



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

***DRAFT MINUTES***

***TUESDAY 21 DECEMBER 2010***

**TRENTHAM MECHANICS INSTITUTE  
HIGH STREET, TRENTHAM  
7PM**

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# Hepburn Shire Council Ordinary Meeting of Council



## **DRAFT MINUTES**

**TUESDAY 21 DECEMBER 2010**

TRENTHAM MECHANICIS INSTITUTE

High Street, Trentham

**Commencing 7PM**

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Ordinary Meeting of  
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A handwritten signature in black ink, appearing to read 'K. Conrick'.

**KAYLENE CONRICK**  
CHIEF EXECUTIVE OFFICER  
16 DECEMBER 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 7pm**

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

**IN ATTENDANCE:** General Manager Corporate Services Evan King, General Manager Community Development Martin Walmsley, General Manager Infrastructure Peter Reeve, General Manager Sustainable Development Robert Jennings.

### **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: Birch Ward Councillor Jon Barrell**

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

**Councillor Don Henderson declared a conflict of interest in Item 8.2 Creswick Ward Community Committee adoption of Revised Terms of Reference and Appointment of Community Members.**

## 5. CONFIRMATION OF MINUTES:

### OFFICER'S RECOMMENDATION

5.1.1 *That the Minutes of the Ordinary Meeting held 16 November 2010 , the Special Meeting held 23 November 2010 and the Annual Statutory Meeting held 13 December 2010 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

### MOTION

5.1.1 *That the Minutes of the Ordinary Meeting held 16 November 2010 , the Special Meeting held 23 November 2010 and the Annual Statutory Meeting held 13 December 2010 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

**MOVED:** Councillor Janine Booth  
**SECONDED:** Councillor Tim Hayes  
**CARRIED.**



## 6. PRESENTATIONS

### 6.1 PRESENTATION OF REPORTS

#### Mayor's Report

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

Local AGMs have featured in the last month. The Cornish Hill AGM equivalent which I chaired two weeks ago saw the election of the new committee if management.

The Friends of the Botanic Gardens was another well attended committee with new members elected including Gael Shannon as Chair.

The Daylesford Agricultural Show lunch with our then mayor Cr Booth and Catherine King, my daughter and Committee members was conducted in heavy rain but the opportunity to discuss the potential for agricultural promotion was valuable

The Daylesford Primary School Year 6 Concert and Awards was an eye opener and my pleasure in awarding the good citizenship award to Lucy Lindsay for having a positive attitude among other things was manifest

Mayors and CEOs Forum saw the election of our good employee and Ballarat Mayor Craig Fletcher to the Chair of that Forum. We discussed a number of rolling and new projects that the group have initiated including the transport strategy for the region and a planned presentation by ex Pyrenees Mayor David Clark to the new government regarding wind turbine farms. New State Government and Departmental arrangements were advised and information provided that promises made by the previous government for funding would probably be honoured by the new Minister provided they were made before the caretaker period.

Our own committees were also a destination this month. The Sustainability Committee and the Springs Reserve Committee saw close to full attendance with a variety of internal matters considered in addition to at least one recommendation to Council.

The Daylesford Highland Gathering in the presence of our then Mayor Booth was a stirring morning for all with breakfast served in the Chamber.

Not as stirring as our mediation with ATPM which saw a robust exchange, the results of which have been reported in the Bulletin by Mr King.

A brief moment with the lively discussion held in our library at our behest saw a good turnout and some equally robust opinions offered.

Offerings were in the air on the following day when in the company of Cr Booth, I attended the handover of some \$24,000 to the 12 land care groups in the region. They were very appreciative.

Community grants were equally appreciated only days before when I attended that forum.

Finally, I helped judge the Christmas window competition only begun this year and am pleased to announce that the Hepburn Springs Post Office took the 1st prize with a wonderful display.

### Councillor Reports

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

It is pleasing to report that after a decade of inaction, the Sword's Road Glenlyon road safety project is finished at last. Dangerous trees have been removed from the very edge of the carriageway, dangerous bends straightened out and realigned and the road widened and drainage improved. In addition, the trees have been stacked up to provide firewood to locals. Although effectively complete, some new road material will still be added in places.

The Glenlyon Progress Association met for the last time this year on Monday 6 December after another successful year. Numerous community events have been staged and works have commenced on the new kitchen at the hall with a building permit now in place. This project has been a partnership between the community, Council and the "Small Towns" program after the receipt of a "Small Towns" Grant.

On Wednesday 8 December, I attended a concert in the Drummond Hall given by the Drummond Primary School, the only school in Holcombe Ward. Numerous well rehearsed acts were presented together with songs in Italian as the school is an annex of Daylesford Primary where Italian is taught as a second language. And of course, Santa arrived to cap off a wonderful end of year event in this small community.

The school community and many local people are eagerly looking forward to the Drummond tennis court upgrade so that tennis can be played locally again. The school will use the court regularly and the Section 86 Committee is planning other additions to the site to make it more inviting and pleasant for locals to visit. Unfortunately all the rain and unseasonal bad weather has delayed works commencing on the court but we are hopeful that it will be completed early in 2011.

I also attended two community Christmas breakups in the last week; one with the Jim Crow Planning Group from Clydesdale, Yandoit and Franklinford and the other with the Glenlyon community at the local Reserve. All of these events demonstrate how Holcombe is a ward of small rural communities achieving amazing things and rich in “community capital”.

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

**Councillor Tim Hayes, Cameron Ward did not present a report.**

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

Through November/ December I attended:  
the Hepburn YIN meeting at DSC  
The Trentham VIC dinner  
Environmental Advisory Committee meeting  
Trentham Neighbourhood Centre CoM meeting

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

This report is an opportunity to report to Council on a number of events that I have attended during my last weeks of representation as Mayor.

Again I would like to thank Council for the privilege of representing the Hepburn Shire Council and thank those Councillors who supported me throughout my term as Mayor.

I was pleased to welcome the Governor of Victoria Professor David De Kretsa and Mrs. De Kretsa to Hepburn Shire to officially open the Clunes 150<sup>th</sup> Agricultural Show, unveil a plaque and bury a time capsule below a seat made from remnant timbers from the 5 mile creek old bridge that were disturbed and washed up by the recent floods.

The Clunes show is the only agricultural Show to be held continuously for 150 years and the celebrations and perfect day drew a large crowd and record entries and entertainment

I also attended the Daylesford Agricultural Show, where although the weather was not as favorable, the small hard working committee were pleased with the number of entries in events and I did have the pleasure of judging the Miss Show Girl competition and Master Show Boy competition – a high pressure and difficult task watched intently by proud parents and Grandparents.

I recently attended the unveiling of the 2<sup>nd</sup> Chinese Memorial monument with names of nearly 400 Chinese people buried within the Chinese section, Compartment 6 at the Creswick Cemetery. Many of the graves are unmarked and the memorials provide a

researched record of a large number of Chinese who made their home on the goldfields in the Creswick area between 1858 and 1923.

I attended the 59<sup>th</sup> Annual Daylesford Highland Gathering and Council provided a breakfast for the organizers and officials in the Council Chambers prior to the 29 competing Bands playing and marching up Vincent Street, a colorful and musical experience enjoyed by a large crowd of onlookers. The bands then competed for prizes and points at Victoria Park. Organizers are promising a Scottish spectacular for their 60<sup>th</sup> Birthday celebrations in 2011.

### **OFFICER'S RECOMMENDATION**

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

### **MOTION**

6.1.1 <i>That Council receive and note the reports of the Councillors.</i>
--

**MOVED:** Councillor Don Henderson

**SECONDED:** Councillor Sebastian Klein

**CARRIED.**

## 7. 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.

### 7.1. PETITIONS:

**Petition re Library Service in Trentham.**

#### **OFFICER'S RECOMMENDATION**

7.1.1 That Council receive the petition re Library Service in Trentham and that it lay on the table for one month and be brought to the Council Meeting on 18 January 2011.

#### **MOTION**

7.1.1 That Council receive the petition re Library Service in Trentham and that it lay on the table for one month and be brought to the Council Meeting on 18 January 2011.

**MOVED:** Councillor Sebastian Klein  
**SECONDED:** Councillor Janine Booth  
**CARRIED.**

## **7.2 QUESTIONS:**

Question 1: Submitted by Judy McLeod:

**We have had no official notification from either council or ATPM regarding the future of the caravan park.**

**3 years ago Council made the choice to give the lease to ATPM but 62 annuals & 2 residents have had to put up with the bullying, threats, and extremely bad management.**

**Would council please explain, why after almost 3 years of bad management and total disregard for the uniqueness of the park will you allow them to remain another 17 years?**

**The list of names below, are annuals and visitors who object to and have complaints about the management of ATPM.**

Answer by General Manager Corporate Services Evan King:

*A mediation session between Council and ATPM was held on 6<sup>th</sup> December 2010. The lease between Council and APTM provides that mediation be offered in the event it is required. At the request of APTM mediation was entered into by both parties. The contents of mediation are confidential and cannot be made public. The mediation was beneficial for both parties and will continue on an informal basis going forward.*

*ATPM have indicated they are willing to continue discussions to try and reach a solution and remain as managers of JLHP. Council expect JLHP to operate through the Jan holiday period as normal.*

*Council has a long term lease arrangement with APTM to manage JLHP. It is important that Council as the lessor allow APTM as the lessee to manage the operational functions of the park. APTM submitted to Council a business plan which was not accepted by Council at its July meeting. APTM and Council are now in discussions regarding compliance with regulations and registration.*

*It is expected that a conditional registration, that is subject to a statement of works to be determined and approved will be issued later this week.*

Question 2, submitted by Vincent & Ester Gilmore:

**Our concern is that atpm sell off the rest of their lease as they appear to be stalling for time to run short and then manipulate their terms to council? What assurance is their Jubilee Lake will remain open and our vans secure after the end of January? Signed Vincent and Esther Gilmore**

Answer by General Manager Corporate Services, Evan King:

*Council are working with APTM in an endeavour to secure the continued operation of the Park. Council has a legally binding lease with APTM that has 17 years remaining. Council is currently engaged in mediation with APTM that is ongoing. APTM have indicated they are willing to continue discussions and remain as operators of JLHP.*

Question 3, submitted by Bruce Whitton:

**Will Council give me an assurance that the Jubilee Lake Holiday Park, receive the necessary registration to continue for the term of the current lease. I understand this must commence 1st January 2011? As Corporate Management has failed will Council consider a Co-Op style Management and call a meeting of all on-site-holder to put forward a range of options.**

Answer by General Manager Corporate Services, Evan King:

*It is proposed that a conditional registration be given that is subject to a schedule of works primarily concerning fire protection, which may involve relocation of caravans, but details of works are yet to be agreed. Registration can only be for three years therefore cannot be for the remainder of the lease.*

## **8 OFFICERS REPORTS**

### **8.1 RENEWAL OF LEASE – VISDA GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the General Manager Corporate Services I have no interests to disclose in this report.*

#### **PURPOSE**

This Report addresses a request from Victorian Independent Speedway Drivers Association Inc (VISDA) to renew for a term of one year a lease of part of The Basin Recreation Reserve (Reserve).

#### **BACKGROUND**

The Reserve is Crown land and Council is the responsible land manager as committee of management.

The Reserve has been used since at least 1987 as a speedway racing track. The current 5 year Lease with VISDA with rent at \$5,000pa was entered into on the basis of 2 years x 2 years x 1 year from 1 October 2006.

When the current 5 year Lease was being considered VISDA had considerable debt – the lease was therefore structured as follows:

- first 2 years were allowed to address the debt which VISDA successfully did and it has since maintained payments to Council;
- second 2 year period was allowed to consolidate and address conditions for improvements VISDA offered and wanted to undertake; and
- final 1 year (to 30 September 2011) which is being sought was to review the use and decide whether a further longer term would be granted.

VISDA recently requested renewal of the Lease for the final year term and raised the prospect of a further 5 year term from 1 October 2011.

#### **ISSUE/DISCUSSION**

VISDA claims that Daylesford Speedway is about

- affordable racing as well as the joy and excitement of being able to race a car and
- provides an opportunity to get together with a bunch of mates and their families, having fun and doing your best.

When the Lease was renewed in 2008 VISDA requested specific changes to which Council agreed. No long term consequences or strong reasons to refuse



the changes were foreseen. The major changes altered Lease special conditions as follows:

***'providing a multi-purpose facility, the design, location and construction of which is to be undertaken in accordance with Clause 11.5 of the Lease'***

(Previously this clause mentioned a new canteen and merchandising area changes. Clause 11.5 prescribes how the tenant must undertake proposed works – consents, permits, supervision, plans/specifications, work standards, etc.)

***'constructing and maintaining a race track wall to a standard which is adequate for the category of speedway racing conducted at the Premises as the Permitted Use by the Tenant and which complies with NASR, Insurers and the Landlords requirements'***. (Previously this clause did not mention the wall as being adequate for the style of speedway activity conducted by VISDA – essentially the wall could be of a lower standard.)

There are other ongoing Lease requirements such as providing

- proof of insurance
- a risk management plan
- an events calendar (no clashes with other established events)
- annual reports
- timely payments and
- keeping the site clean and tidy

Lease Renewal -

At a meeting, (30 September 2010) Council staff and VISDA representative's, discussed the Lease renewal.

Administration, especially when it comes to meeting Lease provisions, has not been a VISDA strong point. Despite requests and reminders, it has only recently completed and provided a risk management plan. VISDA did not in 2008/09 or 2009/10 supply insurance certifications or annual reports, although these have also been supplied recently.

VISDA claims recent drought conditions as a major reason for not fulfilling other Lease obligations as funds were diverted toward water purchases to enable events to be run.

Multi-purpose Facility -

To fulfil the changed Lease condition VISDA purchased a transportable building and claims this as the first stage of its multi-purpose facility. It intends to

purchase a further transportable to double the multi-purpose space. In the long term, transportable buildings are probably preferable to a permanent building in the Reserve. This Lease requirement may be considered as being in progress of being met.

#### Events calendar -

VISDA is required to supply an events calendar in advance of each racing season. The 2010/11 events calendar indicates 23 club activities across junior development programs, 6 working bee days and full racing in Daylesford between 5 September 2010 and 24 July 2011.

#### Other Requests -

VISDA has made requests about improving driveway access, toilets, and extending public address times.

### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Under the Council Plan 2009-13 the VISDA activity may not be seen as a strong contender as a major drawcard event, but it can be seen as a recreation activity and with its junior driver development program an activity which promotes driver education and safety. The Speedway may not add significantly to visitor numbers, but with most competitors from outside the area it makes a contribution to tourism.

The Lease is granted under powers in the Crown Land (Reserves) Act 1979 and has received the responsible Minister's consent through the Department of Sustainability and Environment.

### **FINANCIAL IMPLICATIONS**

VISDA financial reports indicate a 2009 cash surplus of \$10,175 and a 2010 cash deficit of \$8,872.

Council receives \$5,000pa in rent. There is no recommendation to increase this amount.

### **RISK IMPLICATIONS**

Risk Management Plan -

A Risk Management Plan has now been provided.

#### Race Track and Wall -

Safety should remain a priority. VISDA has not constructed/improved a race wall or proven that basic existing part tyre walls are safety adequate for its type of racing. VISDA has indicated that existing circumstances meet the type of racing the club provides and does, however, claim to have spent \$6,600 on track improvements to reduce danger to drivers. Fire extinguishers have also been purchased.

Racing in recent drought times has thrown difficulties and extra cost at VISDA – especially providing adequate water for dust suppression and to maintain the track. VISDA advises that onsite water storage has been improved and a water pump was purchased.

#### Reports and Insurance -

VISDA must supply insurance details prior to race days and has provided outstanding insurance certificates. Insurance certificates appear to be in order.

#### Driveway access -

VISDA is required by its Lease to maintain the driveway access within the Reserve. Earlier this year Council spent some \$5,000 improving the driveway down to the race track, but VISDA maintains the material used has proved unsuitable. VISDA is asking that Council budget to upgrade access roads in the Reserve and it will seek matching funding from DSE. It is doubtful if funding for this purpose would be available.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

#### Noise -

VISDA was required to provide a new Neighbourhood Noise Level Assessment Report in 2008. The Report concluded, after measuring levels at noise sensitive areas on 9 March 2008, that noise levels were not excessive and were within EPA guidelines.

#### Public address -

Restrictions are imposed for use of public address amplification. VISDA has requested that the public address system restrictions be expanded for safety and efficiency reasons (organizing drivers and clearing the Reserve at the end of racing) from 12 noon – 5.30 pm on race days to 11am – 6pm.

#### Toilets -

There are two very basic toilet blocks at the Reserve and VISDA is required to maintain them. Council is asked for support to help the Club obtain funding to renovate these facilities.

#### Other matters -

VISDA is required to maintain the site and remove all rubbish and debris. The site is in reasonable condition although VISDA could probably do more to improve matters.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The proposal to extend public address hours was notified to 24 nearby occupying 'neighbours' of the Reserve. Four responses were received from those contacted. Three of those responses opposed the extension of the PA times.

#### References were made to:-

- the noise being *“extremely annoying”* and affecting holiday rental business impacting on guests quality stay
- the speedway noise being *“intrusive of our Sundays and any extension being most unwelcome”*
- with racing being concentrated in the warmer months it affects the enjoyment of outside activities
- the disturbance to the peaceful environment and amenity by noise emissions generated.
- the affected area being known for its *“quite landscape and harmony and not speeding motors, PA systems and car racing and speedway”*.
- growth and additional residential development in the area was referred to with suggestions that the use no longer fitted the location and it should be relocated.

The one person not opposing the extension of the PA times indicated

- no objection even though *“we are the closest neighbour to the speedway”*, but did express strong concerns about speeding in Basin Road and requested that speed restriction signs be erected.

In addition to the above responses, a letter opposing the time extension, indeed the whole activity, was received from another person who had knowledge of the proposal. This person was not directly contacted as they live beyond the

boundary selected for contact. The noise level was considered “*unacceptable and seriously interferes with our ability to enjoy outdoor areas of our homes*”.

## **CONCLUSION**

Council is required to firstly determine whether to renew the lease for 2010/11 considering the requests made and the several issues involved. Despite some tardiness by VISDA to supply required information, there is no significant reason not to renew the existing lease for the final 1 year term to 30 September 2011.

The second determination to consider in renewing the Lease is whether there should be an extension allowed for the PA system times.

The opposition to the extension of PA times should be acknowledged. From a practical point of view on timing, there are 8 race meetings in 2011 to be conducted where the extended PA times would apply. As the request is about improving safety and efficiency it may be reasonable to grant approval, in terms of the current season. An extension is not recommended.

VISDA has raised the question of a further long term lease from 1 October 2011. It would be timely therefore, to conduct a study into speedway activity at the Reserve, Reserve facilities - including access, and any other relevant matters with the view to deciding whether a further lease will be granted. A study would involve appropriate community consultation where no doubt many issues will be canvassed.

