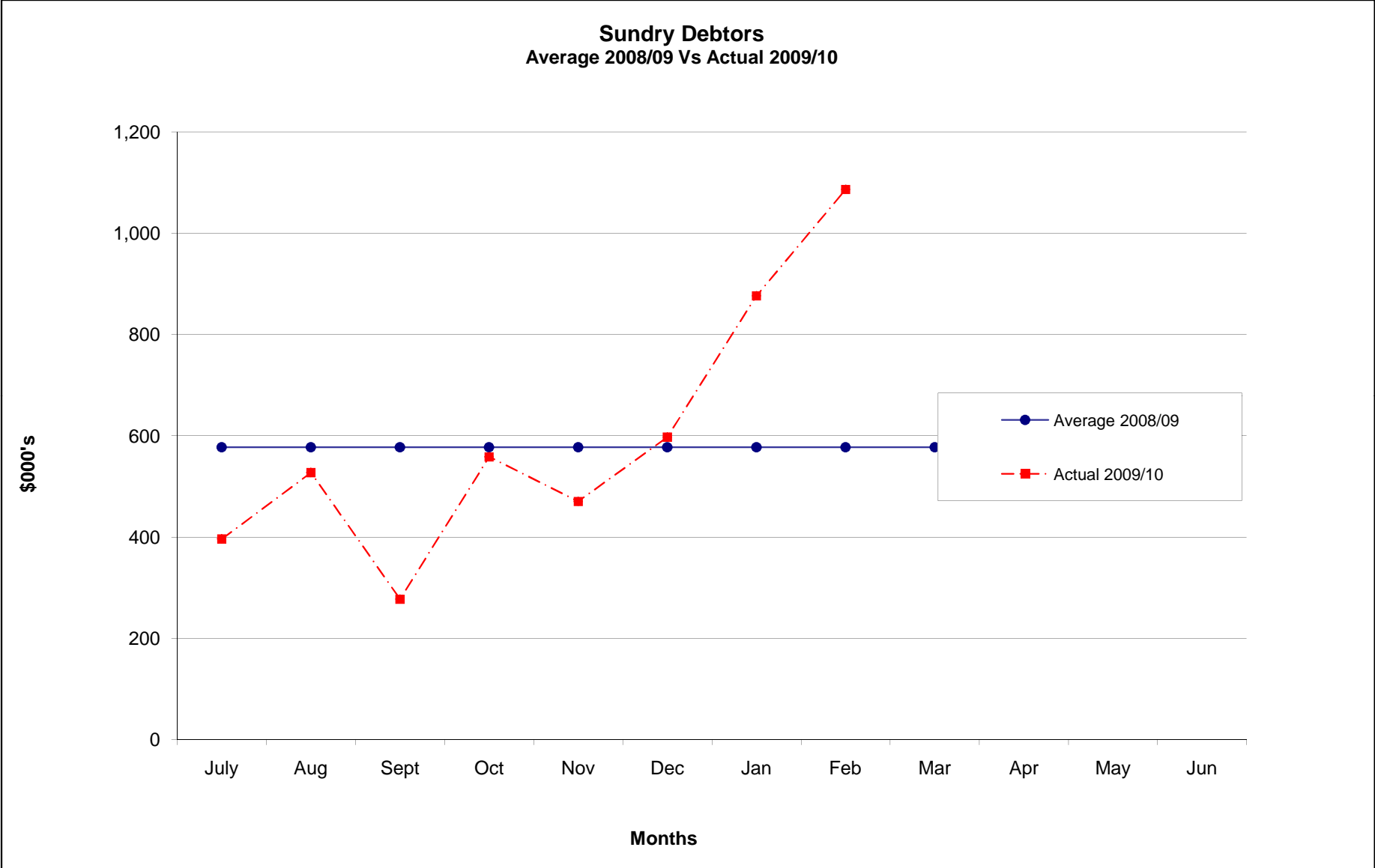
<b>ASSET DESCRIPTION</b>	<b>December 2009 Forecast (Revised Budget)</b>	<b>Expenditure as at 17 February</b>	<b>Reforecast to 30 June 2010</b>	<b>Anticipated over/(under expenditure) at 30 June 2010</b>	<b>Notes</b>
	\$	\$	\$	\$	
TOTAL LAND & BUILDINGS	44,331	21,589	30,025	(14,306)	1
TOTAL ENVIRONMENTAL INITIATIVES	35,250	30,266	35,250	-	
TOTAL INFRASTRUCTURE	18,760	-	-	(18,760)	2
TOTAL OTHER STRUCTURES	85,544	36,472	90,963	5,419	
TOTAL COMMUNITY DEVELOPMENT	773,297	354,589	761,703	(11,594)	3
<b>GRAND TOTAL - PROJECTS</b>	<b>957,182</b>	<b>442,916</b>	<b>917,941</b>	<b>(39,241)</b>	
<b>NOTES</b>					
<p>1. Interpretive Centre - Walking Track Project anticipated expense of \$14k is unlikely to be spent this year as Council are still awaiting resolution of copyright issues and require further negotiation with RDV.</p> <p>2. The Glenlyon Barkly St Tree Works (\$18k) are unlikely to be completed this financial year.</p> <p>3. \$9k anticipated to be spent on "Celebrating 150 Years Of Local Government" will be spent in the next financial year due to other commitments.</p>					



<b>Balance Sheet</b>		
<b>As at 28 February 2010</b>		
	<b>\$000's</b>	<b>\$000's</b>
	<b>30-Jun-09</b>	<b>28-Feb-10</b>
<b>Assets</b>		
<b>Current assets</b>		
Cash and cash equivalents	5,661	5,953
Trade and other receivables	1,739	6,418
Inventories	25	42
Other assets	94	0
<b>Total current assets</b>	<b>7,519</b>	<b>12,413</b>
<b>Non-current assets</b>		
Trade and other receivables	2	0
Financial assets	899	899
Investments in associates	447	447
Property, plant and equipment,	160,605	162,617
<b>Total non-current assets</b>	<b>161,953</b>	<b>163,963</b>
<b>Total assets</b>	<b>169,472</b>	<b>176,377</b>
<b>Liabilities</b>		
<b>Current liabilities</b>		
Trade and other payables	899	488
Trust funds and deposits	795	977
Provisions	1,660	1,531
Interest-bearing loans and borrowings	419	213
<b>Total current liabilities</b>	<b>3,773</b>	<b>3,208</b>
<b>Non-current liabilities</b>		
Provisions	736	736
Interest-bearing loans and	3,193	3,193
<b>Total non-current liabilities</b>	<b>3,929</b>	<b>3,929</b>
<b>Total liabilities</b>	<b>7,702</b>	<b>7,137</b>
<b>Net Assets</b>	<b>161,770</b>	<b>169,240</b>
<b>Equity</b>		
Accumulated surplus	96,311	96,311
Operating result for period	0	7,385
Reserves	65,459	65,544
<b>Total Equity</b>	<b>161,770</b>	<b>169,240</b>

Chart Number 1.1





## **10.2 BUDGET 2010-11 FEES AND CHARGES**

(A/O – General Manager Corporate Services)

### **Introduction**

Section 127(1) of *The Local Government Act 1989* requires that Council prepares a budget for each financial year and that it be adopted by 31 August each year (Section 130 (3) of the Act).

To facilitate the timely preparation and review of the Budget 2010-11, the Schedule of Fees and Charges for 2010-11 have been reviewed and updated by Council officers for Council's consideration.

### **Report**

Fees and charges are grouped by functional area and include the following:

- Visitor Information Centre
- Compliance
- Building Services
- Town Planning related information
- Environmental Health
- Domestic and Commercial Waste
- Daylesford - Victoria Park, Wombat Gardens & Lake Foreshore
- Creswick Town Hall
- Daylesford Town Hall
- Photocopying
- Rates Information
- Freedom of Information
- Home and Community Care Services
- Technical Services
- Community Services

Fees have been reviewed taking into consideration some or all of the following factors, depending on the fee category:

- Consumer Price Index ( 2.5% CPI used)
- Statutory charge set by the State Government
- Benchmarking with other Councils

It should be noted that food premises fees (refer Compliance fees) cannot be finalised at this time. On July 1 2010 amendments to the Food Act to establish the new food premises classification system will take effect and full guidance material on fees and classifying food premises will be provided by the Department of Health to councils in the coming months. Therefore the department recommends that councils wait until May or June 2010 when the guidance material has been considered and then set the various fees payable for registration decisions made under the Act from 1 July 2010.

### **Relevant Policies**

Section 127(1) of the Local Government Act

### **Community Engagement**

The Schedule of Fees and Charges 2010-11, together with the other components of the Draft Budget 2010-11 will be publicly advertised seeking submissions from interested parties in accordance with Section 223 of the Local Government Act 1989 and community information evenings will be run during the submission period across the shire.

### **Financial Implications**

Revenue estimates from Fees and Charges will be included in the Draft Budget 2010 - 11.

### **Recommendation**

*10.2.1 That Council approve the Schedule of Fees and Charges for 2010 -2011 for inclusion in the Draft Budget 2010-2011.*

#### **Motion Part 1**

*10.2.1 That Council approve the Schedule of Fees and Charges for 2010-2011 for the following areas:*

- *Building Services*
- *Town Planning related information*
- *Environmental Health*

- *Daylesford – Victoria Park, Wombat Hill Botanic Gardens and Lake Foreshore*
- *Creswick Town Hall*
- *Photocopying*
- *Rates Information*
- *Freedom of Information*
- *Home and Community Care Services*
- *Technical Services*
- *Community Services*

*For inclusion in the Draft Budget 2010/2011*

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

**Cr Jon Barrell and Cr Bill McClenaghan left the Meeting at 8.37pm due to declared conflicts of interest.**

## **Motion**

### **Part 2**

*10.2.1 That Council approve the Schedule of Fees and Charges for 2010 -2011 for Visitor Information Centres (VIC) for inclusion in the Draft Budget 2010-2011.*

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

**Cr Tim Hayes left the Meeting due to a declared conflict of interest, Cr Jon Barrell and Cr Bill McClenaghan returned to the Meeting at 8.38pm.**

**Motion**

**Part 3**

*10.2.1 That Council approve the Schedule of Fees and Charges for 2010 -2011 for Compliance for inclusion in the Draft Budget 2010-2011.*

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

**Cr Tim Hayes returned to the Meeting and Cr Bill McClenaghan left the Meeting at 8.42pm due to a declared conflict of interest.**

**Motion**

**Part 4**

*10.2.1 That Council approve the Schedule of Fees and Charges for 2010 -2011 for Domestic and Commercial Waste for inclusion in the Draft Budget 2010-2011.*

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

**Motion**

**Part 4**

*10.2.1 That Council defer the review of Domestic and Commercial Waste fees for one month.*

**Moved: Cr Rod May**  
**Carried.**

**Attachment 3**  
**Item 10.2**



## SCHEDULE OF FEES AND CHARGES

This appendix presents a listing of the Fees and Charges that will apply for the 2010/2011 year.

The fees and charges are grouped by functional area and include the following:

- Visitor Information Centre
- Compliance
- Building Services
- Town Planning related information
- Environmental Health
- Domestic and Commercial Waste
- Daylesford - Victoria Park, Wombat Gardens & Lake Foreshore
- Home and Community Care Services
- Rates Information
- Technical Services
- Community Services
- Creswick Town Hall
- Daylesford Town Hall
- Photocopying
- Freedom of Information

**All these items include GST, except where denoted with a \***

## VISITORS INFORMATION CENTRE

Use	Current Fee 2009/2010 (incl GST)	Recommended Fee 2010/2011 (incl GST)
Level One VIC fees	\$130	\$150
Level Two VIC fees	\$160	\$185
Level Three VIC fees	\$320	\$350
Level Four VIC Fees		\$450

<b>Special Conditions</b>		
VIC fees for volunteers		
To be entitled to the discount you must:		
1. Be on the permanent roster, or complete a minimum of ten shifts per annum on the emergency roster, and		
2. This discount is for one business only displayed in a single brochure section.		
Level One VIC fees	\$0	\$0
Level Two VIC fees	\$60	\$60
Level Three VIC fees	\$120	\$120
Level Three A VIC Fees	\$175	\$175

## COMPLIANCE

	Recommended Fee/Charge 2009/2010 (incl GST)	Recommended Fee/Charge 2010/2011 (incl GST)
<b>Registration Fees</b>		
Dog – full fee*	\$81.00	\$73.00
Dog – discounted fee*#	\$27.00	\$24.00
Cat – full fee*	\$66.00	\$60.00
Cat – discounted fee*#	\$22.00	\$20.00
Replacement Tags	\$5.50	\$5.50
<b>Domestic Animal Impound Release Fees</b>		
Unregistered dog not desexed	\$88.00 + \$11.00/day	\$132 + \$11.00/day
Unregistered dog desexed	\$66.00 + \$11.00/day	\$110 + \$11.00/day
Registered dog not desexed	\$66.00 + \$11.00/day	\$110 + \$11.00/day
Registered dog desexed	\$33.00 + \$11.00/day	\$77 + \$11.00/day
Unregistered cat not desexed	\$77.00 + \$11.00/day	\$110 + \$11.00/day
Unregistered cat desexed	\$55.00 + \$11.00/day	\$99 + \$11.00/day
Registered cat not desexed	\$66.00 + \$11.00/day	\$110 + \$11.00/day
Registered cat desexed	\$44.00 + \$11.00/day	\$88 + \$11.00/day
<b>Local Law Permits</b>		
Permits issued in accordance with the provisions of General local Law No.2	To range from \$100.00 to \$500 dependant on permit requested	Same as 2009/10
<b>Fire Prevention</b>		
Private grass slashing administration fee (in addition to the contractors charges)	\$121.00	\$126.50
<b>Parking Fines</b>		
Overstaying time*	\$57	\$58
In No Parking area*	\$57	\$58
Not within parking bay*	\$57	\$58
Not completely within parking bay*	\$57	\$58

<b>Street Furniture</b>		
<i>All fees associated with the street furniture, goods for sale &amp; a-frame signs are reduced by 50% outside of the designated Daylesford CBD area</i>		
A-frame signage	\$90.00/year	<b>Daylesford CBD:</b> \$90.00/year <b>Outside Daylesford CBD:</b> \$45.00/year
Tables & two chairs	\$150.00/set/year for first two table sets \$400/set/annum thereafter	<b>Daylesford CBD:</b> \$150.00/year in trading zone (up to 3 sets) Above 3 sets a further \$150.00 <b>Outside Daylesford CBD:</b> \$75.00/year in trading zone (up to 3 sets)
Goods for Display or Sale	\$150.00/set/year for first two table sets \$400/set/year thereafter	<b>Daylesford CBD:</b> \$150.00/year <b>Outside Daylesford CBD:</b> \$75.00/year
Wind barriers	\$90.00 each/year	<b>Daylesford CBD:</b> \$90.00 each/year <b>Outside Daylesford CBD:</b> \$45.00 each/year
<b>Cat cage hire*</b>	\$50.00 Bond refundable on return of cage	\$50.00 Bond refundable on return of cage

# The discounted fees are one-third of the full fee and only apply if the animal:

- is over ten years old
- is kept for working stock (dogs only)
- is kept for breeding on a registered premises
- has undergone obedience training (dogs only)
- is registered with the relevant association
- is permanently identified in the prescribed manner.