## **OFFICER'S RECOMMENDATION**

*That Council:*

- 9.3.1 approve, the renewal of the Lease of the Basin Reserve to VISDA for the period to 30 September 2011 subject to current terms and conditions;*
- 9.3.2 not approve the modification of the Lease to allow for extended public address times being from 11am – 6pm and emphasis to VISDA that it must operate strictly within its existing time limits, including for racing;*
- 9.3.3 refer to the 2011/12 Budget development process the undertaking of a study of the Reserve, its facilities and any other relevant matters with the view to determining its continued use as a speedway, such study to be completed by August 2011 with a report to Council to follow;*
- 9.3.4 advise VISDA that the study mentioned above will be undertaken with all stakeholders being given the opportunity for input; and*
- 9.3.5 request the General Manager Infrastructure to investigate and report on the matter of speed limits*

## MOTION

*That Council:*

- 9.3.1 approve, the renewal of the Lease of the Basin Reserve to VISDA for the period to 30 September 2011 subject to current terms and conditions;*
- 9.3.2 not approve the modification of the Lease to allow for extended public address times being from 11am – 6pm and emphasis to VISDA that it must operate strictly within its existing time limits, including for racing;*
- 9.3.3 refer to the 2011/12 Budget development process the undertaking of a study of the Reserve, its facilities and any other relevant matters with the view to determining its continued use as a speedway, such study to be completed by August 2011 with a report to Council to follow;*
- 9.3.4 advise VISDA that the study mentioned above will be undertaken with all stakeholders being given the opportunity for input; and*
- 9.3.5 request the General Manager Infrastructure to investigate and report on the matter of speed limits*

**MOVED:** Councillor Sebastian Klein  
**SECONDED:** Councillor Bill McClenaghan  
**CARRIED.**

**Councillor Don Henderson left the Meeting at 7.41pm due to a Conflict of Interest.**

**8.2 ADOPTION OF REVISED TERMS OF REFERENCE AND APPOINTMENT OF MEMBERS - CRESWICK WARD COMMUNITY COMMITTEE (FORMERLY CRESWICK DEVELOPMENT COMMITTEE)**

**GENERAL MANAGER, COMMUNITY DEVELOPMENT**

*In providing this advice to Council as the Community Strengthening Manager, I have no interests to disclose in this report.*

**PURPOSE**

The purpose of this report is for Council to adopt new Terms of Reference and appoint members to the Creswick Ward Community Committee.

**BACKGROUND**

The current Terms of Reference for the Creswick Development Committee were adopted by Council in September 2006 when existing members were appointed for a term of three years.

The Secretary of the Creswick Development Committee wrote to Council in April 2010 requesting that Council review the Terms of Reference of the Committee and advertise for Expressions of Interest for membership of the Committee. The Committee also requested that its name be changed to the Creswick Ward Community Committee.

**ISSUE/DISCUSSION**

A review of the Terms of Reference was undertaken by Council officers in conjunction with members of the Committee in July 2010 and a call for nominations for membership of the Committee advertised on July, 2010. As only a small number of nominations were received and it was agreed to hold a Creswick Community Summit which aimed to:

- Identify the how community groups and individuals can work together to achieve the key priorities identified in the Creswick Ward Community Plan (2009-13); and,



- Raise awareness about the role of the Creswick Ward Community Committee in facilitating implementation of projects and initiatives identified in the Community Plan.

It was determined that nominations to the Committee should remain open until after the Summit on 3 November 2010. At the Summit current members of the Creswick Ward Community Committee presented about the Committee's role and achievements with participants at the Summit encouraged to nominate for the Committee.

Nominations forms were sent to people who had indicated an interest at the Summit. A Call for Nominations was subsequently advertised on Council's Advocate page on 24 November 2010 and nominations closed on 6 December, 2010.

### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Council Plan commitment – 17 Embracing community knowledge and expertise to help guide its decision making and implementation.

### **FINANCIAL IMPLICATIONS**

Nil

### **RISK IMPLICATIONS**

Nil

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The Creswick Ward Community Committee has an important role in implementing the Creswick Ward Community Plan

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The call for nominations for the Creswick Ward Community Committee was advertised in The Advocate and Creswick Community Newsletter.

Invitations to the Creswick Community Summit were sent to 60 community groups in Creswick and the Summit was attended by over 40 people.

## **CONCLUSION**

Council needs to formally adopt the new Terms of Reference for the Creswick Ward Community Committee (Attachment #) and then proceed to appoint members to the Committee.

The draft Terms of Reference allow for membership of up to eight (8) community representatives and the two Creswick Ward Councillors. Six nominations have been received for the Committee.

Nominations have been reviewed against the selection criteria by Council's General Manager, Community Development and Community Strengthening Manager and all nominees meet these criteria. The Terms of Reference allow for casual vacancies to be filled and ratified by Council.

## **OFFICER'S RECOMMENDATION**

*That Council:*

- 8.2.1 Adopt the revised Terms of Reference for the Creswick Ward Community Committee.*
- 8.2.2 Appoint Paul Ford, Michael Veal, Kent Mallinson, Maggie Robson, Audrey Werther and Judy Henderson as members of the Creswick Ward Community Committee for a period of two years*
- 8.2.3 Endorse the change of name from Creswick Development Committee to Creswick Ward Community Committee.*

## MOTION

*That Council:*

- 8.2.1 Adopt the revised Terms of Reference for the Creswick Ward Community Committee.*
- 8.2.2 Appoint Paul Ford, Michael Veal, Kent Mallinson, Maggie Robson, Audrey Winther<sup>1</sup> and Judy Henderson as members of the Creswick Ward Community Committee for a period of two years*
- 8.2.3 Endorse the change of name from Creswick Development Committee to Creswick Ward Community Committee.*

**MOVED: Councillor Janine Booth**  
**SECONDED: Councillor Tim Hayes**  
**CARRIED.**

**Councillor Don Henderson returned to the Meeting at 7.44pm.**

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<sup>1</sup> Name changed from Werther to Winther to reflect correct spelling.

**Attachment 1 - Item 10.1**  
**Draft Terms of Reference**



## **Terms of Reference**

### **Hepburn Shire**

### **Creswick Ward Community Committee – Advisory Committee**

#### **Introduction**

The Creswick Ward Community Committee (previously the Creswick Development Committee) was established as an Advisory Committee to Council to oversee the implementation of the Creswick Community Development Plan 2003- 2006. The Committee, in consultation with the Creswick community, reviewed the plan in 2009 and adopted the Creswick Ward Community Plan (2009-2013).

As well as providing advice to Council on the implementation of the Creswick Ward Community Plan the Committee plays a strategic and facilitative role in working with the community to coordinate implementation of the Plan.

#### **Aim**

The Creswick Ward Community Committee will:

- Provide advice to Council on implementation, review and revision of the Creswick Ward Community Plan (2009-2013);
- Work with the Creswick community and community organizations to achieve the objectives and goals in the Creswick Ward Community Plan specifically to:
  - Recognize the importance of economic development in building strong communities;
  - Provide guidance for the development and enhancement of the community in order to stimulate economic and social development within the community;
  - Identify specific priorities for action to build community capacity as well as enhance the community's social capital; and,
  - Identify ways to provide improved coordination of initiatives within the community.

- Provide advice and recommendations about major projects, including capital works that support the achievement of goals contained in the Creswick Ward Community Plan (2009-2013).

## **Principles**

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

## **Operating Principles**

### **Terms of Office**

Community members will be appointed for a term of two (2) years.

Appointments of members to fill casual vacancies that occur are to be ratified by Council.

### **Meetings**

At least six (6) meetings will be held each year.

Committee support will be provided by General Manager, Community Development.

### **Chair**

The Committee will, on an annual basis, appoint a Chairperson from amongst its members.

### **Members**

Members will be appointed by Council and may at any time be removed from the Committee by resolution of Council. The Committee will comprise eight (8) community members and the two Creswick Ward Councillors.

### **Quorum**

Quorum for meetings will be half the current Committee members plus one.

### **Reporting**

The Committee will forward minutes of meetings and any recommendations to Council. The Committee will make at least one presentation to Council annually.

The Committee is appointed by Council to provide advice to Council on the implementation of the Creswick Ward Community Plan. Council is responsible to determine the outcomes on any recommendations made by the Committee.

### **8.3 DAYLESFORD COMMUNITY PARK GENERAL MANAGER COMMUNITY DEVELOPMENT**

*In providing this advice to Council as the Recreation and Events Coordinator, I have no interests to disclose in this report.*

#### **PURPOSE**

To provide Council with an update on the status of the Daylesford Community Park Project.

#### **BACKGROUND**

A Masterplan was completed in 2009 for the development of a Community Park on the corner of Duke and Stanbridge Streets, Daylesford. The process for the development of the Masterplan began in 2000 following the construction of the Daylesford Skate park at the site. The park is to include a children's playground, toilets, rotunda and barbecue along with an open space area, car parking, shade sails and seating.

#### **ISSUE/DISCUSSION**

Council recently received a grant of \$171,000 through the Regional Local Community Infrastructure Program (RLCIP) to complete Stage 3 of this project. Stage 3 includes construction of the children's playground, three shade sails, seating, pathways, car parking and bollards to prevent cars from accessing the site.

Council has allocated \$85,000 in the 2010/11 budget to complete Stage 2 of the project which involves construction of toilets. Completion of Stages 2 and 3 will be undertaken concurrently.

Council officers have convened a Community Reference Group to provide advice during the development of this project. The reference group meets monthly and has already met three times in October, November and December. The main focus for the reference group currently has been on development and installation of shade sails, toilets and drinking fountains. It is anticipated a shade sail will be installed at the site in January 2011.

The Reference Group has also discussed design of the children's playground with access for all abilities being a key design principle. Council officers have completed a mail-out to primary schools, child care centres and kindergartens within the Daylesford and Hepburn region. This mail-out asked for ideas, designs

and drawings from young children around the type of playground they would like to see in Daylesford.

The proposed procurement process for the playground is to use selected playground items from a variety of playground suppliers to ensure a variety of fun and interesting play items are at the park.

### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Council Plan 2009-2013, we will assist our residents to improve the health, safety and vibrancy of our communities.

### **FINANCIAL IMPLICATIONS**

Council has allocated \$85,000 in the 2010/11 budget for construction of toilets at the site.

Regional Local Community Infrastructure Program (RLCIP) funding of \$171,000 received for stage 3 of the project.

### **RISK IMPLICATIONS**

New playground will be added to Councils annual playground inspection schedule. Bollards and fencing will prevent cars from accessing the site and provide a barrier to prevent children from the road.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The Daylesford community park will enhance the existing community infrastructure and promote broad community use. It will approve the amenity for existing skate park users and provide an exciting new play space for children.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council officers have established a community reference group meeting monthly to develop the project, have made contact with primary schools, child care centres and kindergartens to seek children's input and

### **CONCLUSION**

The allocation of Council and Federal funding will substantially achieve the community vision for the Daylesford Community Park site.



## **OFFICER'S RECOMMENDATION**

*8.3.1 That Council note the continued development of the Daylesford Community Park*

## **MOTION**

*8.3.1 That Council note the continued development of the Daylesford Community Park*

**MOVED:** Councillor Don Henderson  
**SECONDED:** Councillor Sebastian Klein  
**CARRIED.**

## 8.4 CRESWICK INDUSTRIAL PARK AND SUSTAINABLE WATER PROJECT GENERAL MANAGER SUSTAINABLE DEVELOPMENT

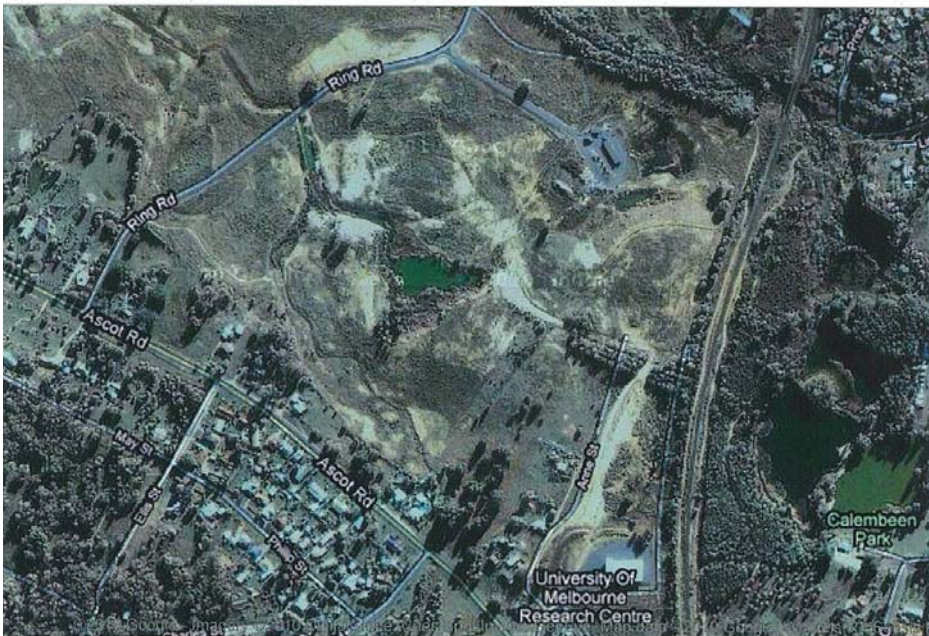
*In providing this advice to Council as the General Manager Sustainable Development, I have no interests to disclose in this report.*

### PURPOSE

This report provides Council with the aims and results of the original feasibility study as well as the feedback and responses to the community consultation sessions. The report also provides a recommendation on the next stage of the project for Council's consideration.

### BACKGROUND

The Creswick Industrial Park and Sustainable Water Project was commissioned to look into the feasibility of developing a 22.92 hectare site within the Creswick Township. The land is currently owned by the Department of Sustainability and Environment (DSE).



*Location of Site*

The two primary objectives for the study were to obtain a sustainable water source to supplement water supplied for the maintenance of recreation facilities in Creswick and to examine the feasibility of subdividing the site in whole or in

part for industrial or some other use. The study formed part of the attachments to the original Council report.

Part funding for the planning and feasibility study has been obtained from Regional Development Victoria.

At the April 2010 meeting of Council, the report was received and the motion identified that community comment was to be sought by way of a public meeting. This meeting and interview sessions were subsequently held and the feedback presented in this report.

## **ISSUE/DISCUSSION**

### **Findings of the Feasibility Report**

The property is a former mining site in the Industrial 1 Zone. From the recent structure plan review, the area is identified for further investigation as an Industrial 3 Zone. The land is constrained by the legacy of earthworks from past dredging and mining activity. A natural waterway (Creswick Creek) runs along the northern boundary of the site.

The report makes an assessment of the potential for an industrial park and residential use on the site, including a Concept Design, and an evaluation for water capture and re-use on nearby public recreational areas.

The report conducts research into the following aspects of the proposal:

- Economic
- Community
- Ownership
- Planning
- Environmental
- Infrastructure
- Aboriginal Heritage
- Funding Opportunities

The following conclusions are identified in the report:

- The investigation site is in a central location in Creswick, with reasonable access to infrastructure services. The Hepburn Planning Scheme

provides strategic support of industrial development on the site. There is also a good strategic case for residential use, provided the industrial and residential areas can be separated. The geography of the site will allow this to occur.

- Due to past mining activity, the site is in a degraded condition and does not make a positive contribution to water management in the Creswick Creek catchment.
- An initial development of six industrial lots on Ring Road can be established within the parameters of commercial land development.
- The water capture and re-use component of the study was found to be cost prohibitive without securing of funding.
- The development of the whole site for industrial purposes is likely to exceed demand for many years and is unlikely to be viable.



*Concept Plan*

- There is a demand for affordable residential lots in Creswick that could be met by developing land within the south east corner of the investigation site, accessed from Luttet Street. Development of this area for residential purposes would also improve the amenity of existing residences.
- The need to rehabilitate the site, particularly along Creswick Creek and contributing drainage lines, warrants a high priority, although the cost of the rehabilitation work is unlikely to be met from development returns due to the scale and complexity of the rehabilitation works.
- Implementation of the subdivision components of the project (industrial and residential) would be assisted if the land could be transferred from DSE in stages. Alternatively, the sale of the proposed residential component following rezoning to the Residential 1 Zone could fund the purchase of the remainder of the site.

- The concept design proposes retaining a large area in public ownership through the centre of the site to protect and improve water quality. This land could be placed in the Public Park and Recreation Zone (PPRZ).
- The stage 1 proposal for industrial development on the site appears to meet Regional Development Victoria criteria for grant funds. This will need to be tested on referral of this report to RDV for assessment against program guidelines.
- The residential component of the concept design may be attractive for private investors, which may partially offset industrial development costs.
- Rehabilitation of the proposed public land component of the site may attract funds from the Australian Government “Water for the Future” program on the basis of revegetation and water quality improvement within the Creswick Creek catchment, which is part of the Murray Darling basin system.

### **Community Consultation Sessions**

Further to the Council motion of the April 2010 Council Meeting, community feedback for the project was gained from interviews and a public meeting. The following key feedback was identified as part of the consultation:

- Demand and support for industrial and residential lots as indicated through letters of support and interviews
- General concept plan with residential, reserve and industrial zones was identified as a good solution
- Industrial 3 (not Industrial 1) was identified as a priority
- A wider industrial study of Creswick to look at other opportunities should be undertaken
- The opportunity of integrating Sustainability Initiatives should be investigated
- Issues raised about the suitability of site with regard to previous mining on the site, ownership, environmental protection of endangered species, O’Keefe Rehabilitation Plan recommendations, industrial buffer distances and transport infrastructure.
- It was identified that these issues and opportunities form part of the ongoing decision process for any project.

The additional information as a result of the community consultation has been addressed below:

*Land Ownership*

Council has conducted initial discussions with DSE with regard to the availability of the land. DSE have indicated that at this preliminary stage, the land is surplus to their requirements. They also indicated that the inherent issues of the land such as the native title, the potential value of the land as well as terms and conditions would need to be further considered if the project were to progress. The report identifies the native title research completed to date.

*Demand for Industrial 3 and Residential Lots*

The feasibility study and community consultation both identified the demand for residential and industrial land. In fact, during the interviews there were a number of interested parties for both types of lots. There is currently no other industrially zoned land in Creswick.

In particular, the first stage of industrial land can be released earlier as the services are available to this area.

*Concept Plan and Realignment of the Creek*

The creation of the three different uses/ zones met with approval from most parties during the interviews. It was also commented that the proposal provides a use for the currently degraded land in central Creswick.

The plan is an indicative design with potential improvements by retaining the creek and forming a buffer on the south west side of the development.

The central area provides an opportunity for the preservation of endangered species in a recreational reserve environment.

*Wider Industrial Study*

Council has already initiated investigation into a shire wide industrial study that references existing documentation and has conducted preliminary site visits.

*O'Keefe's Dredge and Rehabilitation Plan*

The dredge is identified as being retained and protected as part of recreation reserve component of the proposal. The heritage significance of the dredge will

be further investigated as part of the next stage of the project. There is no heritage overlay on the dredge on Council's or DSE's mapping system.

In discussions with DSE, the O'Keefe's Rehabilitation Plan forms a guideline as to the responsibilities for the area. Council is in discussion with DSE on this matter and how best to progress the management of the site.

#### *Previous Mining on Site*

Detailed site investigations will occur as part of the next stage of the project. A water report will also form part of this strategy.

Initial investigations have identified a number of mines and economical technical solutions to some of these problems have been found on a similar project.

#### *Environmental Protection of Endangered Species*

Research on Environment Protection and Biodiversity Conservation Act process and guidelines has been undertaken and the process can be completed during the next stage of the project.

The recreation reserve component of the project will be designed to allow for the ongoing use of the area by a variety of species and flora.

#### *Industrial Buffer Distances*

Required setbacks have been discussed with Environment Protection Authority (EPA), including setbacks from the tip. The discussions indicate that the concept plan can be viable. It was identified that the potential contamination on the site can be mapped accurately as sufficient time has passed for monitoring purposes.

From the Hepburn Planning Scheme, the buffer distances between industrial and other uses is dependent on the type of use. A number of uses have the potential to be located on the industrial zoned land.

The use of 1 Anne Street could be reconsidered with regard to its proposed residential context.

#### *Transport Infrastructure*

A road infrastructure study will need to be undertaken in consultation with Council and VicRoads engineers for the next stage of the project to determine the appropriate treatment for the major intersections. The introduction of a residential zone to the east of the development will reduce industrial traffic on Anne Street.



The reduced number of industrial lots and their anticipated uses, including bakeries, small goods and storage units and the like should have a positive impact on the traffic study.

### *Funding*

Funding opportunities are identified in the report. Further funding opportunities can be explored once the new state government provides clarity on available funding sources.

### *Sustainability Initiative*

If the project is to proceed, there are a number of sustainable initiatives (that can assist with Councils environmental objectives) that can be included to provide an exemplar of sustainable development within the Hepburn Shire:

1. Edible landscapes/ urban orchards. Studies have shown that productive landscapes can reduce energy consumption by one third
2. Smarter homes – Environmentally Sustainable Design (ESD) and proper east-west solar lot orientation for solar passive designs
3. Recycled glass/rock for shared pathways/road construction
4. T5 street lighting with motion sensors that turn on when you text a number.
5. Bike storage racks
6. Community garden in the central buffering reserve, with green waste going to the transfer station. The transfer station can provide the mulch to gardens.
7. ‘Smart’ landscaping (natives, provide shade/insulation, etc)
8. Recycled street furniture
9. Stormwater drainage through swales or other innovative systems and a recycled irrigation water and fire system water.
10. Many of the uses associated with recycling and resource recovery can be located at minimal industrial buffer distances and should be encouraged.

This report represents an initial investigation into the proposal. Should Council decide to progress the project, a number of significant items need to be addressed in assessing the proposal further:

- The site area itself will need to be further assessed in alignment with a strategic planning assessment of industrial land in the Creswick area and Hepburn Shire.

- Consult with DSE to establish an agreed value for the site and the co-operation of the DSE in achieving the necessary rezoning and staged transfer of the land.
- Further consult with DPCD regarding the rezoning of the south eastern part of the study area to the Residential 1 Zone and the development generally.
- Consult with Regional Development Victoria and the Australian Government Sustainable Basin Communities (SBC) program regarding the opportunities of receiving funding.
- Further examination of the heritage and native species aspects of the site.

Whilst the geo-technical and water study could be included in the further investigation, limiting the next stage to the above items will required Council officer consultation time only, reducing the potential cost of clarifying the risk profile.

### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Council Plan 2009-2013:

*“We will help improve economic prosperity.”*

### **FINANCIAL IMPLICATIONS**

An indicative cost plan and potential funding sources form part of the feasibility study. Some additional spending was incurred for the Community Meeting sessions.

### **RISK IMPLICATIONS**

The next stage measures indicated in this report will refine the risk profile of the project.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

There are a number of benefits to be gained from the combined residential, park and industrial concept for the environment, community and economy of Creswick.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There has been substantial community engagement on this project, which has considerably improved the outcomes and direction of the project.

## **CONCLUSION**

There are a number of questions still to be answered before this project can proceed with a reduced risk profile. The potential positives of a sustainable development which provides earlier needed industrial capacity and a useful mix of residential and park use that retains the dredge (and associated flora and fauna) gives sufficient merit to proceed to the next stage of investigation. The next stage of the project involves a more detailed examination of the opportunities and constraints as discussed earlier in the report.

## **OFFICER'S RECOMMENDATION**

*That Council:*

- 8.4.1        *Receive this report and the community feedback and responses*
  
- 8.4.2        *Proceed with the next stage of the project, which involves the further investigation outlined in this report*
  
- 8.4.3        *Receive the findings of the further investigation at a future Council Meeting.*

## MOTION

*That Council:*

- 8.4.1        *Receive this report and the community feedback and responses*
- 8.4.2        *Proceed with the next stage of the project, which involves the further investigation outlined in this report*
- 8.4.3        *Receive the findings of the further investigation at a future Council Meeting.*

**MOVED:**                    **Councillor Janine Booth**  
**SECONDED:**            **Councillor Don Henderson**  
**CARRIED.**

**8.5 GENERAL LOCAL LAW NO 2 – PART 14 CONSUMPTION OF ALCOHOLIC BEVERAGES AND THE APPOINTMENT OF POLICE TO ACT AS AUTHORISED OFFICERS  
GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the General Manager Sustainable Development, I have no interests to disclose in this report.*

**PURPOSE**

The purpose of this report is for Council to consider the declaration of restricted alcohol consumption in identified areas on Council controlled public land.

**BACKGROUND**

The consumption of alcoholic beverages in public places throughout the Municipality is regulated by Council's *General Local Law No 2 – Community Amenity and Municipal Places*.

*Part 14 - Consumption of Alcoholic Beverages* of the local law (refer Attachment 4) allows Council to declare public places where alcohol must not be consumed or held in open containers at all or certain times.

The purpose of identifying and declaring these areas is to promote the safety and community amenity on municipal controlled land.

**ISSUE/DISCUSSION**

***Declaration of Areas of Alcohol Restriction***

Significant consultation with the police throughout the municipality regarding the appropriate areas for alcohol restrictions has now taken place, resulting in the identification of areas where it is proposed to ban alcohol consumption in some areas and restrict alcohol consumption in other areas.

These identified public locations have been selected so that the restricted consumption of alcohol will most benefit the community and assist the police with their task of education and reducing the inappropriate behaviour caused by alcohol consumption.

The following table contains locations and the relevant restrictions that have been identified for consideration and declaration:

*Table of Declared Alcohol Restricted Areas (Refer attached maps)*

<b>Clunes</b>	
The public areas bounded by Fraser Street, Service Street, Alliance Street, Suburban Street and Camp Street	No Alcohol (Licensed premises exempt within red line boundaries)
Queens Park	No alcohol between 10.00pm and 10.00am
<b>Creswick</b>	
Albert Street from Melbourne Road to Castlemaine Road including Coopers Reserve	No Alcohol (Licensed premises exempt within red line boundaries)
Calembeen Park	No alcohol between 8.00pm and 10.00am
<b>Daylesford</b>	
The area bounded by Raglan Street, Camp Street, Stanbridge Street, Vincent Street, Central Springs Road and Bridport Street. Exclude the Wombat Hill Kiosk from the restrictions. <sup>2</sup>	No Alcohol (Licensed premises exempt within red line boundaries)
Lake Daylesford – foreshore area, Boathouse Café area, walking track surrounding Lake and reserve area between Ruthven Street and the Lake	No alcohol between 10.00pm and 10.00am
Wombat Hill Botanical Gardens	No alcohol between 10.00pm and 10.00am

<sup>2</sup> Exclusion of Wombat Hill Kiosk added to reflect the alcohol license of this project.

<b>Hepburn Springs</b>	
Mineral Springs Reserve including old Hepburn pool	No alcohol between 10.00pm and 10.00am

<b>Trentham</b>	
High St from Bath St to Quarry Street	No Alcohol (Licensed premises exempt within red line boundaries)
Quarry Street Recreation reserve	No alcohol between 10.00pm and 10.00am

The identified alcohol restricted areas must be notified to the community through advertisement in the local paper and then published in the Government Gazette to allow formal adoption.

Part 14.2 of General Local Law No 2 identifies that a person in breach of a declaration made under Part 14.1 may be issued with a penalty notice. Part 15 specifies the penalty amount of one penalty unit as currently being \$119.00.

The Local Law does allow for conditional permits to be issued in the declared public areas for particular events or occasions.

***Police to Act as Authorised Officers to Enforce Alcohol Consumption***

Under Section 224A of the Local Government Act (refer Attachment 5), the police may act as authorised officers to enforce the use, possession or consumption of alcohol.

The authorisation of police allows the local law to be more effectively enforced, as police are often called on related matters and are more often available at the times of alcoholic restrictions than authorised Council officers.

This process involves Council publishing a notice in the Government Gazette identifying the provision of the Local Law and stating that any police officer may enforce that provision.

## **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

*Council Plan 2009-2013:*

51. Reviewing the Shire's Local Laws to improve community safety and amenity.

## **FINANCIAL IMPLICATIONS**

Advertising costs for public notices and Government Gazette.

## **RISK IMPLICATIONS**

The declaration of restricted alcohol consumption areas and the appointment of Police to act as authorised officers will increase the safety and community amenity on municipal controlled land.

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Social implications of anti-social behaviour as a result of drinking in public places will be improved. Community amenity and safety in public places will be improved.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Consultation was conducted with Victoria Police to identify appropriate public places in Hepburn Shire townships to be declared as areas of restricted alcohol consumption.

Once adopted, the community can be advised of Council's intention to declare public areas of restricted alcohol consumption through public notices in local newspapers and the Government Gazette.

This project accords with *Level Two – Minor Project* of the community engagement framework.

## **CONCLUSION**

The restricted consumption of alcohol in public places will promote the safety and community amenity in public places controlled by Council and assist the police with their task of education and addressing concerns related to anti social behaviour caused by drinking in public places.



## OFFICER'S RECOMMENDATION

*That Council:*

- 8.5.1 *Declare the identified public areas in Clunes, Creswick, Daylesford, Hepburn Springs and Trentham **as shown in the attached maps** as areas where alcoholic beverages must not be consumed or held in open containers during specified times listed in the **Table of Alcohol Restricted Areas** in accordance with the provisions of Clause 14.1(1) of Council's General Local Law No 2 – Community Amenity and Municipal Places, Part 14 – Consumption of Alcoholic Beverages.*
- 8.5.2 *Place a Public Notice in The Advocate and Ballarat Courier newspapers advising the community of Council's intention to declare the restriction of alcohol consumption in identified public areas.*
- 8.5.3 *Place a Notice in the Government Gazette declaring the restriction of alcohol consumption in identified public areas and authorising Victoria Police officers to enforce alcohol consumption in accordance with Section 224A of the **Local Government Act 1989**.*

## MOTION

*That Council:*

- 8.5.1 *Declare the identified public areas in Clunes, Creswick, Daylesford, Hepburn Springs and Trentham as **shown in the attached maps** as areas where alcoholic beverages must not be consumed or held in open containers during specified times listed in the **Table of Alcohol Restricted Areas** in accordance with the provisions of Clause 14.1(1) of Council's General Local Law No 2 – Community Amenity and Municipal Places, Part 14 – Consumption of Alcoholic Beverages.*
- 8.5.2 *Place a Public Notice in The Advocate and Ballarat Courier newspapers advising the community of Council's intention to declare the restriction of alcohol consumption in identified public areas.*
- 8.5.3 *Place a Notice in the Government Gazette declaring the restriction of alcohol consumption in identified public areas and authorising Victoria Police officers to enforce alcohol consumption in accordance with Section 224A of the **Local Government Act 1989**.*

**MOVED:** Councillor Janine Booth  
**SECONDED:** Councillor Tim Hayes  
**CARRIED.**

**Attachment 2 – Item 8.5**  
**Extract General Local Law No 2**  
***Part 14 - Consumption of Alcoholic Beverages***

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**Part 14 – Consumption of Alcoholic Beverages**

**Declaration of Places and Exemptions**

- 14.1 (1) The *Council* may declare any *public place* to be an area where *alcoholic beverage* must not be consumed or *held* in open containers or may only be consumed or *held* during specified times or in accordance with a permit.
- (2) Sub-clause 14.1 (1) does not apply to any place subject to control or license under the Liquor Control Reform Act 1998.

**Alcoholic Beverages Banned**

- 14.2 A *person* must not consume or *hold* any *alcoholic beverage* in an open container in any area or place which is subject to a declaration under sub-clause 14.1.

Penalty: 5 Penalty units

**Definitions**

- 14.3 In the context of this part:

'hold' or 'held' means to have in possession or control any alcoholic beverage;

**Attachment 3 – Item 8.5  
Declared Alcohol Restricted Areas**

**Clunes  
Creswick  
Daylesford  
Hepburn Springs  
Trentham**

## Declared Alcohol Restricted Areas

### Clunes



## Declared Alcohol Restricted Areas

### Creswick

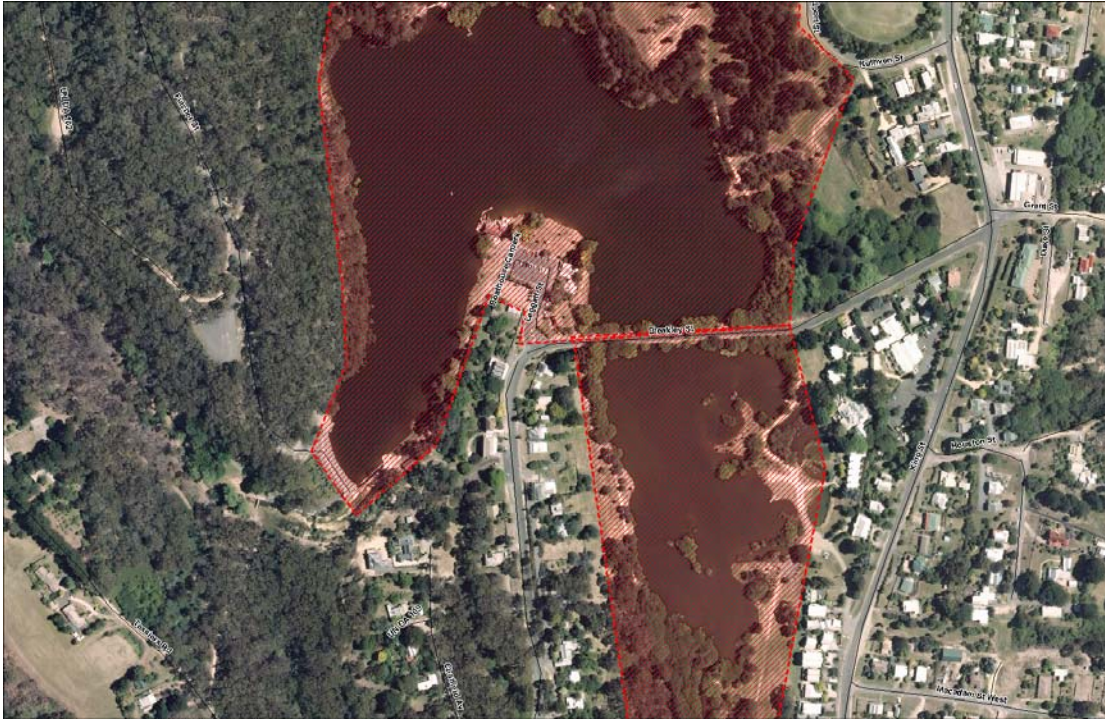






## Declared Alcohol Restricted Areas

### Lake Daylesford Area



## Declared Alcohol Restricted Areas

### Hepburn Springs



## Declared Alcohol Restricted Areas

### Trentham



**Attachment 4 – Item 8.5**  
**Extract - Local Government Act 1989 - Section 224A**

**Local Government Act 1989 - Section 224A**

**Police may act as authorised officers to enforce certain local laws**

224A. Police may act as authorised officers to enforce certain local laws

- (1) This section applies if a provision of a local law of a Council regulates the use, possession or consumption of alcohol.
- (2) The Council may publish a notice in the Government Gazette identifying the provision of the local law and stating that any police officer may enforce that provision.
- (3) If the Council publishes such a notice, any police officer may enforce the provision as if he or she was appointed to be an authorised officer under section 224 with respect to the provision.
- (4) For the purposes of subsection (3), a police officer's certificate of identity is deemed to be an identity card issued under section 224(2) and is deemed to comply with section 224(3).

**8.6 COUNCILLOR REPRESENTATION ON COMMITTEES AND OTHER BODIES  
GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the General Manager Corporate Services, I have no interests to disclose in this report.*

**PURPOSE:**

The purpose of this report is to review and update Councillor Representation on Committees, Boards and External Bodies. Council has established several advisory committees and special committees of Council which assist Council in making policy and strategy decisions and in some cases making decisions on behalf of Council. Many of these committees require that a Councillor be appointed to those committees to represent Council.

In addition to this, Council is also a member of various associations and bodies which require that a Councillor is appointed to be the Council representative.

**BACKGROUND**

At the Ordinary Council Meeting of 20th January 2010, Council resolved to appoint Councillors to the Committees, Boards and External Bodies contained in the attached table.

On an annual basis Council should review the representation and make amendments where required.

**ISSUE/DISCUSSION**

After twelve months it is an appropriate time to review and update the previous appointments, so that an updated version can be used by the Councillors and Officers in carrying out the functions of Council.

**Councillors Committee Representation**

Organisations	Councillors Representation
<b>External Bodies</b>	
Committee of Management for DSE (26 Committees)	All Councillors represent their electorate at these meetings when required
Municipal Association of Victoria	Cr Bill McClenaghan
Victorian Local Government Association	Cr Sebastian Klein
Highlands Regional Waste Management Group	Cr Bill McClenaghan (Director)

Central Highlands Regional Library Corporation	Cr Tim Hayes
Central Highlands Agribusiness Forum	Cr Rod May
Central Victorian Greenhouse Alliance	Cr Rod May
Local Government Sustainability Network (MAV)	Cr Rod May
Timber Town	Cr McClenaghan
Daylesford Macedon Ranges Tourism Board	Cr Jon Barrell
Loddon Highlands WSPA Consultative Committee	Cr Rod May
<b>Section 86 Committees</b>	
Lee Medlyn Home of Bottles	Cr Tim Hayes
<b>Council Advisory Committees</b>	
Agricultural Advisory	Cr Sebastian Klein
Audit and Risk Advisory	Cr Janine Booth and Cr Tim Hayes
ARC Advisory Committee	Cr Jon Barrell
Bobonaro Friendship Group Advisory	Cr Sebastian Klein
Creswick Ward Community Committee <sup>3</sup>	Cr Janine Booth and Cr Don Henderson
Culture and Arts Advisory	Cr Rod May
Environmental and Sustainability	Cr Sebastian Klein, Cr Don Henderson and Cr Rod May
Heritage Advisory	Cr Don Henderson
IWD Organising Committee	Cr Don Henderson
Mineral Springs Reserve Advisory	Cr Rod May
Municipal Emergency Management Planning	Cr Bill McClenaghan
Municipal Fire Prevention	Cr Bill McClenaghan
Recreation Advisory	Cr Sebastian Klein

<sup>3</sup> Name changed from Creswick Development Committee to reflect revised title.

Wombat Hill Botanic Gardens	Cr Jon Barrell

**COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

The Council Plan is the key driver of the need for this review and update to be carried out. Many of these committees have been established to advise Council of issues relating to the development of policy and strategy. As such, appointing Councillors as representatives on these committees is an important step in ensuring that there are consultative processes in place.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

**RISK IMPLICATIONS**

Appropriate Councillor Representation is required on Committees, Boards and External Bodies to ensure that public views are incorporated into the decision making process.

**ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Effective community engagement provides the opportunity for Hepburn Shire citizens to influence Council decisions and where appropriate play a partnership role in the planning and implementation of those decisions.

**COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The purpose of these Committees, Boards and External Bodies is to gain community and stakeholder engagement.

**CONCLUSION**

Based on the review of Councillor representation on *Committees, Boards and External Bodies* it is proposed that the above table be put forward as the recommendation for the next twelve months.