Denotes fees as determined by legislation and therefore subject to any change in legislation

## BUILDING SERVICES

	Recommended Fee/Charge 2009/2010 (incl GST)	Recommended Fee/Charge 2010/2011 (incl GST)
<b>Residential</b>		
New Dwelling	\$300 plus \$3 per m2 (Minimum \$500)	\$330 plus <b>\$3.41</b> per m2 (Minimum \$500)
Alteration to Dwelling	\$300 plus \$3 per m2 (Minimum \$500)	\$330 plus <b>\$3.41</b> per m2 (Minimum \$500)
Addition to Dwelling	\$300 plus \$3 per m2 (Minimum \$500)	\$330 plus <b>\$3.41</b> per m2 (Minimum \$500)
Units	\$300 plus \$3 per m2 each	\$330 plus <b>\$3.41</b> per m2
Garages/Carports up to \$10,000	\$250	<b>\$297</b>
Garages/Carports over \$10,000	\$350	<b>\$396</b>
Swimming Pools	\$350	\$385
Solid Fuel Heaters	\$150	<b>\$171</b>
Restump	\$200	<b>\$226</b>
<b>Lodgment Fees - (Payable on Council &amp; Private Building Surveyor Projects) *</b>	<b>\$32.60</b>	<b>\$32.60</b>
Conducting an assessment for compliance under AS3959 (Bushfire Code)	\$200	\$220
<b>Commercial/Industrial New/Alterations/Additions</b>		
All works under \$5,000	\$300	<b>\$341</b>
Works valued \$5,000 - \$30,000	\$400	<b>\$451</b>
Works valued \$30,000 - \$250,000	\$Cost x 0.25% plus \$400 (Minimum \$500)	\$Cost x 0.25% plus <b>\$451</b> (Minimum \$500)
Works valued \$250,000 - \$500,000	\$Cost x 0.25% plus \$800	\$Cost x 0.25% plus <b>\$902</b>
Works valued over \$500,000	\$Cost x 0.25% plus \$1,425	\$Cost x 0.25% plus <b>\$1,606</b>
<b>Lodgment Fees (Commercial/Industrial)*</b>	<b>\$32.60</b>	<b>\$32.60</b>
<b>Demolition</b>		
Single Storey building	\$250 plus \$52.75 (section 29A)	\$275 plus \$58.03 (section 29A)
Any other building more than one storey	\$250 per storey plus (section 29A)	\$275 per storey plus (section 29A)

	Recommended Fee/Charge 2009/2010 (incl GST)	Recommended Fee/Charge 2010/2011 (incl GST)
<b>Other Permits/Services</b>		
Fences and signs	\$180	<b>\$204</b>
Swimming Pool Reports (Existing)	\$120	\$138
Request for variation of siting	\$217.50	\$239.25
Permit to erect hoarding/public protection	\$100	<b>\$116</b>
Any other service not otherwise provided for	P.O.A. (hourly rates apply)	P.O.A. (hourly rates apply)
<b>Extension of time for a permit</b>		
Extension of time for a permit	\$100	\$110
Inspection associated with lapsed permits	\$66 per inspection	<b>\$110</b>
Illegal works	As per policy adopted by Council	
<b>State Government Building Levy</b>		
Cost recovery of levy*	1.28 per \$1,000 value of works (i.e.. Cost of works x 0.00128)	1.28 per \$1,000 value of works (i.e.. Cost of works x 0.00128)
<b>HIH Levy</b>		
(Domestic works over \$10,000)*	0.32 per \$1,000 value of works (i.e.. Cost of works x 0.00032)	0.32 per \$1,000 value of works (i.e.. Cost of works x 0.00032)
<b>Requests for Information</b>		
Property Certificates (last 10 years information*)	\$43.45	\$43.45
Temporary structures	\$200	\$220
Copies of plans from building files	\$43.45 Minimum	\$43.45 Minimum
Inspection on behalf of other practitioner	\$100 per inspection	\$112.75
Any other service	P.O.A.	P.O.A.

*Notes:*

1. Square meters calculated on total floor area, including garages, verandahs, etc.
2. Cost of works determined by Relevant Building Surveyor, unless contract applies.
3. All fees quoted (unless determined by regulation) are a minimum basis.

Denotes fees as determined by legislation and therefore subject to any change in legislation

## TOWN PLANNING RELATED INFORMATION

### Part 1: Prescribed Statutory Fees (subject to change by State Government)

APPLICATIONS FOR PLANNING PERMITS (Regulation 7)			
Class	Application Type	Current Fee/Charge 2009/2010	Recommended Fee/Charge 2010/2011
1	Use Only	\$487	\$502
<b>To develop land or to use and develop the land for a single dwelling per lot or to undertake development ancillary to the use of the land for a single dwelling per lot if the estimated cost of development included in the application is:</b>			
2b	> \$10,000 ...\$100,000	\$232	\$239
3b	> \$100,001	\$476	\$490
<b>To develop land (other than for a single dwelling per lot) if the estimated cost of development included in the application is:</b>			
4c	< \$10,000	\$99	\$102
5d	> \$10,000 ...\$250,000	\$586	\$604
6e	> \$250,001 ...\$500,000	\$686	\$707
7e	> \$500,001 ...\$1,000,000	\$791	\$815
8e	> \$1,000,001 ...\$7,000,000	\$1,119	\$1,153
9e	> \$7,000,001 ...\$10,000,000	\$4,696	\$4,837
10e	> \$10,000,001 ...\$50,000,000	\$7,829	\$8,064
11e	> \$50,000,001	\$15,660	\$16,130
<b>Subdivision</b>			
12	To subdivide existing building.	\$375	\$386
13f	To subdivide land into two (2) lots.	\$375	\$386
14	To effect a realignment of a common boundary between lots or to	\$375	\$386
15g	To subdivide land (3 or more lots)	\$758	\$781
16	To remove restriction (within the meaning of the <i>Subdivision Act 1988</i> ) over land if the land has been used or developed for more than 2 years before the date of the applications in a manner which would have been lawful under the <i>Planning and Environment Act 1987</i> but for the existence of the restriction.	\$242	\$249
17h	To create, vary or remove a restriction within the meaning of the <i>Subdivision Act 198</i> ; or To create or remove a right of way.	\$525	\$541
18h	To create, vary or remove an easement other than a right of way; or To vary or remove a condition in the nature of an easement other than a right of way in a Crown grant.	\$392	\$404

<b>CLASS DESCRIPTIONS (Regulations 7 &amp; 8)</b>	
<b>Class</b>	<b>Class Descriptions</b>
a	Applications for permit under Section 47, other than an application under Section 96(1) of the <i>Planning &amp; Environment Act 1987</i>
b	Other than an application to subdivide land
c	Other than an application to undertake development ancillary to the use of the land for a single dwelling per lot; or an application to subdivide land
d	Other than a Class 2 application; or a Class 3 application; or an application to subdivide land
e	Other than a Class 3 application; or an application to subdivide land
f	Other than a Class 12 application
g	Other than a Class 12 application; or a Class 13 application; or a Class 14 application
h	Other than a Class 16 application
i	Other than a Class 4 application
j	Other than a Class 5 application
k	Other than a permit to develop land or to use and develop land for a single dwelling per lot or to undertake development ancillary to the use of the land for a
l	Other than an application to subdivide land
m	Other than a permit to undertake development ancillary to the use of the land for a single dwelling per lot where the total estimated cost of the development originally permitted and the additional development to be permitted by the amendment is not more than \$10 000; or an application to subdivide land
n	Other than a Class 3 application or a Class 4 application
o	Other than a Class 4 application

**COMBINED PERMIT APPLICATIONS**  
The fee for an application for any combination of the classes of application outlined above is the sum arrived at by adding the highest of the fees, which would have applied if separate applications had been made, plus 50% of each of the other fees that would have applied if separate applications had been made.

<b>FEES TO AMEND APPLICATIONS AFTER NOTICE HAS BEEN GIVEN (Regulation 8a)</b>		
	<b>Current Fee/Charge 2009/2010</b>	<b>Recommended Fee/Charge 2010/2011</b>
Amend an application for a permit after notice has been given under Section 52 for every Class of application (other than a Class 4 application) set out in the table in Regulation 8	\$99	\$102
Amend an application to amend a permit after notice has been given under Section 52 for every Class of application (other than a Class 5 application) set out in the table in Regulation 8b	\$99	\$102



<b>APPLICATIONS FOR AMENDMENTS TO PERMITS (Regulation 8B)</b>			
<b>Class</b>	<b>Application Type</b>	<b>Current Fee/Charge 2009/2010</b>	<b>Recommended Fee/Charge 2010/2011</b>
	To amend a permit to use land if that amendment is to change the use of which the land may be used.	\$487	\$502
2k	To amend a permit:	\$487	\$502
	a) to change the statement of what the permit allows; or		
	b) to change any or all of the conditions which apply to the permit; or		
	c) in any way not otherwise provided for in Regulation 8B		

<b>APPLICATIONS FOR AMENDMENTS TO PERMITS (Regulation 8B)</b>			
	<b>Amended Plans Single Dwelling on a lot less than 500 square meters</b>		
3l	To amend a permit to develop land or to use and develop land for a single dwelling per lot or to undertake development ancillary to the use of the land for a single dwelling per lot if the estimated cost of any additional development to be permitted by the amendment is:		
	< \$10,000	\$99	\$102
	> \$10,000 - \$100,000	\$232	\$239
	> \$100,001	\$476	\$490
4l	<b>Amended Plans Two (2) or more dwellings or Industrial &amp; Commercial Developments</b>		
5m	To amend a permit to develop land if the estimated cost of any additional development to be permitted by the amendment is \$10,000 or less	\$99	\$102
6n	<b>To amend a permit if the estimated cost of any additional development to be permitted by the amendment is:</b>		
	> \$10,001 - \$250,000	\$586	\$604
7o	> \$250,001 - \$500,000	\$686	\$707
8g	> \$500,001	\$791	\$815
	<b>Amendment to Permit &amp; Plans Subdivision</b>		
9	To amend a permit to:	\$375	\$386
	a) subdivide an existing building; or		
	b) subdivide land into two (2) lots; or		
	c) effect realignment of a common boundary between lots or to consolidate		

<b>AMENDMENTS TO PLANNING SCHEMES (Regulation 6)</b>			
<b>Stage</b>		<b>Current Fee/Charge 2009/2010</b>	<b>Recommended Fee/Charge 2010/2011</b>
Stage 1	<ul style="list-style-type: none"> <li>· Considering a request to amend a planning scheme;</li> <li>And</li> <li>· Taking action required by Division 1 of Part 3 of the <i>Planning and Environment Act 1987</i>;</li> <li>And</li> <li>· Considering any submissions which do not seek a change to the amendment;</li> <li>And</li> <li>If applicable, abandoning the amendments in accordance with Section 28</li> </ul>	\$775	\$798
Stage 2	<ul style="list-style-type: none"> <li>· Considering submissions which seek a change to an amendment, and where necessary referring the submissions to a panel;</li> <li>And</li> <li>· Providing assistance to a panel in accordance with Section 158;</li> <li>And</li> <li>· Making a submission in accordance with Section 24(b);</li> <li>And</li> <li>· Considering the report in accordance with Section 27;</li> <li>And</li> <li>· After considering submissions and the report in accordance with Section 27, if applicable, abandoning the amendment in accordance with Section 28</li> </ul>	\$775	\$798
Stage 3	<ul style="list-style-type: none"> <li>· Adopting an amendment or a part of an amendment in accordance with Section 29;</li> <li>And</li> <li>· Submitting the amendment for approval in accordance with Section 31</li> </ul>	\$509	\$524
Stage 4	<ul style="list-style-type: none"> <li>· Considering a request to approve an amendment in accordance with Section 35;</li> <li>And</li> <li>· Giving notice of approval of an amendment in accordance with Section 36</li> </ul>	\$775	\$798

NOTE: Fees for Stages 1, 2 & 3 are paid to the planning authority by the person who requested the amendment. The fee for Stage 4 is paid to the Minister by the

<b>COMBINED PERMIT APPLICATION AND PLANNING PERMIT SCHEME AMENDMENT</b>
<p>The fee for an application for a planning permit combined with a request for amendment of a planning scheme, made in accordance with Section 96A, is the sum arrived at by adding the higher of the fees plus 50% of the lower of the fees which would have applied if separate applications had been made.</p> <p>If the application for a planning permit is for any combination of the classes of application outlined previously, the fee for the planning permit is for the purposes of this calculation is the higher of the fees which would have applied if separate applications for permits had been made.</p>

<b>CERTIFICATES OF COMPLIANCE (Regulation 10)</b>		
	<b>Current Fee/Charge 2009/2010</b>	<b>Recommended Fee/Charge 2010/2011</b>
Application for a Certificate of Compliance under Section 97N	\$143	\$147
<b>PLANNING CERTIFICATES (Regulation 11)</b>		
	<b>Current Fee/Charge 2009/2010</b>	<b>Recommended Fee/Charge 2010/2011</b>
Application for a Planning Certificate under Section 198 Applications for	\$17.70	\$18.20
<b>SATISFACTION MATTERS (Regulation 12)</b>		
	<b>Current Fee/Charge 2009/2010</b>	<b>Recommended Fee/Charge 2010/2011</b>
Determining a matter where a planning scheme specifies that the matter must be done to the satisfaction of a Responsible Authority or a Referral Authority	\$99	\$102

**Part 2: Administrative Charges (Non Statutory Fees)**

<b>ISSUED PERMITS &amp; ENDORSED PLANS</b>		
This administrative fee is set internally to cover the cost associated with the planning process such as a review of the planning history and copying.		
	<b>Current Fee/Charge 2009/2010</b>	<b>Recommended Fee/Charge 2010/2011</b>
Application to Amend Endorsed Plans	\$155.00	\$155.00
Application to Amend Planning Permit	\$155.00	\$155.00
Application for Secondary Consent	\$206.00	\$206.00
Correction to a Planning Permit, Notice of Decision or Refusal	FREE	FREE

<b>ENQUIRIES</b>		
	<b>Current Fee/Charge 2009/2010</b>	<b>Recommended Fee/Charge 2010/2011</b>
Written request for Heritage Control advice	\$60.00	\$60.00
Written request for Demolition Control advice (Section 29a – Form B)	\$60.00	\$60.00
Written request for General Planning advice	\$55.00	\$55.00
Request for e-mail aerial photographs	\$23.95	\$23.95
Property Enquiries/Plan Search – Commercial (Site history/copies of permits/copies	\$60 minimum	\$60 minimum
Property Enquiries/Plan Search – Residential (Site history/copies of permits/copies	\$60 minimum	\$60 minimum

<b>EXTENSION OF TIME</b>		
	<b>Current Fee/Charge 2009/2010 *</b>	<b>Recommended Fee/Charge 2010/2011</b>
Extension of Time for permits - 1 <sup>st</sup> request	\$155	\$155.00
Extension of Time for permits - 2nd request	\$260	\$260.00
Extension of Time for permits - 3rd request	\$360	\$360.00
Extension of Time for permits - subsequent requests	\$470 thereafter	\$470 thereafter

<b>REFUNDS</b>		
	<b>Current Fee/Charge 2009/2010 *</b>	<b>Recommended Fee/Charge 2010/2011</b>
Cancellation of application when no work carried out	Refund 3/4 of application fee	No change
Cancellation after direction to advertise but before commenced	Refund 1/2 of application fee	No change
Cancellation after advertising commenced	No Refund	No change
Cancellation due to prohibited proposal	Full Refund	No change

## **NOTES**

### **Statutory Fees**

These fees are cumulative unless otherwise stated. If your application or request falls into several categories the highest fee and half the lower fee are payable.

### **Administrative charges for photocopying and printing** of charges

### **GST**

Planning fees are exempt from GST unless otherwise denoted by an asterisk\*

### **End Note**

The preceding sections are a summary of the fees prescribed under the *Planning and Environment (Fees) Regulations 2000*, and is not a complete representation of these Regulations or other legislative provisions. Reference should be made to the Regulations to obtain the complete wording of individual fee Regulations and other Regulations (which include waiving and rebating provisions). Please visit [www.dms.dpc.vic.gov.au](http://www.dms.dpc.vic.gov.au) or select link provided Victorian Law Today Statutory Rule for more details on amended *Planning and Environment (Fees) Regulations 2000* setting out the new fees.

### **Note:**

Fee for amending a planning permit application depends on the Schedule of fees as per the Planning & Environment Regulations (Fees).

Fee for lodging amended subdivision plans at certification stage depends on the schedule of fees as per the Planning & Environment Regulations (Fees)

Denotes fees as determined by legislation and therefore subject to any change in legislation

The non-statutory fees are above the benchmark for the surrounding municipalities. A policy is to be formed to determine future non stat fees rises.

## ENVIRONMENTAL HEALTH

Type of Premises/Activity	Current Fee/Charge 2009/2010 (Incl GST)	Recommended Fee/Charge 2010/2011 (Incl GST)
Food Premises (Class 1) – nursing homes, child care centers, Special Residential Support,	\$310	\$318
Food Premises (Class 2) – restaurants, takeaways, cafes, supermarkets, bakeries,	\$310	\$318
Food Premises (Class 2) – guesthouse, B&B, host farm – (prepare and serve breakfast and/or	\$210	\$215
Food Premises (Class 2) – Pre-Packaged Food*	\$110	\$113
Food Premises – (Class 2) Sporting Clubs, Schools – Run by Volunteers, Parents*	\$100	\$103
Home Kitchen*	\$160	\$164
Food Vehicles – preparing and selling food from vehicle*	\$310	\$318
Food Market Stalls*	\$120	\$123
Temporary Food Stalls*	\$20	\$20
Hairdressers, Beauty Parlours*	\$110	\$113
Skin Penetration*	\$240	\$246
Prescribed Accommodation – hotels/motels, recreation camps, B&B's (NOT self contained or exclusive use of Units, Villas, Houses) 6 to 10 persons*	\$210	\$215
Prescribed Accommodation – hotels/motels, recreation camps, B&B's (NOT self contained or exclusive use of Units, Villas, Houses) over 10 persons*	\$260	\$266
Caravan Parks*	\$2.50/site	\$2.50/site
Transfer of Registration*	½ Registration fee	½ Registration fee
Special Visit – Pre-purchase inspections*	\$155	\$160
New Septic Tank systems*	\$410	\$420
Alterations to Septic Tank systems*	\$205	\$210

**Note:**

A 50% discount on *Temporary Food Stall* fees applies to “Not For Profit Community Organisations”

A late fee will apply for late applications and payments of annual registrations at a rate of 50% of the annual registration fee applicable if the application and/or fee is not received within 14 days of the due date.

Full Registration fees are to be paid up until 31<sup>st</sup> August, registrations after this date i.e. from 1<sup>st</sup> September onwards are only required to pay 50% of the full fee.

## DOMESTIC & COMMERCIAL WASTE - TIPPING FEES SCHEDULE

Item	Current Fee 2009/2010 (incl GST)	Recommended Fee 2010/2011 (incl GST)
<b>DOMESTIC &amp; COMMERCIAL WASTE</b>		
Car/Boot Load (½m <sup>3</sup> max)	\$14.00	\$14.00
Utility/Small Trailer (1.0 m <sup>3</sup> max)	\$28.00	\$28.00
Small Truck/Tandem Trailer (2.0 m <sup>3</sup> max)	\$56.00	\$56.00
Other Loads that are non commercial	\$30.00	\$30.00
Commercial Waste	Not applicable	Not applicable
Approved Green Waste	\$14.00	\$14.00
Approved Domestic Recyclables	No Charge	No Charge
Approved Commercial Recyclables	No Charge	No Charge
Commercial Paper & Cardboard	\$14.00/m <sup>3</sup>	\$14.00/m <sup>3</sup>
Commercial Paper & Cardboard	\$28.00/m <sup>3</sup>	\$28.00/m <sup>3</sup>
<b>TYRES</b>		
Car	\$12.00	\$12.00
Light Truck	\$25.00	\$25.00
Truck	\$25.00	\$25.00
Tractor – Small	\$130.00	\$130.00
Tractor – Large	\$200.00	\$200.00
Rims only	No Charge	No Charge
<b>OTHER</b>		
Oil	No Charge	No Charge
Batteries	No Charge	No Charge
Scrap Steel	No Charge	No Charge
Car Bodies	No Charge	No Charge
Refrigerators & Freezers (Degassed)	No Charge	No Charge
Refrigerators & Freezers (Gassed)	\$50.00	\$50.00
Mattresses	\$20.00	\$20.00
<b>Sale of Garbage bins</b>		
120ltr bin	\$45.00	\$45.00
240ltr bin	\$60.00	\$60.00

**Note:** Approved Recyclables must be sorted and placed in containers provided

## DAYLESFORD – VICTORIA PARK/WOMBAT GARDENS/LAKE FORESHORE

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 (incl GST)
Function (1 Day)	\$700.00	\$718.00
Function (2 Days)	\$1,000.00	\$1,025.00
Function (2+ Days)	\$1000.00 for first 2 days + \$250.00 per day thereafter	\$1025.00 for first 2 days + \$256.00 per day thereafter
Daylesford Football Club	\$1,300.00	\$1,333.00
Daylesford Cricket Club	\$350.00	\$359.00
<b>Bonds</b>		
Meetings*	\$500.00	\$500.00
Functions*	\$800.00	\$800.00
Functions with alcohol*	\$1,000.00	\$1,000.00
<b>Special Conditions</b>		
Hepburn Shire Community Not For Profit	<ol style="list-style-type: none"> <li>1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)</li> <li>2. Council must be recognised as providing sponsorship/support for the event.</li> </ol>	<ol style="list-style-type: none"> <li>1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)</li> <li>2. Council must be recognised as providing sponsorship/support for the event.</li> </ol>
Hepburn Shire Council Sponsored Events	<ol style="list-style-type: none"> <li>1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)</li> <li>2. Council must be recognised as providing sponsorship/support for the event.</li> </ol>	<ol style="list-style-type: none"> <li>1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)</li> <li>2. Council must be recognised as providing sponsorship/support for the event.</li> </ol>
<b>Wombat Gardens</b>		
Wedding	\$150.00	\$154.00
<b>Lake Foreshore</b>		
Wedding	\$150.00	\$154.00

## CRESWICK TOWN HALL

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 (incl GST)
Rehearsals/Regular User	\$30.00	\$31.00
Meetings	\$100.00	\$103.00
Functions	\$120.00	\$123.00
Functions with alcohol	\$140.00	\$144.00
Insurance (Only if no certificate is provided)	\$38.00	\$39.00

<b>Bonds</b>		
Meetings*	\$100.00	\$100.00
Functions*	\$200.00	\$200.00
Functions with alcohol*	\$500.00	\$500.00

<b>Special Conditions</b>		
Hepburn Shire Community Not For Profit	No charge	No charge



## DAYLESFORD TOWN HALL

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 Incl GST
Rehearsals	\$45.00	\$46.00
Meetings	\$160.00	\$164.00
Functions	\$190.00	\$195.00
Functions with alcohol	\$230.00	\$236.00
Set up day	\$80.00	\$82.00
Senior Citizens Rooms	\$80.00	\$82.00
Senior Citizens Crockery	\$55.00	\$56.00
PA System	\$35.00	\$36.00
Insurance (Only if no Certificate is provided)	\$38.00	\$39.00
<b>Bonds</b>		
Meetings*	\$100.00	\$100.00
Functions*	\$200.00	\$200.00
Functions with alcohol*	\$500.00	\$500.00
Functions with alcohol > 200 People*	\$1,000.00	\$1,000.00
<b>Special Conditions</b>		
Hepburn Shire Community Not For Profit^	No Charge	No Charge

- ^1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)  
 2. Council must be recognised as providing sponsorship/support for the event

## PHOTOCOPYING

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 (Incl GST)
A4 per side	\$0.40	\$0.40
A3 per side	\$0.80	\$0.80
	\$0.80	\$0.80
Colour A3 per side	\$1.60	\$1.60
Copy Plans A2	\$20.00	\$20.00
Copy Plans A1	\$25.00	\$25.00
Copy Plans A0	\$30.00	\$30.00
A4 Dyeline	\$11.00	\$11.00
A3 Dyeline	\$16.00	\$16.00
A2 Dyeline	\$35.00	\$35.00
A1 Dyeline	\$40.00	\$40.00
AO Dyeline	\$45.00	\$45.00

## RATES INFORMATION

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 (Incl GST)
Land information certificate*	\$20.00	\$20.00
Rate search 15 Years	\$55.00	\$55.00
Rate search 30 Years	\$56.00	\$110.00

## FREEDOM OF INFORMATION

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 (Incl GST)
Freedom of information lodgement fee*	\$23.40	\$23.40

## COMMUNITY HOUSING

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 (Incl GST)
Community housing units	25% of gross income (except family tax benefit where only 11% is used in determining rent). The rent is capped at \$133.	25% of gross income (except family tax benefit where only 11% is used in determining rent). The rent is

Denotes fees as determined by legislation and therefore subject to any change in legislation

## HEPBURN COMMUNITY CARE HACC SERVICES

Program	Current Fee 2009/2010			Recommended Fee 2010/2011 (Incl GST)		
	Low	Medium	High	Low	Medium	High
<b>Planned Activity Group*</b>	\$6.00 Meal	\$7.00 Meal	\$11.00 (core)	\$6.25 Meal	\$7.25 Meal	\$11.00 (core)
	\$6.00 Activities	\$7.00 Activities	\$15.00 (High) (per day plus meal costs)	\$6.00 Activities	\$7.00 Activities	\$15.00 (High)
<b>House-keeping*</b>	\$5.00 p/hr	\$12.00 p/hr	Full Cost	\$5.25	\$12.50	Full Cost
<b>Personal Care*</b>	\$3.50 p/hr	\$7.00 p/hr	Full Cost	\$3.50	\$7.00	Full Cost
<b>Respite Care*</b>	\$2.50 p/hr	\$4.00 p/hr	Full Cost	\$2.50	\$4.00	Full Cost
<b>Property Maintenance*</b>	\$9.50 p/hr	\$14.00 p/hr	Full Cost	\$10.00	\$15.00	Full Cost
<b>Delivered Meals*</b>	\$7.00	\$7.00	\$7.00	\$7.30	\$7.30	\$7.30

NOTE: GST applies to contracted services

## Technical

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 (Incl GST)
Signage Fees*		
Legal Point of Discharge Fees*	\$54.35	\$55.70
"Road Opening"	\$40.00	\$41.00

## Community Services

Use	Current Fee 2009/2010	Recommended Fee 2010/2011 (Incl GST)
Marquee Hire 6 x 6 m		\$150.00
Marquee Hire 12 x 6 m		\$200.00
BBQ Hire	\$25.00	\$65.00
Council Gateway Frames		No charge
<b>Bonds*</b>		
Marquee		\$300.00
BBQ	\$40.00	\$40.00
Council Gateway Frames		No charge

<b>Street Furniture</b>		
<i>All fees associated with the street furniture, goods for sale &amp; a-frame signs are reduced by 50% outside of the designated Daylesford CBD area</i>		
A-frame signage	\$90.00/year	<b>Daylesford CBD:</b> \$90.00/year <b>Outside Daylesford CBD:</b> \$45.00/year
Tables & two chairs	\$150.00/set/year for first two table sets \$400/set/annum thereafter	<b>Daylesford CBD:</b> \$150.00/year in trading zone (up to 3 sets) Above 3 sets a further \$150.00 <b>Outside Daylesford CBD:</b> \$75.00/year in trading zone (up to 3 sets)
Goods for Display or Sale	\$150.00/set/year for first two table sets \$400/set/year thereafter	<b>Daylesford CBD:</b> \$150.00/year <b>Outside Daylesford CBD:</b> \$75.00/year
Wind barriers	\$90.00 each/year	<b>Daylesford CBD:</b> \$90.00 each/year <b>Outside Daylesford CBD:</b> \$45.00 each/year
<b>Cat cage hire*</b>	\$50.00 Bond refundable on return of cage	\$50.00 Bond refundable on return of cage

# The discounted fees are one-third of the full fee and only apply if the animal:

- is over ten years old
- is kept for working stock (dogs only)
- is kept for breeding on a registered premises
- has undergone obedience training (dogs only)
- is registered with the relevant association
- is permanently identified in the prescribed manner.

Denotes fees as determined by legislation and therefore subject to any change in legislation

	Recommended Fee/Charge 2009/2010 (incl GST)	Recommended Fee/Charge 2010/2011 (incl GST)
<b>Other Permits/Services</b>		
Fences and signs	\$180	<b>\$204</b>
Swimming Pool Reports (Existing)	\$120	\$138
Request for variation of siting	\$217.50	\$239.25
Permit to erect hoarding/public protection	\$100	<b>\$116</b>
Any other service not otherwise provided for	P.O.A. (hourly rates apply)	P.O.A. (hourly rates apply)
<b>Extension of time for a permit</b>		
Extension of time for a permit	\$100	\$110
Inspection associated with lapsed permits	\$66 per inspection	<b>\$110</b>
Illegal works	As per policy adopted by Council	
<b>State Government Building Levy</b>		
Cost recovery of levy*	1.28 per \$1,000 value of works (i.e.. Cost of works x 0.00128)	1.28 per \$1,000 value of works (i.e.. Cost of works x 0.00128)
<b>HIH Levy</b>		
(Domestic works over \$10,000)*	0.32 per \$1,000 value of works (i.e.. Cost of works x 0.00032)	0.32 per \$1,000 value of works (i.e.. Cost of works x 0.00032)
<b>Requests for Information</b>		
Property Certificates (last 10 years information)*	\$43.45	\$43.45
Temporary structures	\$200	\$220
Copies of plans from building files	\$43.45 Minimum	\$43.45 Minimum
Inspection on behalf of other practitioner	\$100 per inspection	\$112.75
Any other service	P.O.A	P.O.A

*Notes:*

1. Square meters calculated on total floor area, including garages, verandahs, etc.
2. Cost of works determined by Relevant Building Surveyor, unless contract applies.
3. All fees quoted (unless determined by regulation) are a minimum basis.