**OFFICER’S RECOMMENDATION**

8.6.1 That Council adopt the appointment of Councillors to the specified Committees, Boards and External Bodies contained in the above table



**MOTION**

*8.6.1 That Council adopt the appointment of Councillors to the specified Committees, Boards and External Bodies contained in the above table.*

**MOVED:** Councillor Tim Hayes  
**SECONDED:** Councillor Don Henderson  
**CARRIED.**

**8.7 RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010 – NEW FEE ADOPTION  
GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the General Manager Sustainable Development, I have no interests to disclose in this report.*

**PURPOSE**

The purpose of this report is for Council to formally adopt the Registration Application Fees set out in Schedule 2 of the *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010*.

**BACKGROUND**

On 27 June 2010 new regulations were introduced regarding caravan parks and movable dwellings by the Department of Sustainability and Environment (DSE). The purpose of the state legislated regulations are to provide for the registration, standards of design, health and safety of occupants and residents in caravan parks and movable dwellings.

The outcome of this report is solely the adoption of the fee schedule, with an explanation of the changes to the regulations as context.

**ISSUE/DISCUSSION**

The following key changes with respect to fees have been put into place under the new regulations:

1. In the new regulations there is a sliding scale of fees located in Schedule 2 of the regulations (Attachment 5), the previous fee for registration has been \$2.50 per camp/ caravan site for several years. A comparative fee table of the previous year and other Councils is provided at Attachment 6.
2. The new fee structure allows Council to charge a fee that must not exceed the level of fee units declared in Schedule 2 (the current fee unit figure is \$11.69 per unit). Therefore, Council has the prerogative to charge any amount of fee units up to the level shown in Schedule 2.

3. The registration period has changed from an annual registration period to a three year registration period. Under the new regulations, the first registration period will run until 1 October 2013, with the renewals sent out in August 2013. There is provision for a transition period within the regulations that will require the new fee structure to be adopted by 1 January 2011.

In addition to the above changes to the fee structure, caravan park owners will have to submit, with the application form and fee, the following documentation to receive a registration certificate:

- a) A plan of the caravan park detailing all sites
- b) A copy of the most recent inspection report from the relevant fire authority
- c) Evidence that the current schedule of works (if any) are in compliance
- d) An emergency management plan

Hepburn Shire has a total of 4 caravan parks: Victoria Park Caravan Park, Daylesford (111 sites) and Jubilee Lake Caravan Park, Daylesford (100 sites), Creswick Caravan Park (88 sites) and Clunes Caravan Park (38 sites).

Several meetings and discussions have already been conducted between Council Officers and the caravan park operators to assist them in understanding the new regulations. The recent floods have substantially affected two of the four caravan parks in the Hepburn Shire.

This report recommends that Council adopt the full fee structure in line with surrounding Councils, the substantial additional compliance work associated with the regulations and the fixed time frame of three years for the adopted fees.

## **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

*Residential Tenancies Act 1997*

*Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010*

### **FINANCIAL IMPLICATIONS**

There will be financial implications on Council as the caravan park operators now have to pay the entire three years registration up front. Allowances for this change will have to be made in the annual budgeting process in the 2011/2012 and 2012/2013 budgets.

### **RISK IMPLICATIONS**

As some areas of these caravan parks have ownership or management responsibilities for both Council and the DSE, the issuing of their registration certificate will be a demonstration that all reasonable precautions have been taken. The registration certificate can only be obtained after all emergency management and safety strategies are in place, with the proviso that fire prevention and safety works may be included in a schedule of works to be completed within the three year registration period.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The change to a three year registration and the increased fees may have an economic impact for caravan parks in the Hepburn Shire.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Several meetings and discussions have been held with Caravan Park Operators and Caravan Park Tenants.

The community engagement conforms with Level 2 – Minor Project of the Community Engagement Framework. Whilst the impacts of the compliance with the overall regulations have a larger impact, the fee adoption itself has a minor impact.

### **CONCLUSION**

The new fee structure outlined in the regulations is a required procedure to allow the allocation of appropriate fees for the registration of caravan parks within the Hepburn Shire.

## OFFICER'S RECOMMENDATION

- 8.7.1 *That Council adopt the Registration Application Fees set out in Schedule 2 of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010.*

## MOTION

- 8.7.1 *That Council adopt the Registration Application Fees set out in Schedule 2 of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010.*

**MOVED:** Councillor Tim Hayes  
**SECONDED:** Councillor Janine Booth  
**CARRIED.**

**Attachment 5 - Item 8.7  
Regulations**

Residential Tenancies (Caravan Parks and Movable Dwellings Registration  
and Standards) Regulations 2010  
S.R. No. 49/2010

Sch. 2

**SCHEDULE 2**

Regulation 17

**REGISTRATION APPLICATION FEES**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Total number of sites (other than camp sites)</i>	<i>Maximum fee</i>
1	Not exceeding 25	17 fee units
2	Exceeding 25 but not exceeding 50	34 fee units
3	Exceeding 50 but not exceeding 100	68 fee units
4	Exceeding 100 but not exceeding 150	103 fee units
5	Exceeding 150 but not exceeding 200	137 fee units
6	Exceeding 200 but not exceeding 250	171 fee units
7	Exceeding 250 but not exceeding 300	205 fee units
8	Exceeding 300 but not exceeding 350	240 fee units
9	Exceeding 350 but not exceeding 400	274 fee units
10	Exceeding 400 but not exceeding 450	308 fee units
11	Exceeding 450 but not exceeding 500	342 fee units
12	Exceeding 500 but not exceeding 550	376 fee units
13	Exceeding 550 but not exceeding 600	411 fee units
14	Exceeding 600 but not exceeding 650	445 fee units
15	Exceeding 650 but not exceeding 700	479 fee units
16	Exceeding 700 but not exceeding 750	513 fee units
17	Exceeding 750 but not exceeding 800	547 fee units
18	Exceeding 800 but not exceeding 850	582 fee units
19	Exceeding 850 but not exceeding 900	616 fee units
20	Exceeding 900 but not exceeding 950	650 fee units
21	Exceeding 950 but not exceeding 1000	684 fee units
22	Exceeding 1000 but not exceeding 1050	719 fee units
23	Exceeding 1050 but not exceeding 1100	753 fee units
24	Exceeding 1100 but not exceeding 1150	787 fee units

Residential Tenancies (Caravan Parks and Movable Dwellings Registration  
and Standards) Regulations 2010  
S.R. No. 49/2010

Sch. 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Total number of sites (other than camp sites)</i>	<i>Maximum fee</i>
25	Exceeding 1150 but not exceeding 1200	821 fee units
26	Exceeding 1200 but not exceeding 1250	855 fee units
27	Exceeding 1250 but not exceeding 1300	890 fee units
28	Exceeding 1300 but not exceeding 1350	924 fee units
29	Exceeding 1350 but not exceeding 1400	958 fee units
30	Exceeding 1400 but not exceeding 1450	992 fee units
31	Exceeding 1450 but not exceeding 1500	1027 fee units
32	Exceeding 1500	1095 fee units



**Attachment 6 - Item 8.7**  
**Caravan Park Fees**

**Comparative Fee Table – Hepburn Shire Caravan Parks**

Caravan Park	No of Sites	Fees Charged 2010	Expected Registration Fee for 2010-2013	
			Fee Units	Amount
Victoria Park, Daylesford	111	\$277.50	103 Fee Units	\$1,204.07
Jubilee Lake, Daylesford	100	\$250.00	103 Fee Units	\$1,204.07
Creswick	88	\$220.00	68 Fee Units	\$794.92
Clunes	38	\$95.00	34 Fee Units	\$397.46
<b>TOTAL:</b>		<b>\$842.50</b>		<b>\$3,600.52</b>

Note : The adjoining regional municipalities of Ballarat City, Pyrenees Shire, Ararat City and Moorabool Shire are all charging the full amount as per Schedule 2 of the Caravan Park Regulations 2010.

## **8.8 HEPBURN ECONOMIC DEVELOPMENT STRATEGY GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the General Manager Sustainable Development, I have no interests to disclose in this report.*

### **PURPOSE**

This report presents for Council's consideration a summary of the Hepburn Shire Council Economic Development Strategy and recommendations on its implementation. ***The strategy has been provided under separate cover.***

### **BACKGROUND**

SED Consulting (Ballarat) was engaged to provide the Economic Development Strategy (EDS) for the Hepburn Shire Council after an expression of interest process conducted in May 2010.

The EDS is a key document for the economic development of the Hepburn Shire and is identified as a priority in the Council Plan 2009 – 2013.

The report was previously presented to Council by SED Consulting at a Councillor Briefing session.

### **ISSUE/DISCUSSION**

The primary objectives of the strategy were to develop appropriate economic recommendations based on a rigorous process of documentation review, then engagement and consultation with key Hepburn Shire stakeholders.

The brief created for the EDS divides the task into seven parts:

1. Undertake a desk top review of economic and other relevant data, strategy and policy
2. Development of the accompanying communication, engagement and marketing plan
3. Facilitate a briefing on the initial key learnings with Councillors and key Council staff and officers
4. Convene a 'Think Tank' summit to test and then develop the key learnings from previous stages

5. Undertake a range of 1-on-1 consultations with key stakeholders
6. Develop the draft strategy and key actions for review, comment and testing
7. Develop the final strategy with a measurable implementation plan that also defines roles and responsibilities

The EDS produced by SED Consulting undertook the above tasks and identified the following themes that run through the document:

- Industry and Business
- Infrastructure and Services
- Resources and Environment
- Population and People
- Key localities common themes
- Individual Township Priorities

The key outcomes of the EDS are as follows:

- The strategy is a comprehensive report that reflects the desktop review, one-on-one sessions and 'Think Tank' with identified stakeholders
- Collation of the current economic position of the Hepburn Shire in both a macro and micro context, influencing factors and a *Strength Weaknesses Opportunities Threats (SWOT)* analysis
- 47 recommendations of short, medium and long term timeframes and corresponding estimated costings.

The recommendations are a capture of *all* the feedback from the consultation sessions by the consultant. Implementation of the strategy will involve further prioritisation and resource consideration by Council and a series of budget allocations starting with the 2011-2012 budget process. The process of preparing a practical strategy to implement the short term priority recommendations has already been commenced.

## **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

*Council Plan 2009-2013:*

36. We will develop an Economic Development Strategy which will identify ways in which we can encourage preferred business investment opportunities and industry development throughout our Shire.

### **FINANCIAL IMPLICATIONS**

The ongoing implementation of the EDS is important to its success and will need to be factored into future annual budgets. Estimated costs and resources associated with the recommendations will need to be verified in each budget round.

### **RISK IMPLICATIONS**

The production of the EDS is well overdue and provides recommendations to increase economic development within the Hepburn Shire that otherwise were not strategically identified and prioritised.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The focus of the document is naturally on the economic benefits to the Hepburn Shire. However, there are also numerous social benefits and environmental considerations in the document that are integrated with the recommendations. The amalgamation of the document with future sustainability documents such as the Sustainability Strategy and the Energy Descent Action Plan will need to be considered in the Implementation Plan.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

A thorough process of community and stakeholder engagement was undertaken through the 'Think Tank' and the One-on-One sessions with identified stakeholders.

### **CONCLUSION**

The production of the EDS has been based on a rigorous process of documentation review, then engagement and consultation with key Hepburn Shire stakeholders to provide a set of 47 prioritised recommendations that can guide the economic development of the Hepburn Shire for the next decade.

## OFFICER'S RECOMMENDATION

*That Council:*

- 8.8.1 Receive the Hepburn Shire Council Economic Development Strategy*
- 8.8.2 Write to thank all participants in the Think Tank and One-on-One session interviewees and provide them with a copy of the report for their information*
- 8.8.3 Produce an Implementation Plan that will further prioritise the recommendations and identify resource requirements through a series of budget allocations starting with the 2011-2012 budget process.*

## MOTION

*That Council:*

- 8.8.1 Receive the Hepburn Shire Council Economic Development Strategy*
- 8.8.2 Write to thank all participants in the Think Tank and One-on-One session interviewees and provide them with a copy of the report for their information*
- 8.8.3 Produce an Implementation Plan that will further prioritise the recommendations and identify resource requirements through a series of budget allocations starting with the 2011-2012 budget process.*

**MOVED:** Councillor Don Henderson  
**SECONDED:** Councillor Bill McClenaghan  
**CARRIED.**

## **8.9 DOUG LINDSAY RECREATION RESERVE – ROAD DISCONTINUANCE FINALISATION GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the General Manager Corporate Services I have no interests to disclose in this report.*

### **PURPOSE**

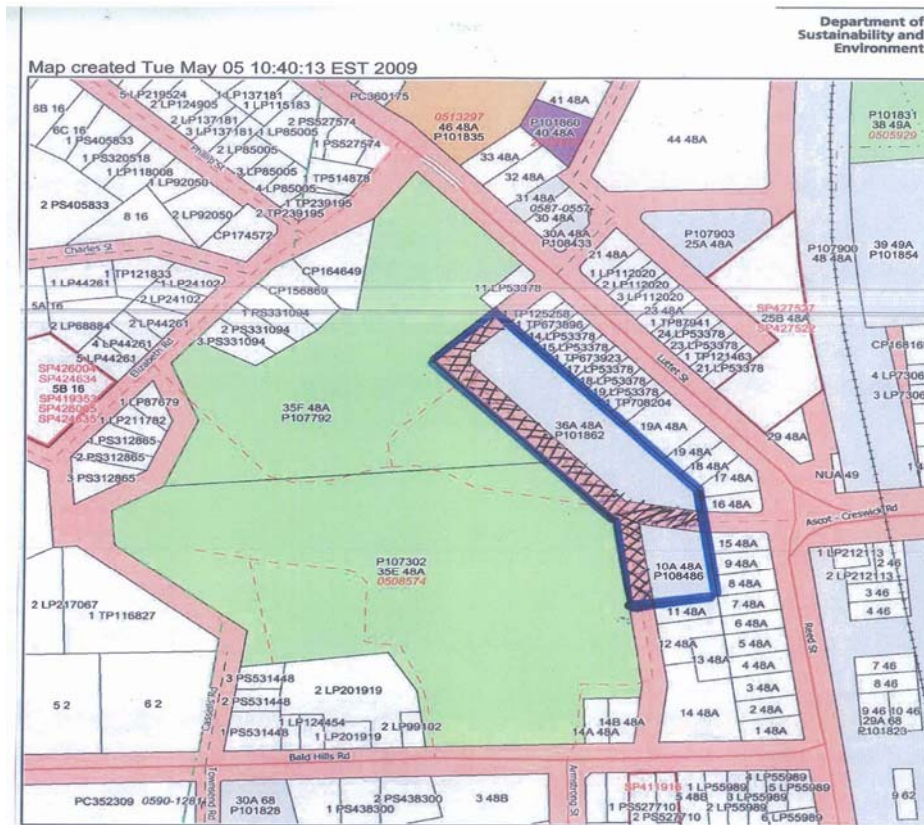
Council resolved on 19 October 2010 Council to give public notice of its intention to discontinue certain unnamed road reservations at Doug Lindsay Recreation Reserve (Reserve) in Creswick. This Report proposes a formal resolution to finalise the road discontinuance.

### **BACKGROUND**

The Reserve is Crown land for which Council is committee of management. A request was previously made by the Reserve Committee to incorporate adjoining Crown land into the Reserve. The Department of Sustainability and Environment (DSE) required, prior to adding the Crown land to the Reserve, unused road reserves which separated the parcels be closed. All this land would then be 'reserved' for public recreation purposes with Council as committee of management.

The discontinuance does not affect access to any private land. In effect, this process formalises the 'on ground' situation and is illustrated in the plan below where:

- Reserve is shown 'green'
- Adjoining Crown land is shown 'pale blue'
- Roads to be discontinued within heavy blue line shown 'pink' and cross hatched
- All land within the heavy blue line will be incorporated into the Reserve.



### ISSUE/DISCUSSION

Following the giving of public notice which sought submissions on the proposal prior to 5pm on 24 November 2010, no submissions were received. One telephone call was recorded from a person in nearby Anne Street who wanted clarification on the extent of the proposed closure.

Council should proceed to resolve to formally discontinue the road and publish the required notice in the Government Gazette. DSE will then reserve the land for public purposes.

Crown land being CA's 36A and 10A Section 48A Creswick Parish (shown 'pale blue' on the plan) will be added to the Reserve. This land was previously identified in the Reserve's Master Plan as being beneficial to the development of the Reserve.



### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

The power to discontinue roads is contained in S206 and Schedule 10 of the Local Government Act 1989. The required process has been followed and a final resolution as recommended will authorise its completion.

### **FINANCIAL IMPLICATIONS**

Apart from normal advertising costs there are no immediate financial implications.

The land involved has effectively been part of the Reserve and even with a 'formal' increase in Reserve area, additional maintenance costs should not be expected. Maintenance costs will of course depend on any development and future arrangements proposed for the Reserve.

### **RISK IMPLICATIONS**

Combining all the land into one public purposes reservation will ensure that the total site is covered by DSE public liability insurance. The action will remove any argument about whether a future problem may have occurred on a road reserve or recreation land.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Discontinuing the sections of road reserve does not affect any nearby private property – none directly fronts on the section of road reserve proposed to be closed. The land will remain as part of the Reserve meaning there are no changes to existing conditions on the ground.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Public notice of intention to discontinue the road was published in The Advocate newspaper on 27 October 2010. No submissions about the proposal were received.

### **CONCLUSION**

As a consequence of extending the Doug Lindsay Recreation Reserve, Council was requested by DSE to undertake the process to close sections of Government roads which are effectively a part of the Reserve.

Public notice to invite community submissions and gauge any community concerns was published and no response was received.

Council may proceed with a resolution to discontinue the roads.

## OFFICER'S RECOMMENDATION

8.9.1 *That Council pursuant to Section 206 and Schedule 10, Clause 3 of the Local Government Act 1989 hereby resolves that after publication of a notice of intention to discontinue a road and no submissions being received has formed the opinion that the road reservation shown coloured pink and cross hatched on the plan above is not reasonably required for public use and therefore is discontinued from the date of publication of the required notice in the Victoria Government Gazette.*

## MOTION

8.9.1 *That Council pursuant to Section 206 and Schedule 10, Clause 3 of the Local Government Act 1989 hereby resolves that after publication of a notice of intention to discontinue a road and no submissions being received has formed the opinion that the road reservation shown coloured pink and cross hatched on the plan above is not reasonably required for public use and therefore is discontinued from the date of publication of the required notice in the Victoria Government Gazette.*

**MOVED:** Councillor Janine Booth  
**SECONDED:** Councillor Don Henderson  
**CARRIED.**

## **8.10 STEP PLANNING PROCESS IMPROVEMENT PROGRAM GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the General Manager Sustainable Development, I have no interests to disclose in this report.*

### **PURPOSE**

This report presents to Council a summary of Hepburn Shire's participation in the STEP Planning Process Improvement Program run by the Municipal Association of Victoria (MAV).

### **BACKGROUND**

The planning unit is pro-active in regular reviews of its planning processes in order to identify improvements and efficiency gains that may be adopted in order to provide high quality service and standards to Council and residents of the Hepburn Shire.

### **ISSUE/DISCUSSION**

Hepburn Shire has volunteered to participate in the STEP Planning Process Improvement Program in conjunction with a number of other Shires and urban Councils from around the state.

The program is designed to help member councils to examine their planning services on a regular basis, primarily with the assistance of a specialist process analyst.