Denotes fees as determined by legislation and therefore subject to any change in legislation

### **10.3 RENEWAL OF LEASE – CRESWICK MECHANICS INSTITUTE HALL**

(Action Officer – General Manager Corporate Services) File Ref:2/0050/02042

#### **Introduction**

Council is committee of management of the 'Free Library Reserve' (Mechanics Institute Hall), Creswick. The premises are leased to Creswick Municipal Band Inc (Band). The current three year Lease is due for renewal.

#### **Report**

The Band has occupied the premises for many years. The Band uses the premises for recitals, practice, meetings, storage of instruments and ancillary or associated activities.

This will be a new Lease from 1 January 2010.

The Lease is the standard model used for community based organizations which have exclusive occupancy of Council owned or controlled properties.

The Lease now includes clauses to bring it in line with recent adjustments –

- To specify items the Band is responsible to maintain and the major items which are Council's responsibility – the standard maintenance Appendix is added;
- An option to renew the Lease, although the Band has advised it may not require the full term as it may move to the new Doug Lindsay Reserve complex;
- Clarification that the Lease is not subject to the Retail Leases Act 2003;
- GST provisions; and
- A mediation clause regarding disputes.

Rent remains at \$104 pa, + GST based on the community use factor.

There are no known or recorded breaches of Lease conditions.

#### **Relevant Policies**

The relevant provisions are

- Policy # 9 Council Owned and Controlled Property – having proper tenure arrangements in place through leases or licences; and
- Having a lease is also about good asset management.

#### **Community Engagement**

The renewal of the Lease does not require advertising under the Crown Land (Reserves) Act 1978. There are no known complaints about the Band's activities.



## Financial Implications

Council continues to support the Band by insurance of its instruments through its general insurance policy cover. Apart from Councils responsibility for major maintenance items regarding the building there are no direct financial implications. Rent is nominally based on community use. In the wider sphere, the Lease requires the Band to have appropriate public liability insurance arrangements in place, which in turn minimises any risk to Council. The Band also has defined maintenance responsibilities.

## Recommendation

*That Council:*

- 10.3.1 *approve the grant of this Lease for a 3 year term;*
- 10.3.2 *authorise the sealing of the Lease; and*
- 10.3.3 *accordingly advise the Department of Sustainability and Environment of the new Lease.*

## Motion

*That Council:*

- 10.3.1 *approve the grant of this Lease for a 3 year term;*
- 10.3.2 *authorise the sealing of the Lease; and*
- 10.3.3 *accordingly advise the Department of Sustainability and Environment of the new Lease.*

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

## **10.4 RENEWAL OF LEASE – 94 VINCENT STREET, DAYLESFORD**

(Action Officer – General Manager Corporate Services) File Ref: 5/7300/96150

### **Introduction**

Council leases 94 Vincent Street, DABS Agencies trading as Daylesford to Daylesford Accommodation Booking Service (DABS). The Lease is due for renewal.

### **Report**

DABS (also uses the “tag line” Escapes for promotional reasons) have occupied the property at 94 Vincent Street, Daylesford (the shop front part only) for approximately 10 years. The property is Crown land for which Council is the appointed Committee of Management. The Lease is clear that Council is exercising responsibilities as Committee of Management under the provisions of the Crown Land (Reserves) Act 1978 (the Act).

Five years ago a new Lease was granted following a competitive tender process. The Lease was for a 5 year term with an option for a further term of 5 years. The Lease is due to end on 31 May 2010 and DABS has provided the required notice of renewal.

DABS are good tenants and complied with its obligations under the Lease, including meeting internal maintenance requirements. During the term of the current Lease, previously shared water and power metering arrangements were isolated to enable specific billing of these utilities.

As there is no breach of Lease conditions therefore there is no Lease reason to prevent Council authorizing the renewal

### **Relevant Policies**

Policy # 9 Council Owner & Controlled Property requires that appropriate written occupancy arrangements be in place. The renewal of the Licence meets the requirement.

The fundamental commitment of helping improve economic prosperity along with the business and tourism strategies within the Council Plan 2009 – 2013 is relevant to this Lease.

### **Community Engagement**

This is a renewal of a Lease which was previously advertised with having a 5 + 5 term – no advertising is required under the Act regarding the exercise of the option to renew.

## Financial Implications

Council has responsibility for maintenance of the overall building fabric. Maintenance work was carried out on the building during the current Lease term, including addressing water leaks and replacement of affected timber.

During the Lease term there was one rent review and a further review is due at the time of this renewal. The new rent will be established based on a valuers report on market rent as provided in the Lease. A local real estate agent has provided an estimate of market rent, for comparison purposes. Appropriate notice will be given to the tenant about the review. The Lease currently returns \$23,075pa.

## Recommendation

*That Council:*

*10.4.1 agree to the renewal of the Lease of 94 Vincent Street, Daylesford to Daylesford Accommodation Booking Service for the remaining 5 year lease term;*

*10.4.2 authorise the sealing of the Renewal of Lease document; and*

*10.4.3 accordingly advise the Department of Sustainability and Environment that the Lease has been renewed.*

## Motion

*That Council:*

*10.4.1 agree to the renewal of the Lease of 94 Vincent Street, Daylesford to Daylesford Accommodation Booking Service for the remaining 5 year lease term;*

*10.4.2 authorise the sealing of the Renewal of Lease document; and*

*10.4.3 accordingly advise the Department of Sustainability and Environment that the Lease has been renewed.*

**Moved: Cr Tim Hayes**

**Seconded: Cr Rod May**

**Carried.**

## **10.5 LICENCE RENEWAL – ALLENDALE RECREATION RESERVE**

(Action Officer – General Manager Corporate Services) File Ref: 1/4100/00100

### **Introduction**

Council is committee of management of the Allendale Recreation Reserve. Creswick and District Motor Cycle Club Inc (Club) has occupied and used the Reserve for its activities for many years. Occupancy is by way of a Licence issued under S17B of the Crown Land (Reserves) Act (Act).

### **Report**

The Club is for participation of young persons aged 4 to 16 and is heavily supervised by adults. Bike capacities are limited to 50 to 100cc. The Club's rules cover most situations, especially regarding mechanical condition of bikes, competition and behaviour.

The Licence was due for renewal from 1 January 2010. A standard Department of Sustainability and Environment (DSE) Licence is used with the addition of some special conditions requiring the Club to advise Council annually of works undertaken at the Reserve, providing a schedule of events and activities and having an appropriate risk plan in place. The Club has complied with these requirements, including revising and updating the risk plan. The plan covers track safety, protective apparel Club rules and first aid.

The Club is appreciative of Council's ongoing support to enable it "to provide kids a fun and safe facility to ride".

### **Relevant Policies**

Policy # 9 Council Owner & Controlled Property requires that appropriate written occupancy arrangements be in place. The renewal of the Licence meets the requirement.

Council has Governor in Council certification under the Act to issue licences without reference to DSE.

### **Community Engagement**

This is a renewal of a Licence – no advertising is required under the Crown Land (Reserves) Act 1978. There are no known complaints about the Clubs activities.

## **Financial Implications**

The Club pays the annual Licence fee of \$104 + GST, based on the DSE established fee for community based organizations. The fee has been paid for 2010.

Repairs and maintenance at the Reserve are a club responsibility.

The Licence requires the Club to hold public liability insurance of \$10m. The Club's policy is current with QBE Commercial Insurance but due for renewal in late April.

## **Recommendation**

*10.5.1 That Council renew the Licence of Allendale Recreation Reserve to Creswick & District Motor Cycle Club inc for a term of 3 years from 1 January 2010 and the Chief Executive Officer be authorised to execute the Licence on behalf of Council.*

### **Motion**

*10.5.1 That Council renew the Licence of Allendale Recreation Reserve to Creswick & District Motor Cycle Club inc for a term of 3 years from 1 January 2010 and the Chief Executive Officer be authorised to execute the Licence on behalf of Council.*

**Moved: Cr Don Henderson**

**Seconded: Cr Sebastian Klein**

**Carried.**

## **11. COMMUNITY DEVELOPMENT**

### **11.1 CLUNES BOOKTOWN MEMORANDUM OF UNDERSTANDING**

(Action Officer – A/General Manager Community Development) File Ref: 56/02/01

#### **Introduction**

The purpose of this report is for Council to consider entering in to a Memorandum of Understanding (MOU) between Creative Clunes Inc. and Hepburn Shire Council for the Clunes Booktown event.

#### **Report**

Clunes Booktown, auspiced by Creative Clunes Inc., is an annual festival in Clunes which attracts thousands of visitors from around Australia. It is the biggest collection of rare, out of print and second hand books in Australia. Over 60 booksellers gather in Clunes for the two day event, turning Clunes into a European style Booktown.

Council currently provides Clunes Booktown with an annual event grant of \$10,000. This level of funding has been provided to Booktown for the past two events. In order to formalize the current services Council provides to Booktown and those which Booktown provide to Council, a MOU between the two parties has been drafted.

- The MOU outlines the services and financial contribution to be provided to Booktown by Council and Council's expectations of Booktown. The MOU includes a requirement for Booktown to regularly report to Council on the outcomes achieved from Council's investment in the event.
- A copy of the draft Memorandum of Understanding between Booktown and the Hepburn Shire Council is attached as a separate document.

#### **Relevant Policies**

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

#### **Community Engagement**

Clunes Booktown has wide community support and is seen as a community priority. Clunes Booktown representatives have worked with Council to develop the MOU document.

#### **Financial Implications**

\$10,000 has been allocated in the current budget as an events grant to Clunes Booktown, approval of the MOU will result in a further \$10,000 being allocated in the 2011 budget.

Council's In-Kind contribution will increase from \$3,000 to \$5,000 with the approval of this MOU.

### **Recommendation**

*11.1 That Council approve the signing of the Memorandum of Understanding between Hepburn Shire Council and Creative Clunes Inc. for the Clunes Booktown event.*

**Cr Hayes left the Meeting at 9.03pm due to a declared an indirect Conflict of Interest due to his position as Chairman of Creative Clunes Inc.**

### **Motion**

*11.1 That Council approve the signing of the Memorandum of Understanding between Hepburn Shire Council and Creative Clunes Inc. for the Clunes Booktown event.*

**Moved: Cr Sebastian Klein**

**Seconded: Cr Jon Barrell**

**Carried.**

**Cr Hayes returned to the Meeting at 9.06pm.**

**Attachment 4**  
**Item 11.1**



# Draft Memorandum of Understanding

## Between

### Hepburn Shire Council and Creative Clunes Inc

**Purpose:** The Memorandum of Understanding is intended to clarify the roles and responsibilities and to create a working relationship between the Hepburn Shire Council (Council) and Creative Clunes Inc, to ensure the future sustainability and growth of the Back to Booktown Festival in the Hepburn Shire.

It seeks to ensure that a transparent and accountable agreement is in place between the Hepburn Shire and Creative Clunes Inc.

**Term:** This MOU is for a 2 year period (2010 and 2011 Events) to be reviewed on an annual basis.

**Parties:** Booktown – refers to Creative Clunes Inc (Clunes Back to Booktown)  
Council – refers to Hepburn Shire Council

#### 1. Hepburn Shire Sponsorship Support

The Council will provide an annual sponsorship sum of \$10,000 (funding) and up to \$5,000 of in-kind contribution towards the 2010 and 2011 Booktown events, subject to the requirements and provisions of this Memorandum of Understanding (MOU).

Booktown is an annual festival in Clunes it attracts thousands of visitors from around Australia. It is the biggest collection of rare, out of print and second hand books in Australia. Over 60 booksellers gather in Clunes for the two day event, turning Clunes into a European style Booktown.

The funding will be provided by the Council for Booktown to assist with conducting a safe, accessible and professional event.

Subject to the receipt of a tax invoice from Booktown at least 14 days prior to the due date, Council will make the sponsorship payments for the 2010 event as follows:

Payment – of \$ 10,000 (100%) (Plus GST) to be paid within 2 weeks of the signing of this MOU (*for 2010 event*), and *not before July 28th, 2010 (for 2011 event)*.

## 2. In-kind Support provided by Council

The Hepburn Shire Council will provide the following in-kind support and services (summarised maximum costings detailed in Appendix A) for the term of the MOU, subject to the outcome of annual evaluations and reviews.

### 2.1 Waste Management

- a. Booktown will develop a Waste Management Plan in conjunction with Council, outlining the type and amount of wastes generated, waste management strategies and responsibilities.
- b. Council will provide up to 50 bins and as many bin caps as are available from Council for Booktown weekend. The bins and bin caps will be delivered to Clunes on the Friday prior to the event and collected on the Monday following the event by Council. The bins will be delivered to a site negotiated between Hepburn Shire Council and Booktown.

Additional recycling bins and bin caps for Booktown will be sourced from Central Highlands Waste Management Group (CHWMG) if they are available (the Council cannot guarantee they will be available). The cost of transporting any additional bin caps and bins from CHWMG to and from the venue will be met by Booktown.

- c. Booktown agrees to work with Council to conduct a Waste Wise event in Clunes.
- d. Council will fund and supply four rubbish skips for used during the event. Booktown must ensure waste from the smaller bins is emptied into the skips throughout the event.
- e. Booktown is responsible to ensure event locations are left in a clean and tidy condition as per the Waste Management Plan.

- f. A review of the Waste Management Plan will be conducted annually within 8 weeks of the conclusion of the Festival.

## **2.2 Traffic, Parking, Signage, Pedestrian and Transport Management Plans**

- a. Booktown is responsible for developing a Traffic Management Plan (TMP) incorporating parking, pedestrian management and the road closures required for the weekend.
- b. Booktown must participate in event planning meetings including with Council and relevant emergency authorities to assist in reviewing and developing the plan. Planning must commence in January to ensure timely and sufficient notice of traffic management requirements, the Traffic Management Plan to be completed at least 3 weeks prior to the event.
- c. Road closure signs and equipment for the road closures will be provided by Council, including their installation, delivery and collection in accordance with the time schedule as outlined in the TMP.
- d. Suitably qualified and experienced personnel (including Traffic Controllers where indicated in the TMP) to assist in implementing and maintaining the TMP throughout the event weekend must be provided by Booktown. All event marshals and traffic controllers must be familiar with the TMP and implement it in accordance with the Plan and instructions from relevant authorities (including Victoria Police).
- e. Booktown must develop a Parking and Pedestrian Plan for the event weekend. It is Booktown's responsibility to provide suitably qualified and experienced personnel to implement the Parking and Pedestrian Plans. Council will provide advice to Booktown in the development of the Plans.
- f. Council will provide and deliver agreed signage (portable parking signs including disabled parking) for the event weekend. Directional and other signs required for the Parking Plan will be provided by Booktown (or Council where available and negotiated in advance).

## **2.3 Venue and Venue Infrastructure**

- a. Booktown will provide adequate toilet and wash room facilities (including accessible toilets) in accordance with the requirements of the relevant section of Council (Environmental Health and/or Building). The following toilet facilities are available and maintained (cleaned and restocked with toilet paper) throughout the 2 day event:
  - Public Toilets in Collins Place
  - Town Hall Toilets
  - Union Bank Arts Centre Studio
  - Mobile Unit in Laneway (next to Pharmacy/Post Office) – hired by Creative Clunes

- b. Booking for Clunes Town Hall/Court House will be arranged through The Wesley Office Manager for the Friday, Saturday, Sunday and clean-up Monday of the event weekend at a time to be negotiated each year. A key will be available for the event weekend with pick up and drop off to be negotiated between Booktown and the Clunes Service Station.
- c. Clunes Senior Citizens key and booking to be secured through Senior Citizen Secretary. Out of Hours access to the Hall will be negotiated with the Senior Citizens.

## 2.4 Marketing and Communications

- a. Council will provide promotion of Booktown at the Daylesford Regional Visitor Information Centre and Creswick Interpretative Centre and on [www.daylesford.com](http://www.daylesford.com) including one free display cube.
- b. Council will allocate Booktown the events signage frames at key entry points to Clunes from the 1<sup>st</sup> of April to the end of Booktown. Booktown will supply, install and remove the signs during the approved period.
- c. Council will provide links to Booktown's website on Council's website and will include Booktown in event calendar listings.
- d. Where possible, Council will support the marketing activities of Booktown.
- e. Booktown agrees to provide recognition to Council via the following mechanism:
  - Recognition of the Hepburn Shire Council as a Major and/or Government Partner (or equivalent) in all information relating to Booktown including its website, marketing material, media releases and communications. The usage of Council's logo must be in accordance with the directions provided by the Hepburn Shire.
  - Provide Councillors and Council officer's invitations to official Booktown functions, events and launches.
  - Provision of a stall throughout Booktown weekend. Council must inform Booktown before March 1st with confirmation of the need for a stall
  - Half page advertisement in the Festival Guide, if a guide is produced (art work to be supplied by Council at its expense according to production deadlines and graphical standards).

## 3. Occupational Health and Safety, Risk and Compliance

- a. Booktown must comply with all of Council and other authority's requirements in relation to occupational health and safety, local laws, legislation, regulations, standards and codes,

and the conditions of use as outlined in facility booking forms.

- b. Booktown must obtain and pay all fees associated with all the necessary permits, permissions and licenses required to conduct the event from Council and other authorities. These include, but are not limited to liquor licensing, temporary food premises permits, traffic related permits/permissions, fire safety requirements, plant and equipment use and temporary building permits.
- c. Booktown must participate in Councils Event Management Planning process including risk and safety planning meetings with Council and other authorities, and provide a detailed Risk, Safety and Emergency Management Plan to Council in accordance with Council guidelines and pro-forma plans where available, at least 3 weeks prior to the event. Plans must be updated continuously as the event date nears, and must be reviewed as soon as practical following the event.
- d. Booktown must notify the Council in writing of any incident or accident occurring on Council land or property including any road, reserve or building as soon as possible after the incident or accident has occurred.

#### **4. Indemnity and Insurance**

- a. Booktown must indemnify and keep indemnified and hold harmless the Hepburn Shire Council, its servants and agents from and against all actions, costs, damages, loss or claims from any activities or decisions arising from the conduct of Booktown.
- b. Booktown must maintain up to date insurances applicable to the event, including Public Liability Insurance for a minimum of \$10 million. The insurance policy must be maintained for the duration of the event (including the planning stages) and a copy of the certificate of compliance must be provided at least one month in advance of the event date. Stallholders and contractors involved with the event should also have Public Liability Insurance.
- c. Booktown agrees that if there is any loss or damage to Council land or property as a result of the event, Booktown will immediately notify Council by making contact with the Events Officer (or other Council officer if Events Officer is not available) and cover restoration, replacement or repair costs of the loss or damage.
- d. Booktown agrees to maintain a legal status during the term of this MOU as an Association registered under the Incorporations Act 1981 or another suitably status.

#### **5. Strategic and Business Planning**

- a. Booktown agrees to develop a Business Plan and an operational Event Management Plan to be reviewed and updated annually. The Business Plan will include the key objectives for the Festival and specific performance indicators. It must be provided to Council at least four months prior to the event date.

## 6. Review and Evaluation

- a. Council will assess the achievements against the outcomes within this MOU, and the key objectives contained in Booktown's Business Plan with input from Booktown.
- b. Booktown will attend a post event evaluation meeting with Council and other authorities following the conduct of the event.
- c. Booktown will provide a preliminary report to Council within 8 weeks of the conclusion of the event providing estimates of the information below. Within 16 weeks Booktown will provide Council with a complete report containing detailed findings of the items below.
  - i. Attendance numbers for Booktown
  - ii. Details of the origin and estimated length of stay of visitors to Booktown.
  - iii. Estimates of the economic and tourism impact of the festival applying a jointly agreed methodology used to produce results.
  - iv. Impact assessment on the Hepburn community (positive and negative impacts).
  - v. Media and marketing obtained for the Hepburn Shire region as a result of the event.
  - vi. Detailed event budget, including estimates of direct spend and fundraising contribution to the local community.
  - vii. Details of specific event operational and other issues associated with the event including recommendations for improvements in future years.

## 7. Dispute resolution

- a. In the event of a dispute arising out of a failure to meet any of the obligations required by this MOU, either party may give the other party written notice specifying the details of the dispute. Within 7 days, a representative of both parties will agree to meet to resolve the issue.
- b. If a dispute occurs within two weeks of the event date, both parties will agree to meet to resolve the issue within 2 working days of the notice.
- c. If the dispute is unable to be resolved, the matter will be referred to any form of alternative dispute resolution procedure on which the parties agree. Where a mediator is involved, the parties must agree to comply with the mediators instructions.
- d. The charges for the mediation will be paid equally by the parties.
- e. Council will not enter into a dispute resolution procedure for the following issues:
  1. The level of Council's financial and in-kind contribution

2. The requirement for Booktown to comply with Council's local laws, and other regulations and legislation relating to the conduct of the event.

## **8. Termination of MOU**

- a. If Booktown is unable to deliver the outcomes specified in this MOU, Council may review the level of sponsorship and in-kind support provided to the event.
- b. If Council or Booktown is in breach of the terms of this MOU this MOU may be terminated in writing by the Chief Executive Officer of Council.

## MOU between Hepburn Shire Council and Booktown

Signed for and on behalf of the **Hepburn Shire Council**:

_____	_____	_____
Signature of authorised officer	Title of authorised officer	Date

_____	_____	_____
Witness signature	Witness name	Date

Signed for and on behalf of **Booktown**

_____	_____	_____
Signature of authorised officer	Title of authorised officer	Date

_____	_____	_____
Witness signature	Witness name	Date



## Appendix A: Estimate of Hepburn Shire Council's In-Kind Support

Support provided	Details	Estimated Cost to Council
Waste Management	Hire and transportation of 4 skips	\$1,000
	Supply, delivery, collection of rubbish bins and lids –locations to be in waste management plan	\$1,000
Road Closures	Provision of equipment, signage, delivery and installation for road closures	\$1,000
Council Buildings	Clunes Town Hall & Court House	\$500
	Clunes Senior Citizens Centre	
Visitor Services	Provision of Visitor Information Centre Cube display	\$300
Cleaning	Contractor to clean public toilets in Clunes throughout weekend	\$400
	<b>Total estimated in-kind support value</b>	<b>\$4,200</b>

Additional in-kind support provided by Council's Recreation Officer, Council's Economic and Tourism Development Manager and other officers (details below). The value of this support has not been costed.

- Development of event memorandum of understanding
- Development of Traffic Management Plan for Road Closures
- Development of Risk Management Plan for Event

- Advice on development of an Emergency Management Plan
- Inspection on Saturday of event by an Environmental Health Officer to ensure all temporary food premises have relevant permits

## **11.2 DAYLESFORD MEN'S SHED**

(Action Officer – General Manager Community Development)

File Ref:

### **Introduction**

The purpose of this report is to seek Council's approval of an extension to a Council shed at Victoria Park for use as a Men's Shed and that funding allocated as a contribution to construction of a Men's Shed at Daylesford Neighbourhood Centre be re-allocated towards a Men's Shed at Victoria Park.

### **Report**

Daylesford Neighbourhood Centre (DNC), with the support of Council and Hepburn Health Service has been working with men in the community to establish a Men's Shed since late 2006. The need for a secure venue for men's learning programs and a range of men's activities was identified.

A site was identified at the Neighbourhood Centre and funding sought through the Department of Planning and Community Development's *Men's Shed Program* which was unsuccessful. A temporary Men's Shed commenced operating on a weekly basis at Victoria Park in the Daylesford Agricultural Society's Poultry Shed in February 2008. Council allocated \$14,650 (recreation funding) to the Daylesford Men's in its 2010/11 budget.

DNC has since secured Commonwealth funding for a new classroom on the site originally identified for the Men's Shed. As a result there is no longer a suitable site for the Mens Shed at the Daylesford Neighbourhood Centre.

Other sites were canvassed and Victoria Park identified as the preferred location. Following a Council Briefing about possible sites for Men's Shed at Victoria Park Council staff investigated use of an existing shed at Victoria Park, including the Poultry Shed. An existing Council Shed, previously used for storage (location map attached) has been identified as the preferred option.

### **Relevant Policies**

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

### **Community Engagement**

### **Financial Implications**

The Men's Shed will need to enter into an agreement with Council to include utility charges and on-going maintenance.

## Recommendation

*That Council:*

- 11.2.1 *Approve the use of, and extension to, the existing Council shed (Tom Ford) at Victoria Park, Daylesford by the Daylesford Men's Shed.*
- 11.2.2 *Agree to Daylesford Neighbourhood Centre's request that Council's recreation grant of \$14,650 be used to extend the shed at Victoria Park*

## Motion

*That Council:*

- 11.2.1 *Approve the use of, and extension to, the existing Council shed (Tom Ford) at Victoria Park, Daylesford by the Daylesford Men's Shed.*
- 11.2.2 *Agree to Daylesford Neighbourhood Centre's request that Council's recreation grant of \$14,650 be used to extend the shed at Victoria Park*

**Moved:** Cr Jon Barrell  
**Seconded:** Cr Bill McClenaghan  
**Carried.**

**Attachment 5**  
**Item 11.2**



### **11.3 PROPOSED MULTI-PURPOSE FACILITY AT VICTORIA PARK**

(Action Officer – A/General Manager Community Development) File Ref: 56/10/01

#### **Introduction**

The purpose of this report is for Council to consider supporting the further development of the proposed new multi-purpose facility at Victoria Park.

#### **Report**

Members of the community have established the Vic Park Association (VPA) to actively pursue the development of a multi-purpose facility at Victoria Park as envisaged in the Dalton Master Plan. The VPA briefed Council (February 2010) about the comprehensive Feasibility Study they have developed and presented the Concept Design. VPA member Allan McLeod is confident that both State and Federal along with philanthropic funding can be secured for the project which is estimated to have a total cost of \$3,000,000.

Proposals for the development of Victoria Park contained in the Hepburn Shire Master Plan (Dalton Consulting Engineering, 2005) include development of change rooms and function room on the Western side of Oval No.1.

Various studies including the Recreation Needs Strategy (Henshall and Associates, 2006) and Daylesford/Hepburn Springs Needs Analysis (Clark Phillips, 2005) have identified the need for improvements to facilities at Victoria Park.

#### **Daylesford and Hepburn United Soccer Club**

Council has recently received a request from Daylesford and Hepburn Soccer Club to relocate to Oval no.2 at Victoria Park. This is supported by the Recreation Needs Strategy Report (2006) and there is a demonstrated need to secure a suitable ground in Daylesford/ Hepburn Springs. Location of soccer at Victoria Park provides an opportunity for the consolidation of sporting activities and this option should be explored with further advice to be provided to Council. The *Growing the World Game* Program (Sport and Recreation Victoria, Department of Planning and Community Development) is a potential funding source for new soccer facilities.

#### **Other Recreation Projects currently under development**

##### *Clunes Football and Netball Club*

A Council supported application to Sport and Recreation Victoria (Department of Community Development) for the 2009/10 financial year to undertake a Feasibility Study of options for future location and co-location was not successful. Council has re-

allocated the \$5,000 it had committed to this project to support an internal feasibility by Clunes Football and Netball Club. This will be completed by July 2010.

#### *Daylesford Community Park*

An application for a Playground (Stage One: Master Plan) seeking \$60,000 with Council contributing \$40,000 is currently with Sport and Recreation Victoria. A Family Area (including toilets) and landscaping has been identified as Stage 2 of the project.

#### **Multi Purpose Facility**

Whilst the Vic Park Association has prepared a detailed feasibility study and concept plans, if Council supports progressing the Victoria Park Multi-Purpose Facility Study to an application ready stage, detailed drawings and quantity surveyor estimates will be required. The estimated cost of this is \$20,000.

#### **Relevant Policies**

##### Council Plan

Commitment 45: Involving young people in community life through Council's youth programs and by maintaining and developing local recreational, cultural and education, training and employment opportunities for young people.

#### **Community Engagement**

The Vic Park Association has undertaken extensive consultation with community groups in developing the Feasibility Study.

#### **Financial Implications**

##### Short Term:

The estimated cost of detailed drawings and quantity surveyor estimates is \$20,000.

##### Medium Term

Endorsement to progress the Multi Purpose Facility to application ready stage would commit Council to allocating funds from the Capital Works budget in order to leverage State, Commonwealth and philanthropic funding for the project.



## **Recommendation**

*That Council:*

- 11.3.1 *Commend the Vic Park Association for its work in preparing the Feasibility Study; and*
- 11.3.2 *Consider allocation of funding of \$20,000 for detailed drawings and quantity surveyor estimates in either the 2011/12 budget.*

## **Motion**

*That Council:*

- 11.3.1 *Commend the Vic Park Association for its work in preparing the Feasibility Study on Council's behalf pursuant to Council's resolution 11.1.1 in 2009 that has potentially saved Council \$60,000.*
- 11.3.2 *Provide \$4,000 immediately to fund an impact quantity surveyor estimator.*
- 11.3.3 *Consider allocation of \$16,000 in the 2010/2011 Budget for detailed drawings.*

**Moved: Cr Bill McClenaghan**

**Seconded: Cr Don Henderson**

**Carried**

**Division called:**

**In favour: Cr Bill McClenaghan, Cr Don Henderson, Cr Rod May, Cr Sebastian Klein**

**Against: Cr Tim Hayes, Cr Janine Booth, Cr Jon Barrell**

## 11.4 RESERVE MANAGEMENT PLANS

(Action Officer – General Manager Community Development)

File Ref:

### Introduction

The purpose of this report is for Council to consider the adoption of Reserve Management Plans for Jubilee Lake, Lake Daylesford, Calembeen Park, Bath Street Reserve and the Hepburn Mineral Springs Reserve.