The outcomes will provide council with a full audit of the current systems and processes which will lead to suggested improvements. Templates and forms will be updated and refined and other tools such as reporting and performance data will be developed to assist in efficiencies.

The program commenced in late October 2010 and the suggested improvements are expected to be identified by the middle of next year.

### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Not applicable.

### **FINANCIAL IMPLICATIONS**

Cost of \$5,000 to be part of the program.

### **RISK IMPLICATIONS**

Not applicable.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

As the Planning Unit continues to improve its processes the planning impact on the environment, community and economy can be effected.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

*Level 1 – Business as Usual* of the community engagement framework to inform Council and the community has been implemented.

### **CONCLUSION**

With the ongoing continuous improvement in the Planning Unit, the efficiency and effectiveness of the planning service to the community will increase.

### **OFFICER'S RECOMMENDATION**

*8.10.1 That Council note the above information.*

### **MOTION**

*8.10.1 That Council note the above information.*

**MOVED:** Councillor Bill McClenaghan  
**SECONDED:** Councillor Tim Hayes  
**CARRIED.**

## **8.11 PROPOSED COMMUNITY PLANNING SCHEDULE: 2010-11 ONWARDS GENERAL MANAGER COMMUNITY DEVELOPMENT**

*In providing this advice to Council as the Community Strengthening Manager, I have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report is to recommend to Council a schedule for the development of community plans across Hepburn Shire.

### **BACKGROUND**

Councils' commitment to community planning is outlined in the current Council Plan (2009-13) which states that: "Community Planning will build the capacity of our local communities and create places which are highly valued by residents. We think the plans which communities prepare for themselves should guide Council's development priorities"

Further the Council Plan commits Council to:

- Providing support to all Hepburn communities prepared to undertake a Community Plan (Commitment 42)
- Using Community Plans as the basis for fixing priorities for Council's Capital Work Program and developing a Community Plans Funding Program which will provide communities with assistance to implement their Community Plans. (Commitment 43)

The following Community Plans have been developed:

- Creswick Ward (2009-13) adopted July 2009;
- Jim Crow Creek (Clydesdale, Franklinford & Yandoit) adopted 2008;
- Clunes adopted June 2009;
- Lyonville adopted July 2009;
- Newlyn/Rocklyn adopted December 2009 ;
- Trentham adopted November 2009; and,
- Glenlyon adopted June 2010.

A community planning process is to commence in the Leonards Hill, Muskvale, Sailors Hall communities in February 2011.

## **ISSUE/DISCUSSION**

A proposed schedule for the development of new community plans until the end of the 2012-13 financial year has been prepared. (Attachment 7).

## **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Commitment 42 - Providing support to all Hepburn communities prepared to undertake a Community Plan.

Commitment 43 - Using Community Plans as the basis for fixing priorities for Council's Capital Work Program and developing a Community Plans Funding Program which will provide communities with assistance to implement their Community Plans.

## **FINANCIAL IMPLICATIONS**

Council has allocated \$30,000 to support Community Planning in its 2010-11 budget.

## **RISK IMPLICATIONS**

Nil

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Community Plans identify community priorities and actions across a broad range of environment, social and environmental activities.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The community planning process actively engages the whole community.

## **CONCLUSION**

Community planning utilizes and builds on local community strengths and capacity and assists communities to become increasingly self supporting and capable of progressing priority actions identified in Community Plans.

## OFFICER'S RECOMMENDATION

*8.11.1 That Council adopt the proposed Schedule for the development of new Community Plans in Hepburn Shire until the end of the 2012-13 financial year.*

## MOTION

*8.11.1 That Council adopt the proposed Schedule for the development of new Community Plans in Hepburn Shire until the end of the 2012-13 financial year.*

**MOVED:** Councillor Janine Booth  
**SECONDED:** Councillor Tim Hayes  
**CARRIED.**

**Attachment 7 - Item 8.11  
Proposed Community Planning Schedule**



**Proposed Schedule for development of new Community Plans: Hepburn Shire**

<b>Financial Year</b>	<b>Community</b>	<b>Progress</b>
2010/11	<p>Glenlyon</p> <p>Sailors Falls, Muskvale &amp; Leonards Hill</p> <p>Process agreed and preliminary pre-planning community workshops held for development of Daylesford Community Plan</p>	<p>Completed September 2010</p> <p>Planning commenced Community meeting scheduled February 2011 Completion June 2011</p> <p>June 2011</p>
2011/12	<p>Daylesford</p> <p>Dean/Molonghip</p> <p>Smeaton and Kingston District (linked with Clunes Small Town Adaptation Project)</p> <p>Process agreed and preliminary pre-planning community workshops held for development of Hepburn Springs Community Plan</p>	<p>Anticipated completion date: December 2011</p> <p>Completed December 2011</p> <p>Completed June 2012</p> <p>June 2012</p>
2012-13	<p>Hepburn Springs</p> <p>Musk/Bullarto</p>	<p>Completed December 2012</p> <p>Completed June 2013</p>

## 8.12 RECLASSIFICATION OF MINERAL SPRINGS CRESCENT TO ARTERIAL GENERAL MANAGER INFRASTRUCTURE

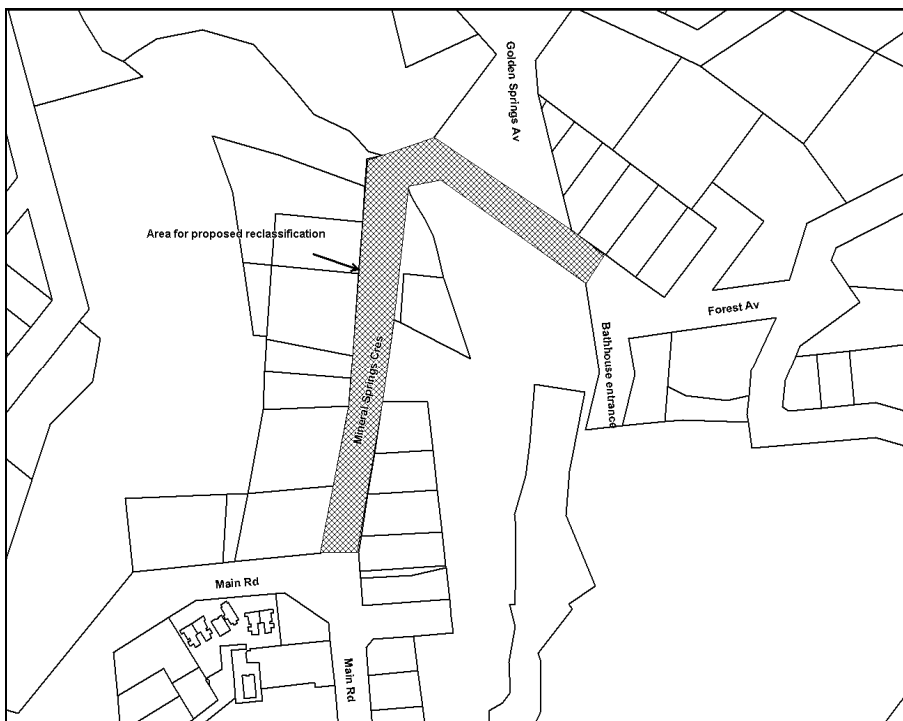
*In providing this advice to Council as the Asset Engineer, I have no interests to disclose in this report.*

### PURPOSE

Mineral Springs Crescent, Hepburn Springs is currently classified as a local road, so the care and maintenance is the responsibility of Council. A resolution of Council is required for VicRoads to reclassify the road as an arterial road so that the responsibility for care and maintenance of the road is transferred to VicRoads.

### BACKGROUND

When the Bathhouse was declared as a significant tourist destination within Victoria, the Hepburn Tourist Road was declared an arterial road and became funded and maintained by VicRoads. Due to the poor construction standard of Mineral Springs Crescent, the arterial designation of the road stopped at the intersection of Main Road and Mineral Springs Crescent



In 2003 VicRoads funded upgrade works on Mineral Springs Crescent to improve safety by widening the road and bridge to meet with VicRoads standards. This was done with the intention that the road be reclassified as arterial from the intersection of Main Road to the Bathhouse entrance.

An audit of the arterial roads has revealed that a formal gazettal of the arterial classification has never been carried out and as such Mineral Springs Crescent is still legally the responsibility of Council.

### **ISSUE/DISCUSSION**

VicRoads are willing to undertake the gazettal of the arterial classification but require a motion of Council requesting for the change to be undertaken.

### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

*Road Management Act 2004*

### **FINANCIAL IMPLICATIONS**

Cost saving as Council will no longer have to fund maintenance of the traffic lanes.

### **RISK IMPLICATIONS**

Reduced risk as the responsibility and liability for maintenance and inspection will be transferred to VicRoads.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

This is an administrative change only. There will be no alteration to the built form of the road.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Community consultation has not been undertaken as the works have already been completed and there will no further change to the construction standard or function of the road.

VicRoads agree with the reclassification proposal.

## **CONCLUSION**

The Hepburn Tourist Road has not been declared arterial all the way to the Bathhouse leaving Council responsible for the care and maintenance of Mineral Springs Crescent.

A formal request for the reclassification of the road is required to correct the current status and remove the current potential liability from Council.

## **OFFICER'S RECOMMENDATION**

*8.12.1 That Council resolve to formally request that Mineral Springs Crescent from Main Road to the Bathhouse entrance be reclassified as part of the state arterial road network.*

## **MOTION**

*8.12.1 That Council resolve to formally request that Mineral Springs Crescent from Main Road to the Bathhouse entrance be reclassified as part of the state arterial road network.*

**MOVED:** Councillor Don Henderson  
**SECONDED:** Councillor Janine Booth  
**CARRIED.**

### **8.13 COUNCIL MEETING DATES FOR 2011 CHIEF EXECUTIVE OFFICER**

*In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.*

#### **PURPOSE**

This report presents dates and locations of 2011 Council Meeting and Delegated Planning Committee Meetings for Council's adoption. In accordance with Section 89 (4) of the *Local Government Act 1989*, at least seven days' notice must be given before Ordinary Meetings of Council.

#### **BACKGROUND**

Over the past couple of years, Council has utilised a pattern of rotating Ordinary Council Meetings around the Shire between the four major townships of Clunes, Creswick, Daylesford/Hepburn Springs and Trentham.

It is recommended that Council continue to rotate the locations of Ordinary Meetings during 2011.

#### **ISSUE/DISCUSSION**

A slight change to the cycle is recommended, due to the cold conditions in the various halls during winter. It is proposed that 6 (six) Council Meetings are held in the Daylesford Senior Citizens Room during the coldest months, and that the remaining 6 (six) are rotated around Clunes, Creswick and Trentham. The cycle is illustrated in the table below.

It is also recommended that Council continue to hold its Ordinary Meetings on the third Tuesday of each month, however with a starting time of 5pm

Below are the proposed dates and locations for the 2011 Ordinary Meetings.

<b>COUNCIL MEETING DATES AND LOCATIONS 2011</b>		
<b>Date</b>	<b>Time</b>	<b>Location</b>
Tuesday 18 January	5pm	Clunes Town Hall
Tuesday 15 February	5pm	Creswick Senior Citizens
Tuesday 15 March	5pm	Trentham Mechanics Institute
Tuesday 19 April	5pm	Daylesford Senior Citizens
Tuesday 17 May	5pm	Daylesford Senior Citizens
Tuesday 21 June	5pm	Daylesford Senior Citizens
Tuesday 19 July	5pm	Daylesford Senior Citizens
Tuesday 16 August	5pm	Daylesford Senior Citizens
Tuesday 20 September	5pm	Daylesford Senior Citizens
Tuesday 18 October	5pm	Clunes Town Hall
Tuesday 15 November	5pm	Creswick Senior Citizens
Tuesday 20 December	5pm	Trentham Mechanics Institute

There will be no changes to the current practice of holding Delegated Planning Committee Meetings in the Daylesford Senior Citizens Room on the second Tuesday each month, starting at 5pm.

Below are the proposed dates for the 2011 Delegated Planning Committee Meetings. Please note there is no Delegated Planning Committee meeting proposed in January 2011, as was the case in 2010.

<b>DELEGATED PLANNING COMMITTEE MEETING DATES AND LOCATIONS 2011</b>		
<b>Date</b>	<b>Time</b>	<b>Location</b>
Tuesday 8 February	5pm	Daylesford Senior Citizens Room
Tuesday 8 March	5pm	Daylesford Senior Citizens Room
Tuesday 12 April	5pm	Daylesford Senior Citizens Room
Tuesday 10 May	5pm	Daylesford Senior Citizens Room
Tuesday 14 June	5pm	Daylesford Senior Citizens Room
Tuesday 12 July	5pm	Daylesford Senior Citizens Room
Tuesday 9 August	5pm	Daylesford Senior Citizens Room
Tuesday 13 September	5pm	Daylesford Senior Citizens Room
Tuesday 11 October	5pm	Daylesford Senior Citizens Room
Tuesday 8 November	5pm	Daylesford Senior Citizens Room
Tuesday 13 December	5pm	Daylesford Senior Citizens Room

During 2010 the Councillor Briefing Meeting has continued to be held on the first Tuesday of each month. This meeting is attended by Councillors, Officers and invited guests where appropriate.

The Councillor Briefing Session is a non-decision making discussion forum which provides Councillors with the opportunity to:

- Comment on proposed policy or other strategic or community sensitive issues;
- Be informed of issues of significance; and
- Provide general guidance for Council officers to progress relevant issues.

Councillors do not make legally binding decisions in these informal forums.

It has been the practice of Council throughout the past 12 months to hold an additional Councillor Briefing on the second Tuesday of each month due to the workload.

This Briefing Session schedules external parties such as community groups, consultants and other organizations.

It is recommended that Council continue to hold a Councillor Briefing Session on a monthly basis or as appropriate.

A resolution of Council is not necessary to adopt a cycle of Councillor Briefing Sessions as the meeting has no legal “status”. However Council should indicate its intention regarding this meeting so that the community is aware of its activities.

## **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

*Local Government Act 1989*

*Hepburn Shire Council Council Plan 2009-2013: We will deliver good governance to the Hepburn Shire.*

## **FINANCIAL IMPLICATIONS**

There are no additional financial implications of the decision to rotate the Council Meetings around the Shire

## **RISK IMPLICATIONS**

There are no risk implications relating to this matter.

## **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Increased community engagement and participation in the democratic process.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The Council Meetings timetable accompanies the Hepburn Shire Advocate page weekly. The timetable will also be placed on Council’s website. Additional media will cover the change in meeting times to ensure community awareness.

## **CONCLUSION**

That Council adopt the proposed timetable for 2011 Ordinary Meetings of Council, Delegated Planning Committee Meetings and Councillor Briefings.



## OFFICER'S RECOMMENDATION

*That Council*

- 8.13.1 Adopt the Council Meeting dates and locations for the 2011 Ordinary Meetings of Council as presented in the table entitled Council Meeting dates and locations 2011.*
- 8.13.2 Adopt the Delegated Planning Committee dates and locations for 2011 Delegated Planning Committee Meetings as presented in the table entitled Delegated Planning Committee dates and locations 2011.*
- 8.13.3 Publish a public notice to advise that the meeting dates for Ordinary Meetings of Council and the Delegated Planning Committee have been set for the 2011 calendar year in accordance with Section 89(4) of the Local Government Act 1989.*

**MOTION**

*That Council*

8.13.1 *Adopt the Council Meeting dates and locations for the 2011 Ordinary Meetings of Council as presented in the table entitled Council Meeting dates and locations 2011.*

8.13.2 *Adopt the Delegated Planning Committee dates and locations for 2011 Delegated Planning Committee Meetings as presented in the table entitled Delegated Planning Committee dates and locations 2011.*

8.13.3 *Publish a public notice to advise that the meeting dates for Ordinary Meetings of Council and the Delegated Planning Committee have been set for the 2011 calendar year in accordance with Section 89(4) of the Local Government Act 1989.*

**Amendment:**

**Change 8.13.1** to add the words Council Meeting starting time 5.30pm and locations as follows:

<b>Month</b>	<b>Location</b>
January:	Clunes Town Hall
February	Clunes Town Hall
March:	Trentham Mechanics Institute
April	Creswick Senior Citizens
May	Creswick Senior Citizens
June	Daylesford Senior Citizens
July	Daylesford Senior Citizens
August	Daylesford Senior Citizens
September	Creswick Senior Citizens
October	Trentham Mechanics Institute
November	Trentham Mechanics Institute
December	Clunes Town Hall

**MOVED:** Councillor Sebastian Klein

**SECONDED:** Councillor Tim Hayes

**LOST.**

**Amendment:**

**Change 8.13.1** to add the words Council Meeting starting time and locations as follows:

<b>Month</b>	<b>Location and time</b>
January:	Clunes Town Hall – 7pm
February	Clunes Town Hall – 7pm
March:	Trentham Mechanics Institute – 7pm
April	Creswick Senior Citizens – 7pm
May	Creswick Senior Citizens – 7pm
June	Daylesford Senior Citizens – 6pm
July	Daylesford Senior Citizens – 6pm
August	Daylesford Senior Citizens – 6pm
September	Creswick Senior Citizens – 7pm
October	Trentham Mechanics Institute – 7pm
November	Trentham Mechanics Institute – 7pm
December	Clunes Town Hall – 7pm

**MOVED: Councillor Bill McClenaghan**

**SECONDED: Councillor Don Henderson**

**LOST**

**Amendment**

**Change 8.13.1** to include a finish time of 10pm for Council Meeting.

**MOVED: Councillor Bill McClenaghan**

**SECONDED: Councillor Don Henderson**

**CARRIED.**

## AMENDED MOTION

*That Council*

8.13.1 *Adopt the Council Meeting dates and locations for the 2011 Ordinary Meetings of Council, with starting time changed to 5.30pm and locations as follows:*

*January: Clunes Town Hall*

*February : Clunes Town Hall*

*March: Trentham Mechanics Institute*

*April: Creswick Senior Citizens*

*May: Creswick Senior Citizens*

*June: Daylesford Senior Citizens*

*July: Daylesford Senior Citizens*

*August: Daylesford Senior Citizens*

*September: Creswick Senior Citizens*

*October: Trentham Mechanics Institute*

*November: Trentham Mechanics Institute*

*December: Clunes Town Hall*

*10pm set finish time for Council Meeting*

8.13.2 *Adopt the Delegated Planning Committee dates and locations for 2011 Delegated Planning Committee Meetings as presented in the table entitled Delegated Planning Committee dates and locations 2011.*

8.13.3 *Publish a public notice to advise that the meeting dates for Ordinary Meetings of Council and the Delegated Planning Committee have been set for the 2011 calendar year in accordance with Section 89(4) of the Local Government Act 1989.*

**MOVED: Councillor Sebastian Klein**

**SECONDED: Councillor Tim Hayes**

**CARRIED.**

***Councillor Bill McClenaghan wishes his dissent be noted.***

## **8.14 MONTHLY FINANCIAL REPORT GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the Manager of Finance, I have no interests to disclose in this report.*

### **PURPOSE**

The purpose is to report on the Council's financial performance for the 2010/11 financial year up to the 30 November 2010.

### **BACKGROUND**

This report provides information on cash and investments, debtors and loan balances, capital and project expenditure. No income statement has been provided this month, please refer to the "Mid Year Budget Review" for detailed forecast to 30 June 2011.

### **ISSUE/DISCUSSION**

#### **CAPITAL WORKS AND MAJOR PROJECTS:**

\$1.6 million has been spent in capital works and \$75,000 in major projects for the period ended 30 November 2010.

See tables for details of status of capital and non capital project later in this report.

### **BALANCE SHEET**

#### **CURRENT ASSETS:**

Cash and investments at 30 November 2010 total \$7.4 million, which is consistent with the balance compared with same time last year.

Refer to the Investment schedule (attached) for detail of investments and cash held and the graph of cash and cash equivalents for the 12 months to 30 June 2010 with comparison to the first 5 months of this year. Cash is tracking fairly consistent with prior year.

**TRADE & OTHER RECEIVABLES:**

Rate debtors at the end of November 2010 are \$7.6 million. This compares to rate debtors at the same time last year (\$7.5 million.) Approximately \$416,000 in debtors remains from 2009-10 and prior.

Sundry debtors total \$1.3 million at the end of November compared to the same time last year (\$470,000). This is due to invoices raised in November for September 2010 floods - Claim 1 of \$465,792 and final claim for Creswick Interpretive centre from Department of Regional & Rural Development Victoria \$106,000.

**TRADE & OTHER RECEIVABLES: (Continued)**

The two graphs attached show the level of Rate Debtors for 2010/11 in comparison to the same time last year and Sundry Debtors in comparison to the same time last year.

**LOANS:**

At 30 November 2010 Council's loan liability is \$3.35million attached is a list of each loan, the outstanding balance and a graph of loan liability balances to 2020.

**COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Under Section 138 of the Local Government Act 1989 a report comparing expenses and revenue to budget must be presented at least quarterly to the Council in a meeting which is open to the public.

**FINANCIAL IMPLICATIONS**

The reports attached provide the opportunity for constant review of Council's financial position.

**RISK IMPLICATIONS**

The internal financial report is required to assist in decision making and ensure departments do not exceed their budget.

**ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

None noted.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

As per the Hepburn Shire Community Engagement Framework, level 1 engagement has been undertaken. This information will be made available to the public via the minutes published on the Council's website.

### **CONCLUSION**

The report on the financial performance of Council for the five months to 30 November 2010 has been reported.

### **OFFICER'S RECOMMENDATION**

8.14.1 That Council receives the Monthly Financial Report for the five months from 1 July 2010 to 30 November 2010.

### **MOTION**

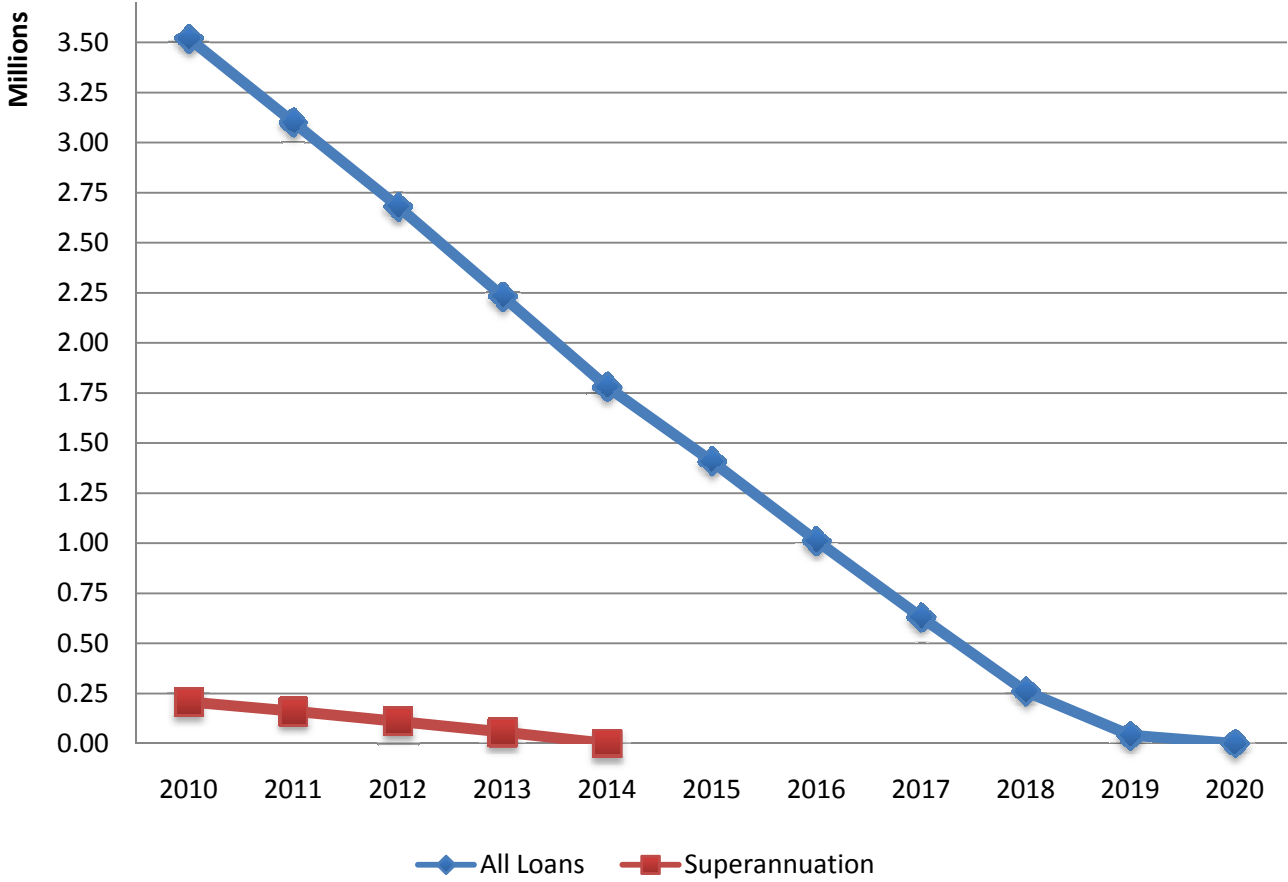
8.14.1 That Council receives the Monthly Financial Report for the five months from 1 July 2010 to 30 November 2010.

**MOVED:** Councillor Tim Hayes  
**SECONDED:** Councillor Janine Booth  
**CARRIED.**

<b>Hepburn Shire Council Cash and Investments As at 30 November 2010</b>			
	<b>Maturing</b>	<b>Rate</b>	<b>Balance</b>
CBA Investment Account		Variable	\$ 671,979
FIIG Securities	30/08/2014	Variable	\$ 250,000
Savings & Loans	8/02/2011	5.50%	\$ 1,000,000
Community CPS Credit Union	8/02/2011	5.88%	\$ 1,000,000
Sun-Corp Metway Limited	8/02/2011	6.07%	\$ 1,000,000
Ing Bank Australia Limited	4/01/2011	5.58%	\$ 1,000,000
Doug Lindsay Reserve		Variable	\$ 481,152
Litherland Bequest		Variable	\$ 92,188
Medlyn Bequest		Variable	\$ 21,773
F Shaw Bequest		Variable	\$ 10,000
Bendigo Bank		Variable	\$ 989
General CBA Bank Account		Variable	\$ 1,856,182
Cash Floats and Petty Cash			\$ 6,000
			<b>\$ 7,390,261</b>
<b>LSL Reserve Funds</b>			
Bendigo Bank Floating Rate	12/12/2011	Floating	\$ 484,850
CBA Investec	27/02/2014	Floating	\$ 489,300
			<b>\$ 974,150</b>
<b>Total Investments</b>			<b>\$ 8,364,411</b>



# Loan Liability as at 30 June each Year



## Projects

Project	Responsible GM	Budget Cost	YTD Actual	Forecast	% complete	Comment
Utility Tracking program	GMSD	4,000		4,000	0%	Planet Footprint engaged to monitor utilities across Council buildings plus Tourist info centre has an interactive display in the public area.
ICLEI Pathway program	GMSD	4,000	-	4,000	0%	Series of 4 work shops, final conducted in December 2010
Energy Descent Action Plan \$18k Significant tree register \$40k Monitoring of the Elm Leaf Beetle \$10k Installation of energy efficient light fittings (Carried forward) \$6,881	GMSD	74,881	2,950	74,881	4%	Environmental Action Group meeting on monthly basis to develop plan. Nominations sought for significant tree register work, compiling information. Investigating the use of a local law as part of the process
Contribution to Landcare groups	GMSD	24,000	23,985	24,000	100%	Completed. Monies distributed at end of November 2010
<b>Total projects funded by the environmental charge</b>		<b>106,881</b>	<b>26,935</b>	<b>106,881</b>		
Yandoit Tennis Courts Asphaltting	GMCD	41,000	-	41,000	0%	Subject to grant funding which has not been confirmed yet - timeframe unknown due to change of state govt.
Community Infrastructure Project Planning project at Trentham	GMCD	40,000	-	40,000	0%	Meeting with DPCD held in November. Support for Planning Grant to be submitted February 2011
Lindsay Arts Trail - Stage 2 &3	GMCD	40,000	5,310	40,000	13%	Stage 2 - Narrative EOI process undertaken. Consultant to be appointed early in December.
Support of community planning in towns across the Shire \$30k Walking and cycling strategy \$25k	GMCD	55,000	82	55,000	0%	Walking & Cycling Strategy brief complete expressions of interest to be called in November. Consultant to be appointed week
Library Review	GMCD	15,000	-	15,000	0%	Consultant appointed. Review commenced.
Hepburn Health and Wellbeing Plan	GMCD	25,000	-	25,000	0%	Project to commence Feb 2011.
Celebrating 150 Years of Local Government	GMCD	18,000	-	18,000	0%	Delayed until appointment of Culture & Arts Officer
Trentham Railway Building Painting	GMCD	10,000	10,000	10,000	100%	Completed
Creswick Tourism Interpretative Centre	GMCD	14,306	-	14,306	0%	Requires further negotiation with RDV
		<b>258,306</b>	<b>15,392</b>	<b>258,306</b>		

Project	Responsible GM	Budget Cost	YTD Actual	Forecast	% complete	Comment
Waste Management Strategy	GMI	60,000	-	60,000	0%	Brief to Council in December
Asset Management Plan	GMI	60,000	15,708	60,000	26%	Ongoing, brief to be developed for next stage
Hepburn Springs Mineral reserve - conservation Volunteers material support	GMI	10,000	-	10,000	0%	To be carried out in Autumn 2011
Wombat Hill Botanic Gardens Restoration Plan	GMI	3,000	-	3,000	0%	Quotations being received, works to commence prior to Christmas
Trentham Recreation Reserve Works	GMI	160,000	574	160,000	0%	Advertising costs incurred only at this stage. Tender for works closed in early October.
Ullina Avenue of Honour Project	GMI	800	-	800	0%	Plaques to be sourced in conjunction with appropriate RSL
Drummond Avenue of Honour Project	GMI	4,000	-	4,000	0%	Plaques to be sourced in conjunction with appropriate RSL
Daylesford Cenotaph Restoration	GMI	7,000	-	7,000	0%	Scoping has started with discussions with RSL
Trentham Mechanics Institute Veranda works	GMI	10,000	-	10,000	0%	To be followed up with Institute Committee
Arboricultural works Shire wide	GMI	17,118	-	17,118	0%	Ongoing
Glenlyon Main road tree works	GMI	16,052	12,640	16,052	79%	Ongoing
		<b>347,970</b>	<b>28,922</b>	<b>347,970</b>		
Main street revitalisation plan	GMSD	60,000	1,970	60,000	3%	Council briefing commencing processes occurred in August.
Tourism Websites	GMSD	16,000	326	16,000	2%	Scope of project to be revisited, to be completed in new year.
- Completion of the Economic Development strategy (carried forward) \$26,486 and Implementation \$15k - Business Pack & Economic Development Website for Shire \$10k	GMSD	51,486	26,972	51,486	52%	The Economic Development Strategy proposed completion date is November. Work has commenced on the Business Pack and Economic Development Website, will be finalised in new year.
Heat wave strategy	GMSD	25,000	-	10,000	0%	Completed in-house and will be adopted by Council by end of the year.
MSS Review	GMSD	131,279	1,350	131,279	1%	Commenced, compiling a report for the selection of a consultant to review the planning scheme
		<b>283,765</b>	<b>30,618</b>	<b>268,765</b>		
<b>TOTAL OTHER PROJECTS</b>		<b>890,041</b>	<b>74,932</b>	<b>875,041</b>		

Capital Works Area	Responsible GM	Project Cost	YTD Actual	Forecast	% complete	Comments
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## 1. New works

### ROADS & BRIDGES

#### Asset renewal

Reseals	GMI	1,500,000	13,866	1,500,000	1%	Main expenditure will occur February - March 2011
Reseal Preparation	GMI	78,000	19,665	78,000	25%	Main expenditure will occur December - February
Shoulder Resheets	GMI	100,000	-	100,000	0%	Scheduled for November through to April
Gravel Resheets	GMI	600,000	2,383	600,000	0%	Scheduled for November through to April
Stabilisation Project	GMI	790,000	6,933	790,000	1%	Scheduled for December through to February
Bridge Replacement Design	GMI	30,000	-	30,000	0%	Scheduled for November through to April
Bridge Maintenance (including \$82k of c/f)	GMI	371,733	93,976	371,733	25%	Ongoing works
Mullers Lane Bridge Construction (including \$18k c/f)	GMI	167,500	13,575	167,500	8%	Permit being sought from DSE, therefore work has not commenced to date
Footpath Improvement	GMI	40,000	-	40,000	0%	Scheduled for November through to April
<b>Total asset renewal</b>		<b>3,677,233</b>	<b>150,398</b>	<b>3,677,233</b>		

#### Asset expansion/upgrade

Shoulder Sealing	GMI	363,000	1,337	363,000	0%	Scheduled for November through to April
Swords Road Road Works	GMI	15,000	-	15,000	0%	Scheduled for November through to April
<b>Total asset expansion/upgrade</b>		<b>378,000</b>	<b>1,337</b>	<b>378,000</b>		
<b>TOTAL ROADS</b>		<b>4,055,233</b>	<b>151,735</b>	<b>4,055,233</b>		

Capital Works Area	Responsible GM	Project Cost	YTD Actual	Forecast	% complete	Comments
<b>RECREATION</b>						
<b>Asset renewal</b>						
Newlyn Football & Netball Club Upgrade	GMCD	60,000	-	-	0%	Removed. The associated grant was not successful. The \$15,000 Council contribution will be reallocated at the mid-year budget review.
Skatepark improvement program	GMCD	20,000	-	20,000	0%	Works to commence in January/February 2011.
Playground Equipment Replacement Program	GMI	20,000	-	20,000	0%	Program to be completed by May 2011
<b>Total asset renewal</b>		<b>100,000</b>	<b>-</b>	<b>40,000</b>	<b>0%</b>	
<b>New assets</b>						
Amenities block at Daylesford Community Park (including \$25k carryforward)	GMCD	88,900	14	88,900	0%	Works currently being scoped. Community Reference Group has met on 2 occasions and agreed design and layout, sewerage to site under investigation. Council to be briefed on project December Briefing
Calembeen Park Walking Track	GMCD	100,000	-	100,000	0%	Scope of works to be developed, community meeting on 15th Dec.
<b>Total new assets</b>		<b>188,900</b>	<b>14</b>	<b>188,900</b>		
<b>TOTAL RECREATION</b>		<b>288,900</b>	<b>14</b>	<b>228,900</b>		

Capital Works Area	Responsible GM	Project Cost	YTD Actual	Forecast	% complete	Comments
<b>BUILDINGS</b>						
<b>Asset renewal</b>						
Buildings Renewal	GMI	180,000	77,079	173,914	44%	Ongoing.
Trentham Pool Filter	GMI	90,000	3,538	123,000	3%	Project anticipated to cost 125,000 due to additional works required and increased cost of filter. Reallocation of funds to occur during mid-year budget review.
Painting Daylesford Pool	GMI	40,000	-	24,000	0%	Quotes in progress, to be completed by start of season
Replacement of Seals at Daylesford Pool	GMI	5,000	7,086	7,086	100%	Completed.
Pool Entrance Steps Rails	GMI	4,800	-	4,800	0%	Quotes in progress, to be completed by start of season
Repairs to Pound	GMSD	3,500	-	3,500	0%	Repairs to be undertaken prior to Christmas
Street Litter & Recycling Bins	GMI	50,000	-	50,000	0%	To be carried out November through to January 2011
Duke St Drainage Works	GMI	30,000	-	30,000	0%	Works to be carried out April - June 2011
<b>Total asset renewal</b>		<b>403,300</b>	<b>87,703</b>	<b>416,300</b>		
<b>Asset expansion/upgrade</b>						
Wombat Hill Gardens Kiosk	GMI	250,000	936	250,000	0%	Not expected to be required until early 2011
Pool Entrance Steps Rails	GMI	4,800	-	4,800	0%	Quotes in progress
Landing Providing Access to Medlyn Bottle Museum	GMI	15,000	-	15,000	0%	Works to be carried out in 2011
Transfer Station Facility Upgrade	GMI	60,000	-	60,000	0%	Works to be carried out Nov - March 2011
Duke St Drainage Works	GMI	30,000	-	30,000	0%	Works to be carried out April - June 2011
<b>Total asset expansion/upgrade</b>		<b>359,800</b>	<b>936</b>	<b>359,800</b>		
<b>New assets</b>						
Cameron Court Units (Including \$241k carried forward)	GMI	591,220	4,590	591,220	1%	Site assessments being made. Project unlikely to be completed in 2010/11.
<b>Total new assets</b>		<b>591,220</b>	<b>4,590</b>	<b>591,220</b>		
<b>TOTAL BUILDINGS</b>		<b>1,354,320</b>	<b>93,229</b>	<b>1,367,320</b>		

Capital Works Area	Responsible GM	Project Cost	YTD Actual	Forecast	% complete	Comments
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**PLANT, EQUIPMENT and OTHER**

**Asset renewal**

Corporate System (including c/f \$74k)	GMCS	173,249	11,609	173,249	7%	Tender closed 14 October 2010. Evaluations now occurring.
Computer Equipment \$90k (including c/f \$22k)	GMCS	111,825	16,736	111,825	15%	Purchases made according to resources
Survey Total Station	GMI	18,500	15,863	15,863	100%	Completed
Mineral Spring Reserves projects	GMI	81,500	886	81,500	1%	Works to be carried out in first half of 2011
Passenger & Commercial Fleet (including c/f \$110k )	GMI	328,195	114,774	328,195	35%	On track, working through 2010/11 purchase schedule
Works Plant & Equipment (including c/f \$244k)	GMI	994,325	497,070	994,325	50%	On track, working through 2010/11 purchase schedule
<b>Total asset renewal</b>		<b>1,707,594</b>	<b>656,938</b>	<b>1,704,957</b>		

**New assets**

Creswick Office Refit	GMCD	20,000	82	20,000	0%	Partitions installed late November. Other works to be completed early 2011
Auto Start-up Generator	GMCS	5,000	-	5,000	0%	Purchase outstanding
Mineral Spring Reserves projects	GMI	35,000	849	35,000	2%	Works to be carried out in first half of 2011
Air Conditioning - Economic Development & Tourism Office	GMI	6,000	-	6,000	0%	Quotes currently being sought
<b>Total new assets</b>		<b>66,000</b>	<b>930</b>	<b>66,000</b>		