### Report

CPG Australia (Coomes Consulting Group) were appointed to develop comprehensive Management Plans to guide the future management and development of the following reserves:

- Jubilee Lake;
- Lake Daylesford;
- Hepburn Mineral Springs;
- Calembeen Park;
- Bath Street.

A Steering Committee was established to oversee the project comprising Council officers, community members, representatives from Department of Sustainability and Environment (DSE) and Parks Victoria.

The Plans are intended to be a practical tool progressing from:

- An overarching vision statement for the reserve
- Management Principles
- Actions to address Management Principles.

Principles and actions set out in the Plans provide a framework for:

#### 1. Sustainable management including:

- Risk management issues;
- Involving the community in planning, works and maintenance;
- Clear accountability and responsibilities for management and maintenance between Council, DSE and community.

#### 2. Built Form and Development including:

- To reflect historic and natural character of site;
- Universal access;
- Asset renewal and development to be prioritised.

Council was briefed by Mark Hand from CPG Australia on two occasions and any feedback provided by Councillors has been incorporated in the Management Plans.

## **Relevant Policies**

Council Plan (2009-13)

*Commitment 73:* Developing management plans for Council owned and/or controlled natural environments, such as Jubilee Lake, Lake Daylesford, Calembeen Park, Bath Street Reserve and the Hepburn Mineral Springs Reserve

## **Community Engagement**

Extensive consultation was undertaken and included surveys, on-site 'walk and talk' focus groups, publicly advertised community meetings, website feedback and telephone interviews.

Community consultation findings were that:

- The reserves should not be over-developed and 'low key built form' was supported;
- Walking was the most important activity at all Reserves;
- Management could be more sensitive – weed control, appropriate plant species;
- The history of the reserves (Aboriginal, European, landscape, built form) was valued;
- Maintenance and asset care and replacement could be more timely;
- Community involvement in management of the Reserves through Section 86 or Advisory Committees was supported.

## **Financial Implications**

Each Management Plan includes estimated costings for priority works and these will be addressed as part of the 2010/11 and beyond budget processes.

## **Recommendation**

*11.4.1 That Council adopt the attached Reserve Management Plans. (NOTE: due to large file size, Reserve Management Plans are distributed as independent documents and not included as attachments to this Agenda).*

**Cr Tim Hayes left the room at 10.12pm and returned at 10.16pm.**

## Motion

11.4.1 That Council adopt the attached Reserve Management Plans. (NOTE: due to large file size, Reserve Management Plans are distributed as independent documents and not included as attachments to this Agenda).

11.4.2 Jubilee Lake Reserve Management Plan, Page 7, Section 1.4.1 Vegetation and Conservation, middle column, paragraph 2, after “there are no rare or endangered species observed at the site” delete the remainder of the paragraph and insert the words **however some have been reported eg Grevillea ripens. Such plants should be sought, documented and protected.**

11.4.3 Jubilee Lake Reserve Management Plan, Page 22, Section 4.2 Trail Connections paragraph commencing “Provide bike lane” insert after word 6 **some of the way. Insert at the end of the paragraph Improved traffic management and bicycle and rail trail and pedestrian access should be encouraged.**

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

## **11.5 LINDSAY ARTS TRAIL**

(Action Officer – General Manager Community Development)

File Ref:

### **Introduction**

This report provides Council with an update regarding the development of the Lindsay Arts Trail project in Creswick. In particular the report requests that Council consider the allocation of specific financial resources for the continuing development of the project as part of Council's 2010/2011 budget process.

### **Background**

The Lindsay Arts Trail is a project the Creswick community has long been the driver for. The proposed Trail is focused upon building the economy of Creswick and the region through developing a distinctive tourism feature, which will highlight and celebrate Creswick's unique heritage. It is a project which has strong community support and is recognised as a unique opportunity for the community to both acknowledge its history and to build the economic and tourism features of the township.

The focus of the Trail is upon celebrating the unique cultural heritage of Creswick through the development of an interpretive heritage walking and cycling trail themed around the Lindsay family of artists, who resided in Creswick.

Eighteen sites are proposed, covering a two kilometre loop in the township. The Trail sites have been selected to assist in telling the story of Creswick's heritage, the Lindsay family's life in Creswick and how the township is reflected in or may have influenced the works of the Lindsay family.

The Trail sites will be marked or featured through a combination of commissioned art works, interpretive signage, landscape design and low key markers. The elements proposed for each site will be influenced by the stories associated with each site, the size and capacity of each site, the availability of copyrighted works and publications and the funding available for the project.

A key feature of the Trail will be the Magic Pudding Playground which has received funding through the Victorian State Government for stage one of the playground. The playground is to be developed using features and themes from Norman Lindsay's book *The Magic Pudding*. This element of the Trail has attracted great community interest and it is hoped funding will be achieved for a further three stages of development proposed for the playground.

## Report

The purpose of this report is to provide an update about the work which has been completed in the development of the project to date and to identify the way forward for the project.

Significant work has been undertaken in the development of the project. To date this has included:

- The establishment of both internal and external working groups for the project,
- The development of Terms of Reference for the project and signing off by all parties,
- Obtaining a formal commitment to the project from identified partner organizations in Creswick ie: the Creswick Museum, CDDA, Creswick Business Group, the Creswick Visitor Interpretative Centre, the Creswick Historical Society,
- Regular contact, engagement and meetings with the external working group to gather information, workshop particular issues such as the proposed sites, identify emerging issues and ensure a continuing strong partnership between Council and the community for this project,
- The preparation of an initial briefing paper for Council in June 2009,
- Seeking advice from a solicitor specializing in moral rights and copyrights,
- Commencing the identification of possible links and connections between the proposed trail and other tourism, economic development, marketing and community events, resources and infrastructure,
- The development of a short information package for possible stakeholders in the project eg: individuals and organisations holding copyright, government departments etc,
- Establishing contact with and sending information to the Lindsay family (ie: Helen Glad – granddaughter of Norman Lindsay) about the proposed trail and the Magic Pudding Playground. Helen Glad and her siblings hold the copyright to Norman's literary and artistic works including the Magic Pudding story,
- The preparation of material for Helen Glad regarding access to copyrighted material for the Magic Pudding Playground.
- A visit to the Bayside Coastal Arts Trail (Sandringham area) and the Baywalk Bollards Trail in Geelong by representatives from the external working group. The purpose of the visit was to experience the trails firsthand to learn about both the positive elements and less effective elements of each trail and consider how these may be applicable or not to the proposed Lindsay Arts Trail. The information gathered from these visits and subsequent discussions with officers from Bayside and Geelong Council's has been developed into a briefing paper outlining the key learnings.
- The preparation of a document which provides a detailed assessment of each of the proposed trail sites. The assessment includes the following information:
  - The proposed level of the site in the hierarchy of sites,
  - The address,
  - The status of the land eg: privately or publicly owned,
  - The controlling body eg: Council as the committee of management,

- The zone the site is located within eg: Business 1 Zone (B1Z),
  - Any heritage overlay which may apply to the site,
  - The important aspects and significance of the site in the Lindsay family's life and the broader Creswick community
  - The stories about the Lindsay family associated with the site,
  - Any issues which will need to be considered about the site and may impact upon the inclusion of the site in the Trail eg: safety concerns, negotiating access to the site etc.
- The preparation of a draft '*Research Paper*' identifying the historic information and stories associated with each site.
  - Identification of the parcels of work required for the further development and implementation of the project.
  - A meeting with the Federal Minister for Tourism Mr Martin Ferguson by representatives from the external working group as part of the Community Cabinet held in Ballarat on 18 February 2010. The purpose of this meeting was to bring the project to the attention of the Minister. He indicated there was no specific funding available from the Federal Government presently, however made some suggestions about other possible funding sources.

The parcels of work required to further develop and implement the project are outlined below. These are listed in order of importance and reflect the progression from one stage to the next. A nominal timeframe has been identified in relation to the completion of each stage of works, however this will be impacted by funding availability.

Stage	Parcel of Work	Nominal Timeframe
Stage 1	Further research to augment the information and stories currently documented in the ' <i>Research Paper</i> '. <ul style="list-style-type: none"> <li>● This will provide the basis for the development of the story and narrative for each site and the Trail as a whole as identified in stage 2 below.</li> <li>● This work is largely being undertaken by the External Working Group with some support from Council officers and the project consultant.</li> </ul>	January to June 2010
Stage 2	Development of the Story / Narrative for each site and the Trail as a whole. <ul style="list-style-type: none"> <li>● This will provide the basis for the design of the Trail and individual sites identified in stage 3 below.</li> <li>● External skills and support will be required to complete this stage of works.</li> </ul>	2010/2011 financial yr
Stage 3	The design of the Trail and individual sites.	2010/2011

	<ul style="list-style-type: none"> <li>This will provide the basis for the construction of the Trail infrastructure identified in stage 4 below.</li> <li>External skills and support will be required to complete this stage of works.</li> </ul>	financial yr
Stage 4	<p>Construction of the Trail infrastructure.</p> <ul style="list-style-type: none"> <li>External skills and support will be required to complete this stage of works.</li> </ul>	2011/2012 – 2012/2013 financial yr
Stage 5	<p>The promotion, branding and marketing of the Trail.</p> <ul style="list-style-type: none"> <li>Both the stories/narrative and the Trail design will support this stage of works</li> <li>External skills and support will be required to complete this stage of works.</li> </ul>	2011/2012 – 2012/2013 financial yr

With the exception of ‘Research Paper’, each of these stages of work will require financial support to proceed. It is proposed that Council consider allocating financial support for stages 2 and 3 of the project in the 2010/2011.

Financial support would also be sought externally for these stages of works through funding programs offered by organisations such as Arts Victoria, Regional Arts Victoria, Tourism Victoria, Regional Development Victoria, Heritage Victoria and Museums Australia.

**Relevant Policies / Council Plan implications:**

Council Plan

**A More Prosperous Economy** – “We will help improve economic prosperity”

**Healthy Safe and Vibrant Communities** - “We will assist our residents improve the health, safety and vibrancy of our communities”

The Creswick Community Development Plan prepared in 2003 and later revised in 2009 provides an important backdrop to this project. A key focus of the plan was identifying and pursuing economic and social development strategies for Creswick to enhance the prosperity of residents and create greater community cohesion and co-operation. One strategy identified in pursuit of this focus was the development of a heritage / arts walking trail linking the main street and historic precinct with reference to the Lindsay family. The Lindsay Arts Trail project seeks to bring this strategy to fruition.



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

As indicated above an:

- External Working Party has been established primarily to provide advice and recommendations to Council about the project. In association with Council, the External Working Group will be the key point of reference for all projects and communications associated with the Lindsay Arts Trail;
- A community engagement strategy will be prepared to identify strategies for encouraging the community to be involved in and be informed about the progress of the project.

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

Currently Council officers with assistance from an external consultant, are undertaking the work required to progress the project including convening and facilitating the external and internal working groups. It is anticipated officer involvement in the project will continue and may change as the project progresses.

As identified above, specific financial resources will be required to proceed with stages 2,3,4 and 5 of the project, and it is proposed that Council consider allocating financial support for stages 2 and 3 in the 2010/2011 financial year.

The cost of stage 2 ie: the development of the narrative / stories for the Trail is estimated to be \$20,000. The cost of stage 3 ie: the design of the Trail and individual sites is estimated to be \$60,000.

As indicated above external funding will be sought to support stages 2 and 3 of the project. While the specific amounts that may be available through these external sources is variable, many funding programs require a dollar for dollar contribution. This suggests Council may need to consider budgeting for approximately half the cost of each stage.

## **Recommendation:**

- 11.5.1 That Council consider the allocation of \$40,000 for Stages 2 and 3 for Lindsay Arts Trail Project as part of considering the 2010/2011 budget.*

**Motion**

*11.5 .1 That Council consider the allocation of \$40,000 for Stages 2 and 3 for Lindsay Arts Trail Project as part of considering the 2010/2011 budget.*

**Moved: Cr Don Henderson**

**Seconded: Cr Bill McClenaghan**

**Carried.**

## 12 SUSTAINABLE DEVELOPMENT:

### 12.1 PETITION – GUN CLUB AT GLENLYON RECREATION RESERVE

(Action Officer – Environmental Health Officer)

File Ref: 50/06/03

#### Introduction

This report relates to a petition signed by thirty two residents of Glenlyon, objecting to the early start of shooting by the Gun Club at the Glenlyon Recreation Reserve (Refer Petition at Attachment 5). Residents have requested within the petition that the Gun Club abides by the Interim Gunshot Noise Guidelines of the Environmental Protection Authority (EPA).

#### Report

In response to the petition lodged by Pat Kermode on 14 January 2010 and presented at the February Council Meeting, further investigation has been carried out into the occurrence.

On Sunday 10 January 2010 the Glenlyon Gun Club hosted the National Championships at the Glenlyon Oval. The township was aware that this event was going to occur.

On the day itself, the organisers discovered that it was going to be 35 degrees Celsius and decided to start the competition 2 hours earlier to avoid the heat expected later in the day. This decision was made on the spur of the moment without thorough thought as to the effect on the surrounding neighbourhood. The Secretary of the Glenlyon Recreation Reserve Management Committee has been contacted and alerted to this oversight and has given assurances that next year they will act in a manner consistent with their obligations under the Gunshot Noise Guidelines and take into account community expectations. The Committee will be approached in writing to formally confirm this understanding and direction.

Council should be aware that the quoted sections of the EPA on the petition refer to a 1991 EPA document that acts as non mandatory guidelines only. A copy of the *Interim Gunshot Noise Guidelines* and *Using the Gunshot Noise Guidelines – EPA Publication 920 – October 2003* have been attached for your information (Refer Attachment 6)

### **Relevant Policies**

Not applicable

### **Financial Implications**

Not applicable

### **Recommendation**

*That Council:*

- 12.1.1      *Receive and note the petition.*
  
- 12.1.2      *Write to the Glenlyon Recreation Reserve Management Committee advising them of the requirements to be followed under the Environment Protection Authority's Gunshot Noise Guidelines.*
  
- 12.1.3      *Write to the Gun Club advising them of the requirements to be followed under the Environment Protection Authority's Gunshot Noise Guidelines.*
  
- 12.1.4.      *Write to Pat Kermode, the initiator of this petition, advising her of Council's action in relation to this petition.*

### **Motion**

*That Council:*

- 12.1.1      *Write to the Glenlyon Recreation Reserve Management Committee advising them of the requirements to be followed under the Environment Protection Authority's Gunshot Noise Guidelines.*
  
- 12.1.2      *Write to the Gun Club advising them of the requirements to be followed under the Environment Protection Authority's Gunshot Noise Guidelines.*
  
- 12.1.3.      *Write to Pat Kermode, the initiator of this petition, advising her of Council's action in relation to this petition.*

**Moved:**      **Cr Jon Barrell**

**Seconded:** **Cr Rod May**

**Carried.**

**Attachment 6**  
**Item 12.1**

cc: K Connick  
All Cllrs

HEPBURN SHIRE COUNCIL

File No: 50106103

Rec'd Date: 18 JAN 2010

Rec'd By: (RS)

Action By: E Wright

Reg No:

Hepburn Shire Council  
Vincent Street,  
Daylesford Vic 3460  
14-1-2010

Dear Councillors,

On Sunday 10<sup>th</sup> January 2010 the Gun Club using Glenlyon Recreation Reserve started their shooting at 7:50 am. While local residents generally tolerate the monthly Saturday shoots, the noise of shooting so early on a Sunday morning was very disturbing to a lot of people, It was also against the EPA's 'Interim Gunshot Noise Guidelines' which state:

*"Shooting shall be restricted to the following hours:*

*Monday - Saturday 9 a.m. - 10 p.m.*

*Sunday 12 noon - 10 p.m."*

and

*"The 9am start is consistent with the time limits in other standards. Sunday morning shooting is prohibited as this is shown by research data to be a particularly sensitive time for residents exposed to this sort of noise."*

[EPA Publication N 6/91 - Requirements 2. (p2) & Explanatory Notes: Time limits (p3)]

Please find the attached petition signed by 33 people who were disturbed by the Shooting in Glenlyon on Sunday. We would like the Hepburn Shire Council to ensure that the Gun Club using the Glenlyon Recreation Reserve abides by the 'Interim Gunshot Noise Guidelines' of the EPA.