<b>TOTAL PLANT, EQUIPMENT and OTHER</b>		<b>1,773,594</b>	<b>657,869</b>	<b>1,770,957</b>		
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<b>TOTAL CAPITAL WORKS 2010/11</b>		<b>7,472,047</b>	<b>902,846</b>	<b>7,422,410</b>		
Asset renewal		<b>5,888,127</b>	<b>895,040</b>	<b>5,838,490</b>		
New assets		<b>846,120</b>	<b>5,534</b>	<b>846,120</b>		
Asset expansion/upgrade		<b>737,800</b>	<b>2,273</b>	<b>737,800</b>		

Capital Works Area	Responsible GM	Project Cost	YTD Actual	Forecast	% complete	Comments
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## 2. Works carried forward from the 2009/10 year

### RECREATION

#### Asset renewal

Victoria Park Daylesford Project	GMCD	82,410	7,760	82,410	9%	Electrical upgrade commenced 6/12/10, cricket nets completed, Ticket box and shade sail ordered. Events storage shed to be installed Feb.
Clunes Bottle Museum	GMI	2,389	-	2,389	0%	Seeking Consultant
Drummond Hall Tennis Court	GMCD	28,000	-	28,000	0%	Contractor engaged. Continues to be delayed due to wet weather.
Clunes Football/Netball Club redevelopment	GMCD	5,000	-	5,000	0%	Consultation report completed.
Calambeen Park - Dive Tower	GMI	121,244	6,953	121,244	6%	
Leitches Creek and Woolnoughs Crossing Mineral Springs Works	GMI	12,500	-	12,500	0%	Scheduled for November through to April
<b>Total asset renewal</b>		<b>251,543</b>	<b>14,713</b>	<b>251,543</b>		

#### New assets

CDDA Magic Pudding Playground	GMCD	63,863	19,449	63,863	30%	Re-advertising for quotes for other elements of Stage, work commenced on construction of Salt Junk Sarah late November 2010.
Calambeen Park shade area	GMCD	6,000	330	6,000	6%	To be installed December 2010
Carbon Negative Initiatives	GMSD	104,500	-	104,500	0%	Clunes & Newlyn solar/hot water projects - Quotes being sought
Wombat Hill Gardens recycling plan	GMI	7,336	-	7,336	0%	
Wombat Hill Gardens tree replacement plan	GMI	12,000	-	12,000	0%	Tree planting to take place during dormant growth period
Victoria Park Daylesford Project	GMCD	82,410	7,760	82,410	9%	See Above
<b>Total new assets</b>		<b>276,109</b>	<b>27,539</b>	<b>276,109</b>		
<b>TOTAL RECREATION</b>		<b>527,652</b>	<b>42,252</b>	<b>527,652</b>		



Capital Works Area	Responsible GM	Project Cost	YTD Actual	Forecast	% complete	Comments
<b>ROADS &amp; BRIDGES</b>						
<b>Asset renewal</b>						
Blackspot program - Clunes	GMI	9,427	7,160	9,427	76%	Final guard rail being installed
Gooch's Bridge design & construction	GMI	47,521	51,963	51,963	100%	Completed
Footpath & Kerbing High St Trentham	GMI	6,000	7,293	7,293	100%	Completed slightly over budget due to Telstra costs
Zig Zag Road re-establishment	GMI	8,000	-	25,341	0%	Completion May/June 2011
Mossops Road re-establishment	GMI	25,341	-	1,000	0%	Completion May/June 2011
Mobile Skate Park modifications	GMCD	2,935	-	2,935	0%	Money to be utilised as part of skate park upgrade works scheduled for commencement in January 2011
<b>Total asset renewal</b>		<b>99,224</b>	<b>66,416</b>	<b>97,959</b>		
<b>TOTAL ROADS &amp; BRIDGES</b>						
		<b>99,224</b>	<b>66,416</b>	<b>97,959</b>		
<b>BUILDINGS</b>						
<b>Asset renewal</b>						
Glenlyon Hall restoration	GMI	91,341	2,153	91,341	2%	WIP Demolition of back area completed
Creswick Town Hall works	GMI	91,131	94,697	94,697	100%	Completed
Doug Lindsay Recreation Reserve Multi Purpose Facility	GMSD	1,433,975	241,385	1,433,975	17%	Delays as a result of weather. SJWeir are constructing foundation, building slab and continuing earth works to oval.
Sealing of access way to Municipal; Recycle Facility	GMI	29,179	175	29,179	1%	Ongoing
<b>Total asset renewal</b>		<b>1,645,626</b>	<b>338,409</b>	<b>1,649,192</b>		
<b>New assets</b>						
Doug Lindsay Recreation Reserve Multi Purpose Facility	GMSD	1,433,975	241,385	1,433,975	17%	Delays as a result of weather. SJWeir are constructing foundation, building slab and continuing earth works to oval.
Sealing of access way to Municipal Recycle Facility	GMI	29,179	175	29,179	1%	Ongoing
<b>Total new assets</b>		<b>1,463,154</b>	<b>241,559</b>	<b>1,463,154</b>		
<b>TOTAL BUILDINGS</b>						
		<b>3,108,779</b>	<b>579,968</b>	<b>3,112,345</b>		

Capital Works Area	Responsible GM	Project Cost	YTD Actual	Forecast	% complete	Comments
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**PLANT, EQUIPMENT AND OTHER**

**Asset renewal**

Upgrade of generator & electrical service	GMI	7,000	-	7,000	0%	To be purchased
<b>Total asset renewal</b>		<b>7,000</b>	<b>-</b>	<b>7,000</b>		

**New assets**

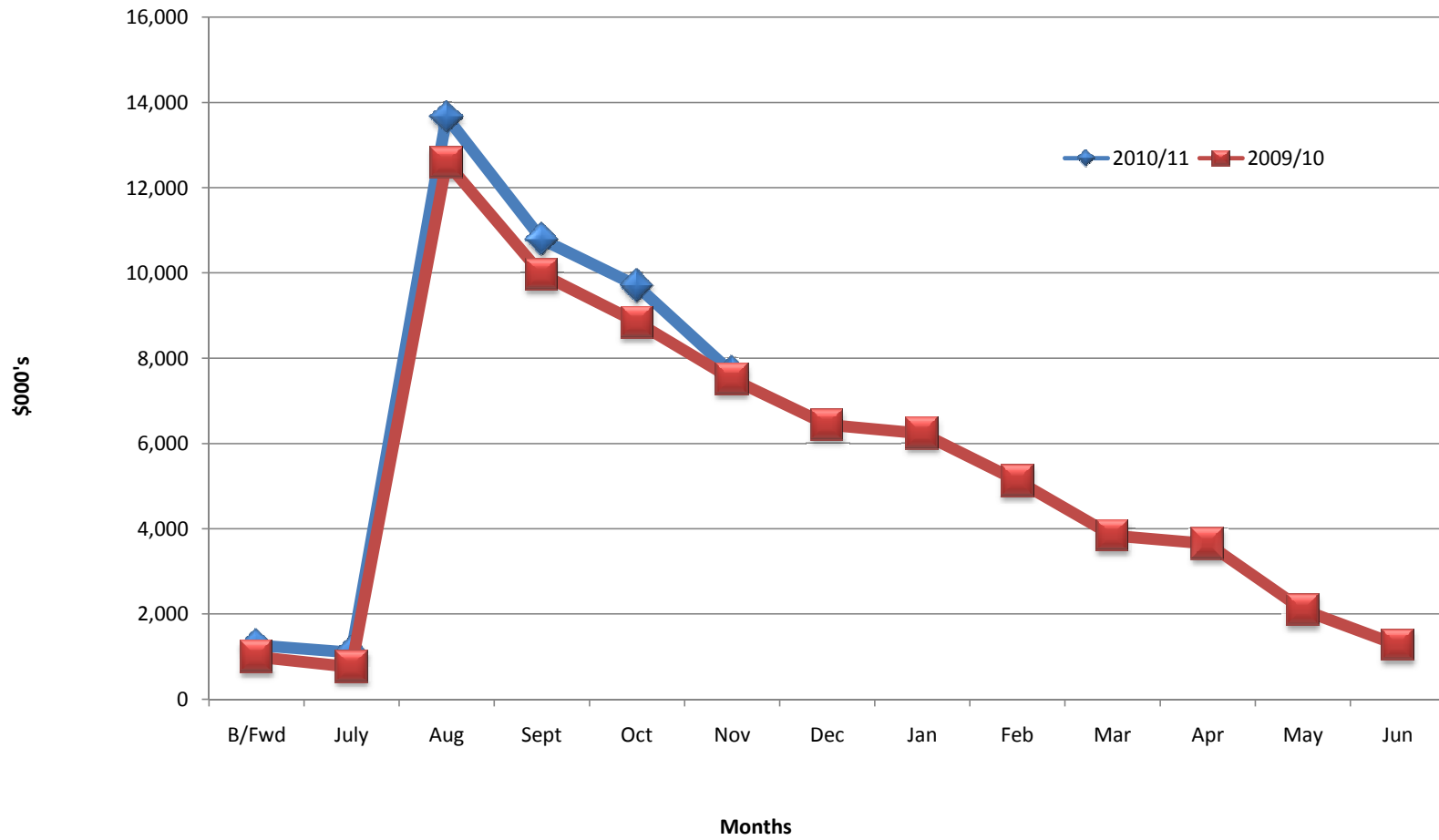
Music equipment for Schools	GMCD	10,000	-	10,000	0%	Equipment purchased, payment to be made. Complete
<b>Total new assets</b>		<b>10,000</b>	<b>-</b>	<b>10,000</b>		
<b>TOTAL PLANT, EQUIPMENT AND OTHER</b>		<b>17,000</b>	<b>-</b>	<b>17,000</b>		

<b>TOTAL CARRIED FORWARD WORKS 2009/10</b>		<b>3,752,655</b>	<b>688,636</b>	<b>3,754,956</b>		
Asset renewal		2,003,393	419,538	2,005,694		
New assets		1,749,263	269,098	1,749,263		

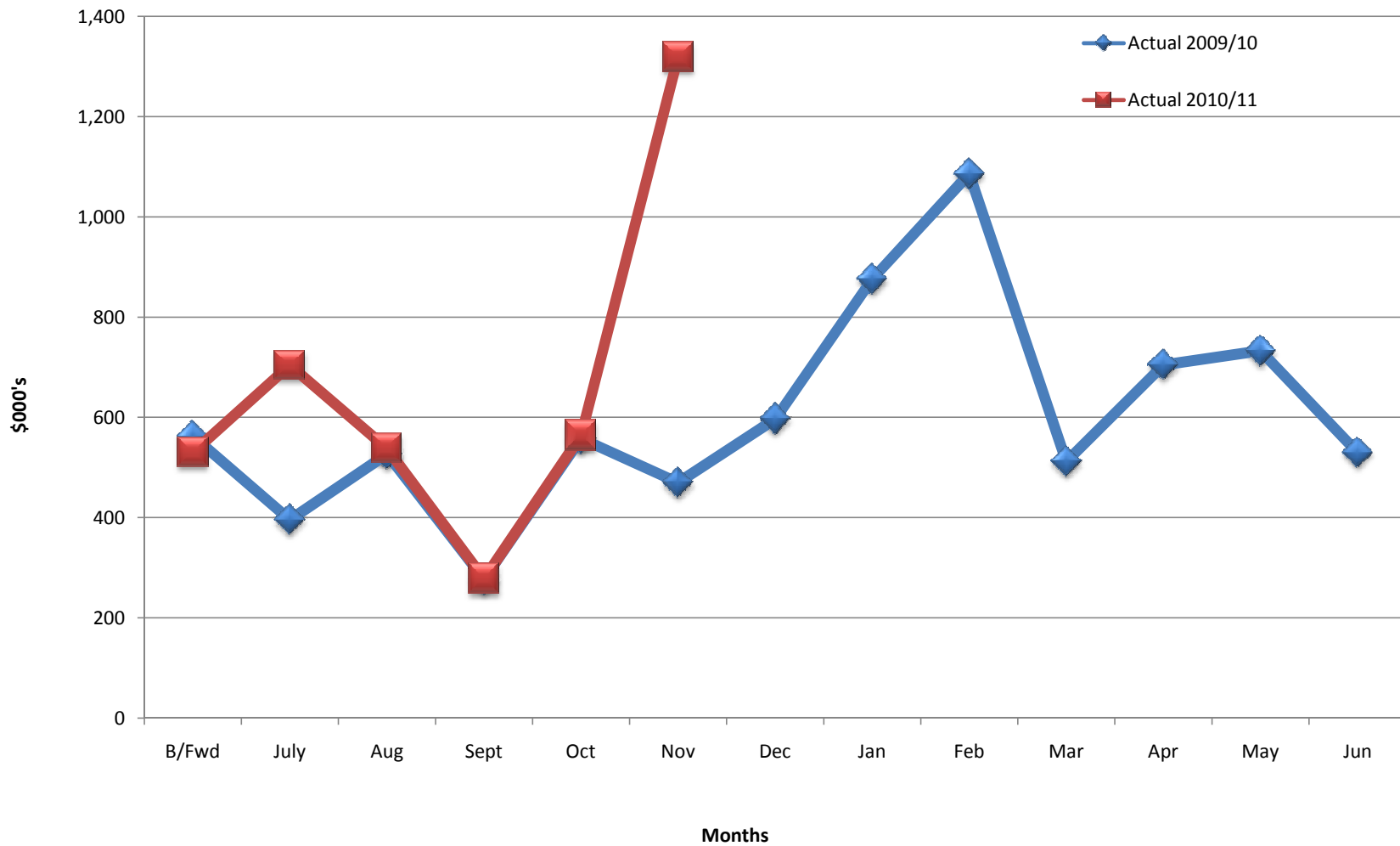
**3. Summary**

Asset renewal		7,891,520	1,314,577	7,844,184		
New assets		2,595,383	274,632	2,595,383		
Asset expansion/upgrade		737,800	2,273	737,800		
<b>TOTAL CAPITAL WORKS</b>		<b>11,224,702</b>	<b>1,591,482</b>	<b>11,224,702</b>		

### Rate Debtors Actual 2009/10 Vs 2010/11



### Sundry Debtors Actual 2009/10 Vs Actual 2010/11



## **8.15 AUDIT AND RISK ADVISORY COMMITTEE REMUNERATION OF EXTERNAL INDEPENDENT MEMBERS GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the General Manager Corporate Services, I have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report is to review the remuneration of the Audit and Risk Advisory Committee's external independent members.

### **BACKGROUND**

The Audit and Risk Advisory Committee Charter stipulates that the committee be made up of five members – two Councillors and three external members. (2.2 (a)) A meeting allowance is to be paid to each external independent member of the committee. The fee is to be paid per meeting with the level of the remuneration reviewed by Council annually. (2.2 (f))

Given the remuneration of external independent members has not been reviewed in the last twelve months this report seeks to do this.

### **ISSUE/DISCUSSION**

A benchmarking exercise has been conducted to compare the current remuneration of the Audit and Risk Advisory Committee (currently \$150 per meeting) with other Councils. A table has been provided to show the different levels of remuneration paid. Based on the benchmarking exercise it would be fair and equitable to increase the current remuneration level to \$250 per independent external member per meeting with an additional \$50 to be paid to the Chair.

<b><u>Review of Payments made to Independent Members of the Council</u></b>				
<b><u>Council</u></b>	<b><u>\$ Per Meeting/Quarter</u></b>	<b><u>\$ Per Annum</u></b>	<b><u>Last Reviewed/Updated</u></b>	<b><u>Chairperson Additional Payments</u></b>
Medium Council	\$500	\$2,000	4 years ago	No additional payments
Small Council	\$375	\$1,500	Jun-08	extra \$375 p.a Extra \$50 per meeting
Small Council	\$200	\$800	Jan-09	No additional Payments
Small Council	\$250	\$1,000	No changes in a number of years.	Extra \$150 per meeting
Large Council	\$350	\$1,400	reviewed annually	No additional Payments
Large Council	\$100	\$400	candidates reviewed every 2 years	Extra \$220 per meeting
Medium Council	\$330	\$1,320	Sep-08	No payments
Small Council	Travel reimburse for 1 member	\$0		

**COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

“We will deliver good governance to the Hepburn Shire” – Having a high quality Audit and Risk Advisory Committee is a key component of ensuring good governance.

**FINANCIAL IMPLICATIONS**

External independent members are currently paid \$150 per meeting with no additional remuneration for the Chair. The total annual cost of this remuneration is \$1,800 based on four meetings per year. It is recommended that external independent members be paid \$250 per meeting with the Chair receiving an additional \$50. The total annual cost of the proposed remuneration would be \$3,200.

### **RISK IMPLICATIONS**

Annual review of independent external member's remuneration is required by the Audit and Risk Advisory Committee Charter. Hepburn Shire Council needs to ensure that the remuneration paid to independent external members is in line with the commitment and time required to be a member. The risk of not remunerating the members adequately is that independent external members will be difficult to attract to these positions.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

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

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Benchmarking has been performed within the Local Government industry to determine an equitable level of remuneration.

### **CONCLUSION**

It is recommended that external independent members be paid \$250 per meeting with the Chair receiving an additional \$50.

### **OFFICER'S RECOMMENDATION**

*8.15.1 That Council adopt the recommendation to increase the external independent Audit and Risk Advisory members remuneration from \$150 per meeting to \$250 per meeting and an additional \$50 payment to the Chair.*

**MOTION**

*8.15.1 That Council adopt the recommendation to increase the external independent Audit and Risk Advisory members remuneration from \$150 per meeting to \$250 per meeting and an additional \$50 payment to the Chair.*

**MOVED: Councillor Don Henderson**

**SECONDED: Councillor Tim Hayes**

**CARRIED.**



## **8.16 MID YEAR BUDGET REVIEW GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the Manager of Finance, I have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report is for Council to approve and adopt the reviewed budget for 2010-11.

### **BACKGROUND**

Council adopted the 2010-11 Budget at its Ordinary Meeting in July 2010. Each year, Council reviews the budget a mid-year to take into account unanticipated changes in revenue and expenses, additional grants and/or projects and new or changed priorities that have arisen in the past 5 months.

### **ISSUE/DISCUSSION**

- Using October YTD results, the Extended Leadership Group completed in detail, a forecast to 30 June 2011.
- This review has not changed the overall “net decrease in cash” for the financial year.
- There has been an increase in the surplus for the year (\$225,000), however this is being used to fund changes to the capital works program.
- No expenses or estimated insurance reimbursements or government funding in relation to the recent floods have been factored into this review.

A revised income statement is shown below with explanatory notes.