Yours sincerely,



Pat Kermode  
330 Toris Road Glenlyon  
PO Box 42, Daylesford 3460  
5348 7725

We, residents of Glenlyon wish to object to the early start of shooting by the Gun Club at Glenlyon Recreation Reserve.

We would like the Hepburn Shire Council to ensure that the Gun Club abides by the 'Interim Gunshot Noise Guidelines' of the EPA which states:

"Shooting shall be restricted to the following hours:

Monday - Saturday 9a.m. - 10 p.m.

Sunday 12 noon - 10p.m."

and

"The 9am start is consistent with the time limits in other standards. Sunday morning shooting is prohibited as this is shown by research data to be a particularly sensitive time for residents exposed to this sort of noise."

(N 6/91 - Requirements 2. & Explanatory Notes: Time limits)

NAME	ADDRESS	Comments
Pat Keemala	330 Tomis Rd Glenlyon	Too early on a Sunday! Peace shattered!
ERIC FAH	LOT 14 TOMIS RD GLENLYON	
D JOHNSON	58 SUTTONS LN.	
TRISH HENDERSON	58a Suttons Lane Glenlyon	
PETER SAHO	39 DYSART ST GLENLYON.	1
MARION CRE	39 Dysart St Glenlyon	
ELIZABETH SWAN	20 REGENCY LANE GLENLYON	
SARAH MICKLEWRIGHT	39 COLLINS RD GLENLYON 3461	No prior warning normally once a month on a Saturday
Anne Dobbs Rudi Flink	10 MORTON ST Glenlyon.	Normally O.K. but last Sunday's early start was a bit much.
LARA PEAK.	14 MORTON STREET Glenlyon 3461.	you woke me up after late night shift.
Carolyn O'Dwyer	34. Barkly ST Glenlyon 3461.	Very noisy Very Early on 9 Sundays
Cate Tischler	20 Dinglesford Glenlyon 3461.	



We, residents of Glenlyon wish to object to the early start of shooting by the Gun Club at Glenlyon Recreation Reserve.

We would like the Hepburn Shire Council to ensure that the Gun Club abides by the 'Interim Gunshot Noise Guidelines' of the EPA which states:

"Shooting shall be restricted to the following hours:

Monday - Saturday 9a.m. - 10 p.m.

Sunday 12 noon - 10p.m."

and

"The 9am start is consistent with the time limits in other standards. Sunday morning shooting is prohibited as this is shown by research data to be a particularly sensitive time for residents exposed to this sort of noise."

(N 6/91 - Requirements 2. & Explanatory Notes: Time limits)

NAME	ADDRESS	Comments
Le COUGHLIN	MOLESWORTH ST Glenlyon	NOISE STARTS TOO EARLY!
C. Clifton	Barkly St Glenlyon	just too early!
R + V DALY	2 BARKLY ST GLENLYON	Really
P. WALSH	PLANTATION RD GLENLYON	TOO EARLY! TOO LOUD!
Selma Walsh	Plantation Rd Glenlyon	Too early Too loud - Distressing Noise pollution
GARY HOLLINGWORTH	8 PLANTATION RD GLENLYON	NOT SUNDAY MORNING!
Therese McNulty (+ Cathy)	22 Plantation Rd. Glenlyon	Too early on a Sunday morning. Very loud; it echoes down through our road.
AAnn Smyk	22 Plantation Rd. Glenlyon	We phoned police (Lute-police officer) at 1/4 to 9 to see if they would do something about it.
Debora	20 Plantation Rd Glenlyon	it.
Till de Vos	48 Dysart St Glenlyon	Noise too early
Shelley Beer	48 Dysart St Glenlyon	Noise came here for quiet
Jo Reed.	22 MORTON ST Glenlyon	TOO EARLY



We, residents of Glenlyon wish to object to the early start of shooting by the Gun Club at Glenlyon Recreation Reserve.

We would like the Hepburn Shire Council to ensure that the Gun Club abides by the 'Interim Gunshot Noise Guidelines' of the EPA which states:

"Shooting shall be restricted to the following hours:

Monday - Saturday 9a.m. - 10 p.m.

Sunday 12 noon - 10p.m."

and

"The 9am start is consistent with the time limits in other standards. Sunday morning shooting is prohibited as this is shown by research data to be a particularly sensitive time for residents exposed to this sort of noise."

(N 6/91 - Requirements 2. & Explanatory Notes: Time limits)

NAME	ADDRESS	Comments
Sophie Shewell	34 Morton St Glenlyon	<del>FE</del>
Jackie Coates	24, Barkly St Glenlyon 3461	Too early on a Sunday
PAULA CARLON	24, Barkly St Glenlyon 3461	Noise pollution at 8.00 AM ON Sunday 10 <sup>th</sup> JAN
DEE BRISCOMB	38 MORTON ST GLENLYON	Too much!
ANDREW ARZOPARDI	85 GAYS Rd, Wheatsheaf 3460	Too early no thought for nearby locals
Donna Kelly	17 Barkly St Glenlyon	Too early, too noisy
Kyle Barnes	17 Barkly St, Glenlyon	Sunday morning is for rest.
SANDRA MELEN	11 BARKLY ST. GLENLYON	no more Sunday

**Attachment 7**  
**Item 12.1**



## Interim Gunshot Noise Guidelines

26 February 1991

N 6/91

### INTRODUCTION

#### Nature of the Problem

Gunshot noise is loud and intrusive, with an impulsive character that increases annoyance. At high levels it can cause a startle effect which is disturbing to human beings.

A substantial buffer is required for outdoor shooting ranges to ensure nearby residential areas are not unduly affected. This buffer may need to be several kilometres if no other noise control measures are employed.

Shooting ranges generally need to be located in rural or semi-rural areas because of the substantial buffer required. Often the very nature of the area will attract people to settle who are seeking peace and quiet. For new ranges, the nature of the area means that residents wishing to maintain the high amenity of their environment will be sensitive to any change which could affect their quality of life.

The large distances affected by shooting noise means the establishment of a range will have significant local planning effects with the proposed uses of even distant land, at present and in the future, having to be considered.

#### Application

These guidelines establish a standard for the proper consideration of noise emissions from proposed shooting ranges and resolution of noise problems with existing ranges. They will be used by EPA in assessing noise complaints and as a basis for advice in planning matters.

Planning authorities may impose more stringent conditions than specified in these guidelines if local conditions warrant.

#### REQUIREMENTS

1. The Gunshot Noise Level (measured as dB(A)) shall not exceed the noise limit in a noise sensitive area. The noise limit is either the limit specified in Tables 1 and 2 for the appropriate number of days of operation per week or the limit based on the background sound level if it is shown to be high.

TABLE 1 NOISE LIMITS - EXISTING RANGES

Days of shooting per week		< 1	1	2	3-5	6-7
Day	Monday - Saturday	80	75	70	65	60
	Sunday	75	70	65	60	55
Evening	Monday - Saturday	75	70	65	60	55
	Sunday	70	65	60	55	50

TABLE 2 NOISE LIMITS - PLANNED RANGES

Days of shooting per week		< 1	1	2	3-5	6-7
Day	Monday - Saturday	60	55	50	45	45
	Sunday	55	50	45	45	45
Evening	Monday - Saturday	55	50	45	40	35
	Sunday	50	45	40	35	35

Note: In Tables 1 and 2 "< 1" means shooting on no more than one day per month.

## High Background Sound Level

The background sound level is considered to be high if it is no more than 10 decibels below the tabulated limit for the day period or no more than 5 decibels below the tabulated limit for the evening period. In this case the limit is:

Day: Background sound level + 10,  
if this is greater than the tabulated limit; and

Evening: Background sound level + 5,  
if this is greater than the tabulated limit.

2. Shooting shall be restricted to the following hours:  
Monday - Saturday 9 a.m. - 10 p.m.  
Sunday 12 noon - 10 p.m.

## MEASUREMENT

### Gunshot Noise

1. Noise from the shooting range shall be measured outdoors in a noise sensitive area, which is generally a residential premises (or residential land), but includes a residential hotel or motel, a hospital, caravan park, or any similar premises where the long-term amenity of people may be affected.
2. The measurement point should be within 20 metres of the most-exposed external wall of the affected building on the premises.
3. The measure of the noise level of each shot shall be the maximum level of the A weighted sound level using the 'I' (Impulse) time-weighting.

The Gunshot Noise Level is the logarithmic average of a number of shots as follows:

$$\text{Gunshot Noise Level} = 10 \times \log_{10} \left( \frac{\sum 10^{L_i/10}}{N} \right)$$

where  $L_i$  is the maximum level of the  $i^{\text{th}}$  gunshot measured in dB(A) and  $N$  is the number of shots measured.

4. The level shall be determined as the average of at least 40 individual gunshot measurements or the average over a period of 30 minutes, whichever occurs first.
5. The assessment of noise should be made when weather conditions favour the propagation of sound from the range to the measurement point.

### Background Noise

6. The background sound level shall be measured as the level exceeded for 90 percent of the time interval considered, using the 'A' frequency-weighting and the 'F' (Fast) time-weighting, ie  $L_{A90}$ .

A suitable equivalent measure is the average of the minimum meter deflections using a hand-held sound level meter.

7. The background sound level should be measured at such a time that the measured level is representative of the background level in calm to low-wind conditions with no rain.

The measurement should be made over a period of at least 15 minutes. Ideally the measurement should be made over the entire Day or Evening period (or that part of the period for which the range is used) so that an average hourly  $L_{A90}$  background can be determined for each period.

## DEFINITIONS

In these guidelines the following definitions apply:

"Background sound level" means the sound level measured in the absence of gunshot noise or other intruding noise. See measurement section.

"Days of Shooting Per Week" means, in tables 1 and 2, in any week the number of days of shooting, except that "< 1" means shooting occurring at a maximum of one day per month. Where shooting occurs during both the Day period and the Evening period on a single day it shall be regarded as two days of shooting.

"Day" means 9 a.m. - 6 p.m. Monday to Saturday, and 12 noon - 6 p.m. Sunday.

"Evening" means 6 p.m. - 10 p.m. on any day.

"Existing range" means any shooting range which is not a planned range.

"Gunshot Noise Level" is the logarithmic average of the A-weighted sound levels of a series of gunshots measured using the I time-weighting. See measurement section.

"Planned range" means-

- (a) any shooting range not in operation prior to the date of these guidelines or;
- (b) any shooting range that has been the subject of EPA consideration before its commencement.

Also, a major extension of an "existing" range should be treated as a planned range. This would include a physical extension to the range use or a significant increase on shooting frequency.

"Shooting range" means any rifle, pistol or shotgun range whether used for sport/recreation or for firearms training or practice.

# Interim Gunshot Noise Guidelines

## EXPLANATORY NOTES

### INTRODUCTION

The guidelines consist of four parts: Introduction, Requirements, Measurement, and Definitions. The **introduction** gives some background to the nature of the problem of noise from shooting ranges. The **requirements** section sets out the noise limits and the allowed operating hours. The **measurement** section sets out the methods of measurement and the conditions under which a measurement should be made. The **definition** section defines some significant terms used in the guidelines.

It should be noted that the information in the "measurement" and "definitions" sections of the guidelines forms an integral part of the guidelines, as it significantly effects the interpretation of the "requirements" section.

### Requirements

The guidelines limit noise levels as well as operating times.

### NOISE LIMITS

The noise limits are specified in paragraph 1 which includes Tables 1 and 2 and a part setting out modifications based on background noise levels. The limits vary with the number of days of shooting per week, the day of the week, the time of day and the background noise level.

Generally, the limits are 5 decibels lower for a Sunday compared to other days of the week, 5 decibels lower during the evening compared to the day, and 20 decibels lower for planned ranges compared to existing ranges.

The meaning of the term "Days of shooting per week" is important and is described in the definitions section. It means the number of days shooting in any particular week, not the average.

For example, an "existing" range shooting on both Saturday and Sunday every second weekend would be regarded as shooting on 2 days per week, so the noise limit on the Saturday during the day would be 70 dB(A)l.

An exception is the category "< 1" days per week of shooting. This means shooting at a maximum of one day per month. For example, a planned range shooting on the first Sunday of each month only would attract a noise limit of 55 dB(A)l during the day. If the range were shooting on the first and third Sundays of each month (once a fortnight) it would then be classified the same as 1 day of shooting per week under the guidelines and the noise limit during the Sunday day period would be 50 dB(A)l

Also, shooting during both the day and evening on the same day is regarded as being 2 days of shooting per week.

All the limits specified in tables 1 and 2 are modified by the background noise if it is significant.

Background noise is noise at the assessment point not from shooting noise. Generally this means traffic noise, animals (insects, dogs, frogs etc), wind in trees and other natural noises. If the background noise is relatively high compared to the noise limit specified in the tables then the limit is raised based on the measured level of the background noise.

For example, for a planned range shooting on two days per week the noise limit specified in Table 2 on Saturday is 50 dB(A)l during the day. If the background sound level is measured as 45 dB(A) then the limit is the Background sound level  $+10 = 55$  dB(A)l since this is greater than the tabulated limit.

### TIME LIMITS

The guidelines recommend time limits for the operation of shooting ranges. On Monday - Saturday the hours are 9 a.m. - 10 p.m. On Sundays the hours are 12 noon - 10 p.m. These times are specified to limit operations to times when shooting noise is tolerable.

Beyond 10 p.m. noise will intrude into sleeping hours. The 9 a.m. start is consistent with the time limits in other standards. Sunday morning shooting is prohibited as this is shown by research data to be a particularly sensitive time for residents exposed to this sort of noise.

### MEASUREMENTS

#### Gunshot noise

1. This paragraph specifies where the measurement should be taken when the noise assessed. The premises is normally a residential premises, but could be any other type of premises where people may suffer long-term exposure. The guidelines don't protect people at work or passers-by.

2. The measurement is made outdoors and within 20 metres of the wall of the building which has the most noise impinging upon it. The measurement would not be done at the boundary of a large residential block, for example, unless a house is constructed within 20 metres of the boundary. Also, the measurement would not be done on the opposite side of the house from the shooting range.

3. This paragraph describes the sound-level meter settings to be used when measuring gunshot noise. The 'I' (Impulse) setting is used especially to measure impulsive type noise such as gunshot noise. The level measured is the maximum level and may be observed directly on the meter, or a maximum-hold feature on the meter may be used. The 'I' setting on a sound-level meter allows the indicated level to rise very quickly after the gunshot and then fall very slowly so the maximum level can be observed.



4. The number of individual measurements to be averaged should be at least 40, however, if there are no more than 40 shots in a 30-minute period then the Gunshot Noise Level is the average of the noise level of all the shots occurring within the selected 30-minute period.

5. This paragraph describes the conditions under which the gunshot noise measurements should be made. Noise levels at the assessment point will depend significantly on the weather conditions, especially over long distances. Wind blowing from the measurement position to the range may make noise inaudible, but on still days or with wind blowing towards the measurement point, noise levels may be quite high and cause a noise problem.

The measurement should be made when weather conditions favour noise propagation to the measurement point. These conditions are when there are still conditions or a slight breeze from the range to the measurement point.

If measurements are made under other conditions, the measurements should not be interpreted as the worst-case scenario and may need to be repeated.

#### Background noise

6. This paragraph sets out the method of measurement of background noise. The measurement is made using the "A" frequency-weighting scale and using the "F" ("Fast") time-weighting. It should be noted that this is slightly different from the measurement of the gunshot noise where the "I" ("Impulse") time-weighting is used.

The noise level determined is a special average, the  $L_{A90}$ , which is determined by sampling the background sound level over a specified time and determining the level which is exceeded for 90 percent of the time. The background sound level is therefore a measure of the lower sound levels observed; it does not represent the peak noise level of a car passing or a bird chirping for example.

The measurement of the  $L_{A90}$  requires special equipment which may not always be available. The guidelines describe a suitable alternative method to determine the background sound level. Using a hand-held sound-level meter, the minimum meter deflections of the background sound are recorded and averaged arithmetically. This should give an accurate estimate of the background sound level provided an adequate number of samples is taken and the measurement is made under appropriate weather conditions.

7. This paragraph specifies that the background sound level measurement should be made under weather conditions with low to calm winds and no rain. High winds and rain can elevate ambient sound levels significantly, and these conditions do not represent normal conditions. To ensure a representative noise measurement the background sound level should be

measured over at least a day, and preferably a number of days to ensure suitable weather conditions.

If weather conditions are suitable then a measurement as short as 15 minutes is adequate.

#### DEFINITIONS

The definitions section defines some of the terms used in the guidelines. Most of them are straight forward, but a number have a significant effect on the interpretation of the guidelines.

"Days of Shooting Per Week" crucially effects the interpretation of tables 1 and 2. This term is defined as "in any week, the number of days of shooting". This means that if shooting occurs say two times per week, but only on six weeks of the year, then the noise limit is based on 2 days per week of shooting even though the average days of shooting is less than once per week.

The exception is "< 1" (days per week) which means more than one day of shooting per month. See the requirements section of these notes for some examples.

Shooting occurring during both the Day period and Evening period on a single day is considered to be two days of shooting. This recognises that a long period of continuous shooting will cause extra annoyance and this part of the definition indirectly provides for a lower noise limit for "all day" shooting.

"Planned range" is an important definition because of the significant difference between the noise limits specified for planned and existing ranges. A planned range has more stringent limits than an existing range.

Any range that commences operation after these guidelines were published is a planned range. Also any range where EPA has made recommendations concerning noise emissions before that range's operation is also a planned range. This second part of the definition covers ranges currently operating that may have already been assessed by EPA under previous guidelines or where the operator has been given direct advice by EPA concerning noise emissions.

For an "existing" range that undergoes significant expansion, the expansion should be treated as a planned range and meet the more stringent noise limits. For example, an existing pistol club that wished to establish a clay-target (shotgun) range would need to ensure that the new range met the limits for a "planned" range. Also a rifle range wishing to increase significantly their frequency of operation (from once per month to once per week for instance) would need to reduce noise levels to the "planned premises". This may be a significant undertaking requiring earthworks for noise barriers, enclosures, or reorientation of shooting directions.

## USING THE INTERIM GUNSHOT NOISE GUIDELINES

Publication 920

October 2003

Gunshot noise can be disturbing and annoying to human beings. As such, buffering and noise control measures are needed to ensure that outdoor shooting ranges do not affect amenity. In 1981, a study was performed by the National Acoustic Laboratories to determine the community impact of a rifle range in Sydney. Building on the results of this and other studies, EPA Victoria developed the Interim Gunshot Noise Guidelines for existing and planned ranges in Victoria.

The guidelines provide non-mandatory criteria to assist council planners and parties wishing to establish new ranges; helping to formulate a basis for the proper consideration of noise emissions. This information is useful in preventing and resolving local planning issues. The guidelines can also be used in assessing noise complaints about existing ranges and helping to determine acceptable outcomes in relation to shooting range noise. It is important to understand that the guidelines are not a part of law. They exist to guide planners and shooting range proponents. The aim with new shooting range developments must be to achieve acceptable outcomes; it is possible that the responsible authority may consider that acceptable outcomes can be achieved, even though the guidelines may not be met. In deciding to vary from the guidelines, the fundamental considerations are whether shooting noise will be annoying,

unreasonably intrusive or disturb sleep during normal sleeping hours.

This information bulletin supplements the guidelines by providing advice to shooting range applicants, as well as Local Councils. An example on how the guidelines can be used in the planning process is also provided.

This information bulletin should be read in conjunction with the explanatory notes attached to the guidelines. The explanatory notes provide further advice as to noise levels, as well as both gunshot and background noise measurement.

### 1. ROLE OF COUNCIL

In considering a planning permit application, one of Council's roles under its planning scheme is to decide whether the proposal will produce acceptable outcomes. In doing so, Councils must consider a range of likely impacts, including environmental factors such as impacts on soil and water quality, and by the emission of noise, dust and odours.

The purpose of the *Interim Gunshot Noise Guidelines* is to assist Council in their decision-making when considering whether the potential noise impact of a proposed outdoor shooting range is acceptable or

not. The guidelines can be applied with discretion; councils may even impose more stringent conditions on planning permits than those specified in the guidelines.

It is important to note that the guidelines themselves cannot automatically be used as a design standard or an enforcement tool.

## 2. ROLE OF APPLICANT

In applying for a planning permit for an outdoor shooting range, an applicant needs to detail all of the potential impacts of a proposal, including the level of compliance with the guidelines. Applicants should take a pro-active attitude towards seeking community input before and after submitting a proposal.

Open discussion is critical to successful planning, ensuring that key issues for consultation are raised early in the process. Even if no potentially contentious issues are raised, independent testing by a qualified acoustic consultant is still recommended.

## 3. EXAMPLE APPROACH TO THE APPLICATION PROCESS

This example illustrates relevant considerations in using the guidelines. Each application involves unique circumstances that may not be covered by this example.

**Scenario:** An applicant wishes to establish a new rifle range in the outskirts of a major Victorian city. The area chosen is sparsely populated and is currently designated as a rural zone.

### Before submitting the application

Before a final site is chosen, the applicant informally approaches Council planners, to determine:

- whether potential sites are prohibited or constrained;
- the most appropriate site in the area, with a view to current and possible future zoning and development;
- relevant Council concerns (and potentially those of the community);
- the Council's planning scheme provisions and application process.

The applicant also talks with local residents near sites under consideration to determine likely impacts and issues residents might have with the proposal. The applicant then reviews the application (or even the proposed site) in terms of addressing any concerns raised by local residents. An example may be concerns expressed about tranquillity when the community population is boosted by weekend occupants. Community concerns may (for example) centre on the timetabling of shooting days and times, or the availability of noise-free sensitive days, rather than just strict decibel adherence.

Awareness of local needs helps produce acceptable local amenity outcomes and helps to prevent misunderstandings and problems, which may complicate the planning process.



The applicant hires professional consultants to advise on the planning processes, and to assess potential noise impacts on nearby residents.

Professional consultants can arrange noise testing, to help determine the appropriate level of operation for the rifle range based on the noise thresholds outlined in the Guidelines.

In this case the acoustic consultant determines that at the worst-affected residence, levels of 53 dB(A) would be reached, even after careful choice of range orientation and shooting enclosures to reduce noise impact. If the applicant's proposal is to operate the rifle range two days per week, being every Friday and Saturday, the interim guidelines which set 50 dB(A) as the criterion would be exceeded. After discussing the issue further with local residents the applicant may decide to proceed with the application but make some changes to the proposed operating frequency to provide some noise-free Saturdays and offer to provide a yearly schedule to residents to give some certainty about operating days and times.

### **Application submission and evaluation**

The Council is familiar with local conditions (including the fact that some houses are in the vicinity of the proposed rifle range), and decides to advertise the planning application, as it believes noise and other issues may affect residents and their input to council is needed.

During the advertising period, members of the community are able to lodge submissions to Council concerning the proposed operation of the range.

Some residents may still decide to object or make a submission to the proposal even though the applicant consulted them before submitting the application and made some changes which they felt could address the issues identified.

In evaluating the application, the Council consults the guidelines and considers the degree of compliance documented in the application. While the application in this case doesn't technically comply with the guidelines and there are some objections regarding potential noise impact. This alone would not determine the outcome of the application as the guidelines are not mandatory but are designed purely to assist Council in their decision-making.

The Council considers the interim guidelines as part of the assessment of whether acceptable amenity outcomes can be achieved. The Council planner will consider a range of issues including social impacts, economic benefits, whether further noise control works are possible, the frequency and predictability of disturbance, the nature of the area in terms of likely amenity expectations etc. Council officers may suggest a test shoot to directly assess the impact of a range of noise levels.

### **Consultation**

The aim of consultation should be to achieve an acceptable outcome to all parties. If an applicant has shown openness both prior to and during the application process, residents and other interested parties may be more likely to negotiate directly with the applicant, if necessary with the help of Council as a mediator.

During consultation, areas of disagreement may arise and the solutions or outcomes achieved may vary between applications. In some circumstances parties may agree to more frequent operating days in some weeks, with reduced days in others. Whilst in other circumstances parties may agree to some exceedance of the noise criteria in lieu of some noise free days / weekends. For example, residents may make it clear that they prefer no shooting on Saturdays. Alternative arrangements should be considered in an effort to gain a compromise. For example, the parties may agree that an extra weekday of shooting could be allowed in lieu of the weekend, or the range could operate 1 weekend a fortnight.

Both the applicant and objectors should be encouraged to put forward alternative solutions, which may be more or less prescriptive than the guidelines but are focussed on achieving acceptable amenity and operational outcomes for all parties.

In some circumstances agreement may not be reached if parties are too far apart. Ultimately Council will need to determine whether an acceptable outcome can be achieved.

### **Council's Decision**

After consultation, the council must decide whether a planning permit should be issued or not. The council may decide to grant a permit having come to a solution that is possibly more flexible than the guidelines, maximises economic development, while adequately addressing community concerns. Alternatively, if the council considers that the amenity loss to the community is too significant then they may decide to refuse the application.

In the event that no objections are received to the application, Council must still determine whether an acceptable outcome can be achieved.

### **4. MORE INFORMATION**

For more information visit the EPA website at [www.epa.vic.gov.au](http://www.epa.vic.gov.au) or contact

EPA Information Centre  
Herald and Weekly Times Tower  
Podium Level  
40 City Road  
Southbank Vic 3006  
Phone (03) 9695 2722  
Fax (03) 9695 2780

### **13. INFRASTRUCTURE**

**Nil Reports.**

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

(A/O – General Manager Corporate Services)

File Ref: Various

#### **Introduction**

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

#### **Report**

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

- Minutes of the Clunes Lee Medlyn Complex Committee meeting 2 December 2009  
File No: 1/0320/00070
- Minutes of the Lyonville Hall Committee meeting 20 January 2010 File No:  
4/0860/00600
- Minutes of the Glenlyon Recreation Reserve Committee meeting 20 January 2010  
File No: 5/6810/00800

#### **Relevant Policies**

Nil

#### **Community Engagement**

Members of the community are represented on these committees.

#### **Financial Implications**

#### **Recommendation**

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

**Motion**

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

**Moved: Cr Don Henderson**

**Seconded: Cr Tim Hayes**

**Carried.**

## **14.2 REQUEST TO EXTEND USE OF OLD CRESWICK VISITOR INFORMATION CENTRE**

(Action Officer – General Manager Corporate Services)

File Ref: 04/12/04

### **Introduction**

In September 2009, Council granted the Creswick Museum Committee of Management (the Committee) temporary use of the old Creswick visitor information centre building (VIC). Occupancy was granted until the 31<sup>st</sup> March 2010. The intended use was for the HeritageCare Project, and no tenancy fee was payable. The Museum Committee request an extension to that agreement.

### **Report**

With the pending renovation works to be undertaken in the Museum during April to August, the Museum Committee requires additional space to store exhibits and conduct its research facility. The VIC is sufficiently suitable and secure for this purpose in its current condition. It is also manageable for the Committee to relocate the necessary equipment and items there.

Should the Committee be required to vacate in accordance with the existing agreement, they will require alternate accommodation. The Committee has approached Council regarding possible use of the vacant caretaker's cottage attached to the Creswick Hall. That option would require Council approval for a similar temporary occupancy agreement. Additional funds and work would also be required to make the building sufficiently safe for use.

Once the study of Council properties is completed, and a strategy developed, Council will be able to determine the most effective long-term use of both the VIC and caretaker's cottage. If the Museum Committee is required to vacate on 31<sup>st</sup> March, it is likely the VIC would remain vacant pending the outcome of that study.

### **Relevant Policies**

Policy # 9 Council Owner & Controlled Property requires that appropriate written occupancy arrangements be in place. A signed copy of Council's letter detailing this temporary arrangement meets the requirement.

### **Community Engagement**

This is an extension to an arrangement granted by Council, and consistent with the provisions of the Local Government Act 1989 (the Act), Sect 191. No advertising is

required under the Act regarding the transfer, exchange or lease of land without consideration.

### **Financial Implications**

Under the existing arrangement, the Committee is responsible to pay pro-rata electricity and water charges. There is no direct cost to Council while the Museum occupies the site. There is an opportunity cost associated with potential lease income, but this is not budgeted.

### **Recommendation**

*14.2.1 That Council agree to extend the term of Creswick Museum Committee of Management's occupancy of the old Creswick information centre until 30 November 2010, or until a strategy is adopted for the building's long-term use, whichever occurs sooner.*

### **Motion**

*14.2.1 That Council agree to extend the term of Creswick Museum Committee of Management's occupancy of the old Creswick information centre until 30 November 2010, or until a strategy is adopted for the building's long-term use, whichever occurs sooner.*

**Moved: Cr Don Henderson**

**Seconded: Cr Rod May**

**Carried.**

**15. CLOSE OF MEETING** The meeting closed at 10.38pm.