### Budgeted Standard Income Statement

	Annual Budget 2010-11	Annual Forecast 2010-11	Variance Annual forecast to budget		Comment
	\$'000	\$'000	\$'000		
<b>Revenues from ordinary activities</b>					
Rates and charges	13,501	13,520	18	0%	Increase is due to more assessments than calculated for the purposes of the budget
Statutory fees and fines	248	264	16	7%	Increase is due to additional fees than the conservative budget estimate
User fees	949	956	7	1%	Increase is due to additional fees than the conservative budget estimate
Grants - Recurrent	4,243	4,247	4	0%	Increased grant for school crossing supervisors.
Grants - Non recurrent	2,806	3,441	636	23%	See Table 1.
Contributions	158	249	92	58%	Victoria Mineral Water Committee is to contribute their 50% to HSC to pay for \$117k of projects. Offset by no contribution from Newlyn as the funding for this football/netball upgrade was not successful.
Other revenue	1,235	1,250	15	1%	Increase is due to additional interest income and rent income above conservative budget estimate of \$50,000. This has been offset by a budgeted reimbursement from Moorabool Shire for the Arts & Culture position that will not be received.
<b>Total revenues</b>	<b>23,139</b>	<b>23,927</b>	<b>789</b>	<b>3%</b>	

	<b>Annual Budget 2010-11</b>	<b>Annual Forecast 2010-11</b>	<b>Variance Annual forecast to budget</b>		<b>Comment</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>		
<b>Expenses from ordinary activities</b>					
Employee benefits	9,026	8,990	-36	0%	Savings achieved through position vacancies have been somewhat offset by maternity leave payments, a 6 month flood recovery officer (fully funded), and an allowance for overtime for storm damage.  Further, an additional \$40,000 has been included as an estimate of the increased costs associated with paying home carers for their travelling time under the new EBA.
Utilities	380	383	3	1%	Increased gas and water costs offset by savings in telephone costs (under new MAV purchasing contract),
Other materials and services	6,338	6,906	568	9%	See Table 2. A large portion associated with additional grant income received.
Bad and doubtful debts	4	12	8	189%	Write off of fire infringement notices from 2009-10.
Depreciation and amortisation	4,787	4,787	0	0%	
Finance costs	220	209	-11	-5%	
Other expenses	1,030	1,061	32	3%	Insurance renewals \$16,000 over budgeted estimate.
<b>Total expenses</b>	<b>21,784</b>	<b>22,348</b>	<b>564</b>	<b>3%</b>	
<b>Surplus (deficit) for the year</b>	<b>1,355</b>	<b>1,579</b>	<b>225</b>	<b>17%</b>	

**Table 1.**

<b>Additional non recurrent grants to be received</b>	
Sustainable water and power upgrade grant	\$ 110,000
RDV grant for manager of flood recovery and employment subsidies.	\$ 117,800
Buy Local	\$ 5,000
Community Hall refurbishments	\$ 120,000
Recovery Support, Transport Connections, L2P program	\$ 228,255
HACC	\$ 40,463
Noxious weeds	\$ 34,125
less grant re Newlyn Football Netball Club not received	-\$ 20,000
	<b>\$ 635,643</b>

**Table 2.**

<b>Additional other materials and services</b>	
Recruitments costs	\$ 25,000
Share of consultants costs regarding Local Govt sustainability paid to Central Goldfields	\$ 10,000
Accommodation review	\$ 10,000
Increased scope for GIS review	\$ 5,000
Additional software costs (TRIM Helpdesk & TRIM Licenses \$21,000), profile.id, forecast.id (\$20,000), Compliance software Advent Manager (\$7,200)	\$ 48,200
Caravan park assessments associated with new regulations	\$ 14,400
Legal costs associated with trademarks (note this is offset by increased income at the Mineral Springs Reserve)	\$ 20,000
Additional noxious weeds work due to additional grant	\$ 34,125
Additional Recovery Management work due to additional grant	\$ 115,372
Additional Transport Connections work due to extension of program and therefore grant money received	\$ 57,741
Additional L2P program grant	\$ 55,142
Additional HACC training due to grant received	\$ 39,363
Refurbishment of Community Halls due to grant received	\$ 90,000
Additional work on "Buy Local" due to funding received	\$ 5,000
Additional training, conferences and subscriptions	\$ 19,246
Costs associated with increased archiving	\$ 7,700
Other miscellaneous increases of budget lines < \$1000 each	\$ 12,000
	<b>\$ 568,209</b>

**Table 3. Capital Works**

The capital works program is forecasted to increase by \$225,000.

<b>Total capital works increase</b>	
Wombat Hill Botanic Gardens sustainable water and power upgrade	\$ 142,000
Trentham Pool Filter total cost	\$ 33,000
Victoria Mineral Water Committee is to contribute their 50% to HSC to pay for \$116,500 of projects. The amount in the Budget was the net amount.	\$ 116,500
Lyonville Community Hall Refurbishment (funded via grant)	\$ 30,000
less funds allocated to complete Clydesdale Public Hall (actually completed in prior year).	-\$ 10,000
less reduction is cost of the Daylesford Pool Painting	-\$ 16,000
less reductions in the Building Improvement Program	-\$ 4,000
less savings identified on the Mossops Road Re-establishment	-\$ 7,000
less Newlyn Football And Netball Club upgrade - project was subject to funding which was not successful	-\$ 60,000
	<b>\$ 224,500</b>

<b>Wombat Hill Botanic Gardens sustainable water and power upgrade</b>	\$ 142,000
<i>to be funded by:</i>	
RDV grant	-\$ 110,000
Newlyn Football And Netball Club upgrade - Council contribution (project was subject to funding which was not successful)	-\$ 15,000
Savings identified on the Mossops Road Re-establishment	-\$ 7,000
Clydesdale Public Hall completed, therefore this allocation of funds is not required.	-\$ 10,000
	<b>-\$ 142,000</b>

<b>Trentham Pool Filter total cost</b>	\$ 123,000
<i>to be funded by:</i>	
Amount allocated in budget	-\$ 90,000
Reduction is cost of the Daylesford Pool Painting	-\$ 16,000
Money from Trentham Pool Maintenance budget	-\$ 3,000
Money from Clunes Pool Maintenance budget	-\$ 10,000
Money from Building Improvement Program	-\$ 4,000
	<b>-\$ 123,000</b>

Please refer to Appendix 1 for a revised Balance Sheet and Cash Flow Statement.

### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Council has a statutory responsibility to prepare and adopt a budget. A reforecast to 30 June 2011 at mid-year supports good financial management and good governance.

The Council Plan is the Council's medium term planning tool which guides the development of the Council budget. The Council Plan's strategic objectives are achieved through the funding of the activities and initiatives that support each objective within the Council Budget.

### **FINANCIAL IMPLICATIONS**

Outlined in the report above.

### **RISK IMPLICATIONS**

This review will assist in decision making and help mitigate the risk that departments will exceed their budget allocations.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Any changes to projects that will impact on Council staff, our community or the environment have been detailed in the report above.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Per the Hepburn Shire's Community Engagement framework, level 1 engagement has been undertaken. This information will be available to the public via the minutes published on the Council's website.

This mid- year review and reforecast does not require specific community engagement under the Local Government Act.

## CONCLUSION

Mid-year budget review has been completed, with no overall impact to net cash outflows for the year.

## OFFICER'S RECOMMENDATION

8.16.1 *That Council approve and adopt the reviewed budget for the 2010-11 financial year.*

## MOTION

8.16.1 *That Council approve and adopt the reviewed budget for the 2010-11 financial year.*

**MOVED:** Councillor Janine Booth

**SECONDED:** Councillor Tim Hayes

**CARRIED.**

### Amendment

Change 8.16.1 to add "with only \$5,000 of Clydesdale Hall funds moved to Wombat Hill."

**MOVED:** Councillor Bill McClenaghan

**SECONDED:** Councillor Don Henderson

**CARRIED.**

## AMENDED MOTION

8.16.1 *That Council approve and adopt the reviewed budget for the 2010-11 financial year with only \$5,000 of Clydesdale Hall funds moved to Wombat Hill.*

**CARRIED.**

**APPENDIX 1 – Balance Sheet**

	<b>Annual Budget</b>	<b>Forecast</b>	<b>Variance Annual forecast to budget</b>
	<b>30-Jun-10</b>	<b>30-Jun-10</b>	
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
<b>Current assets</b>			
Cash and cash equivalents	3,311	3,311	0
Trade and other receivables	1,395	1,395	0
Other assets	59	59	0
<b>Total current assets</b>	<b>4,765</b>	<b>4,765</b>	<b>0</b>
<b>Non-current assets</b>			
Trade and other receivables	61	61	0
Financial assets	962	962	0
Investments in associates	443	443	0
Property, infrastructure, plant & equipment	176,338	176,563	225
<b>Total non-current assets</b>	<b>177,804</b>	<b>178,028</b>	<b>225</b>
<b>Total assets</b>	<b>182,569</b>	<b>182,793</b>	<b>225</b>
<b>Current liabilities</b>			
Trade and other payables	1,721	1,721	0
Interest-bearing loans and borrowings	433	433	0
Provisions	2,433	2,433	0



<b>Total current liabilities</b>	<b>4,587</b>	<b>4,587</b>	<b>0</b>
<b>Non-current liabilities</b>			
Interest-bearing loans and borrowings	3,022	3,022	0
Provisions	1,152	1,152	0
<b>Total non-current liabilities</b>	<b>4,174</b>	<b>4,174</b>	<b>0</b>
<b>Total liabilities</b>	<b>8,761</b>	<b>8,761</b>	<b>0</b>
<b>Net assets</b>	<b>173,808</b>	<b>174,032</b>	<b>225</b>
<b>Equity</b>			
Accumulated surplus	100,784	101,008	225
Reserves	73,024	73,024	0
<b>Total equity</b>	<b>173,808</b>	<b>174,032</b>	<b>225</b>

Refer Table 3 above for details on increase of capital works by \$225,000.

Note: the revaluation of land and buildings that occurred at 30/06/2010 has been factored into the forecast of both Reserves and PP&E total. This was an increase of \$7 million.

**APPENDIX 1 – Cash Flow Statement**

	<b>Annual Budget</b>	<b>Forecast</b>	<b>Variance Annual forecast to budget</b>
	<b>30-Jun-10</b>	<b>30-Jun- 10</b>	
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
<b>Cash flows from operating activities</b>			

<i>Receipts</i>			
Rates and charges	14,001	14,020	18
Statutory fees and fines	248	264	16
User fees	1,099	1,106	7
Grants - Recurrent	4,243	4,247	4
Grants - Non recurrent	2,963	3,690	727
Other revenue	1,205	1,190	-15
Interest	263	293	30
	<b>24,022</b>	<b>24,810</b>	<b>787</b>
<i>Payments</i>			
Employee costs	-8,981	-8,945	-328
Materials & consumables	-6,718	-7,289	-211
Finance costs	-220	-209	11
Other expenses	-1,037	-1,076	-35
	<b>-16,955</b>	<b>-17,519</b>	<b>-563</b>
Net cash provided by operating activities	<b>7,067</b>	<b>7,291</b>	<b>224</b>
<b>Cash flows from investing activities</b>			
Proceeds from property, plant and equipment	417	417	-1
Payments for property, plant and equipment	(11,334)	(11,559)	-224
Net cash used in investing activities	<b>(10,918)</b>	<b>-11,142</b>	<b>-224</b>

	Annual Budget	Forecast	Variance Annual forecast to budget
	30-Jun-10	30-Jun-10	
	\$'000	\$'000	\$'000
<b>Cash flows from financing activities</b>			
Proceeds from borrowings	380	380	0
Repayment of borrowings	-418	-418	0
Net cash provided by (used in) financing activities	<b>-38</b>	<b>-38</b>	<b>0</b>
<b>Net decrease in cash &amp; cash equivalents</b>	<b>-3,889</b>	<b>-3,889</b>	<b>0</b>
Cash & cash equivalents at beginning of year	7,200	<b>7,200</b>	325
<b>Cash &amp; cash equivalents at end of period</b>	<b>3,311</b>	<b>3,311</b>	<b>325</b>

Note: Cash at beginning of year has been increased to actual figure at 30/06/2010. The increased cash balance is offset by an increased trade payables figure.

## **COUNCIL SECTION 86 AND ADVISORY COMMITTEES AND STATUTORY REPORTING**

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

#### **GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the General Manager Corporate Services I have no interests to disclose in this report.*

#### **PURPOSE**

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

#### **BACKGROUND**

Each committee is issued an instrument of delegation outlining their function and assigned responsibility, under the agreement of this delegation the committees are required to maintain minutes of meetings held and provide a copy of each minute to the Council for review.

Section 86 and Advisory Committees are required to submit their minutes and other reports.

#### **ISSUE/DISCUSSION**

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

- Email received on the 2 December 2010 from Lyonville Hall President Mr Matthew Doddrell stating that 2 members have resigned Mr Tony Cornielle and Ms Jill Little recorded in the 1 December 2010 meeting.  
Two new members were nominated and accepted  
Ms Shirley Corneille 1 Tram Street Lyonville  
Ms Kareena Hodgeson 11 Main Street Lyonville FOL/10/27 File No: 2/0860/00600
- Minutes from The Lee Medlyn Home of Bottles meeting held on the 3 November 2010. FOL/10/14 File No: 1/0320/00070
- Minutes from the Drummond Hall Committee for 26 February and 26 November 2010. FOL/10/25 File No: 5/2105/00400
- Minutes from the Creswick Museum Committee for 4 October and 1 November 2010 FOL/10/21 File No: 2/7350/02046

#### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

**RISK IMPLICATIONS**

Nil

**ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Nil

**COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Members of the community are represented on these committees.

**CONCLUSION**

Minutes and reports have been noted.

**OFFICER'S RECOMMENDATION**

*9.1.1 That Council: note the minutes of the Committees listed above which have been distributed under separate cover*

**MOTION**

*9.1.1 That Council: note the minutes of the Committees listed above which have been distributed under separate cover*

**MOVED: Councillor Don Henderson**

**SECONDED: Councillor Sebastian Klein**

**CARRIED.**

**9.2 ASSEMBLIES OF COUNCILLORS OCTOBER - NOVEMBER 2010**

*In providing this advice to Council as the Chief Executive Officer I have no interests to disclose in this report.*

**PURPOSE**

This report summarises Assemblies of Councillors, including at Advisory Committee Meetings, which have occurred since October 2010.

**BACKGROUND**

*The Local Government Act 1989 defines Assembly of Councillors as ...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -*

- (a) the subject of a decision of the Council; or*
- (b) subject to the exercise of a function, duty of power of the Council that has been delegated to a person or committee – but does not include a meeting of the Council, a special committee of the Council, as audit committee established under Section 139, a club, association, peak body, political party of other organisation;*

**ISSUE/DISCUSSION**

In accordance with *The Local Government Act 1989*, Section 80A (2) the following summary of Assemblies of Councillors during November 2010 is provided.

Also provided a summary of Assemblies of Councillors at Advisory Committee Meetings which have occurred since October 2010.

Please see below tables for full details of Assemblies of Councillors, November 2010.

<b>Date</b>	<b>Location</b>
9-11-2010	Council Chamber, Daylesford
9-11-2010	Daylesford Senior Citizens
23-11-2010	Mayor’s Room
30-11-2010	Council Chamber, Daylesford

**SEPTEMBER – DECEMBER 2010  
ASSEMBLIES OF COUNCILLORS AT ADVISORY COMMITTEES**

<b>Date</b>	<b>Location</b>	<b>Councillors in Attendance</b>
<b>Hepburn Shire Agriculture Advisory Committee FOL/10/1776</b>		
4 October 2010	Council Chamber, Daylesford	Cr Rod May
<b>Hepburn Mineral Springs Reserve Advisory Committee FOL/10/1779</b>		
30 September 2010	Council Chamber, Daylesford Town Hall	Cr Rod May
2 December 2010	Council Chamber, Daylesford Town Hall	Cr Rod May
<b>Hepburn Shire Heritage Advisory Committee FOL/10/1784</b>		
22 October 2010	Cafe 33, Clunes	Cr Don Henderson
<b>Hepburn Shire Environmental Sustainability Advisory Committee FOL/10/1777</b>		
5 October 2010	Council Chamber, Daylesford Town Hall	Cr Don Henderson Cr Sebastian Klein Cr Rod May
3 November 2010	The Food Gallery, Daylesford	Cr Rod May
30 November 2010	Council Chamber, Daylesford Town Hall	Cr Sebastian Klein Cr Rod May
<b>Wombat Hill Botanic Gardens Advisory Committee FOL/10/1785</b>		
21 September 2010	Council Chamber, Daylesford Town Hall	Cr Jon Barrell
16 November 2010	Council Chamber, Daylesford Town Hall	Cr Jon Barrell

**COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

*Local Government Act 1989, Section 80A*

**FINANCIAL IMPLICATIONS**

Nil.

**RISK IMPLICATIONS**

Nil

**ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Nil

**COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Nil

**CONCLUSION**

Information provided for noting.

**OFFICER'S RECOMMENDATION**

*9.2.1 That Council note the above information re Assemblies of Councillors, including at Advisory Committee Meetings, since October 2010.*

**MOTION**

*9.2.1 That Council note the above information re Assemblies of Councillors, including at Advisory Committee Meetings, since October 2010.*

**MOVED:** Councillor Bill McClenaghan

**SECONDED:** Councillor Don Henderson

**CARRIED.**



# RECORD OF ASSEMBLY OF COUNCILLORS



This record is required under Section 80A of the *Local Government Act 1989*

Date of Meeting: 9/11/2010

Time: 9:00am

- Venue:
- Council Chamber Daylesford
  - Senior Citizens Centre Daylesford
  - Other (specify)

**Councillors present:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Cr Janine Booth    | <input checked="" type="checkbox"/> Cr Jon Barrell      |
| <input checked="" type="checkbox"/> Cr Don Henderson   | <input checked="" type="checkbox"/> Cr Rod May          |
| <input checked="" type="checkbox"/> Cr Tim Hayes       | <input checked="" type="checkbox"/> Cr Bill McClenaghan |
| <input checked="" type="checkbox"/> Cr Sebastian Klein |   |

**Members of Council Staff present:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> CEO Kaylene Conrick            | <input type="checkbox"/> GM Infrastructure, Peter Reeve              |
| <input type="checkbox"/> GM Corporate Services, Evan King          | <input type="checkbox"/> GM Sustainable Development, Robert Jennings |
| <input type="checkbox"/> GM Community Development, Martin Walmsley | <input type="checkbox"/> Other, please specify:                      |

**Conflict of Interest Disclosures:**

*NIL.*

**Matters Considered:**

(Heading only)

*CEO PERFORMANCE REVIEW*

**Name and title of Officer responsible for this written record:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> CEO Kaylene Conrick            | <input type="checkbox"/> GM Infrastructure Peter Reeve               |
| <input type="checkbox"/> GM Corporate Services, Evan King          | <input type="checkbox"/> GM Sustainable Development, Robert Jennings |
| <input type="checkbox"/> GM Community Development, Martin Walmsley | <input type="checkbox"/> Other, please specify:                      |

Signature: 

# RECORD OF ASSEMBLY OF COUNCILLORS



This record is required under Section 80A of the *Local Government Act 1989*

Date of Meeting: 9/11/2010

Time: 1:00 PM ONWARDS - 5 pm

- Venue:
- Council Chamber Daylesford
  - Senior Citizens Centre Daylesford
  - Other (specify)

**Councillors present:**

- Cr Janine Booth
- Cr Don Henderson
- Cr Tim Hayes
- Cr Sebastian Klein
- Cr Jon Barrell
- Cr Rod May
- Cr Bill McClenaghan

**Members of Council Staff present:**

- CEO Kaylene Conrick
- GM Corporate Services, Evan King
- GM Community Development, Martin Walmsley
- GM Infrastructure, Peter Reeve
- GM Sustainable Development, Robert Jennings
- Other, please specify:

**Conflict of Interest Disclosures:**

*CR. BILL MCCLENAGHAN DECLARED A CONFLICT OF INTEREST IN ITEM 10. WASTE MANAGEMENT STRATEGY.*

*GEORGY AUGUSTINE - WASTE MANAGEMENT ENGINEER  
Richard Pekin, Property or  
Richard Russell, Mayor  
In-asked*

**Matters Considered:**

(Heading only)  
*REFER ATTACHED AGENDA.*

**Name and title of Officer responsible**

**for this written record:**

- CEO Kaylene Conrick
- GM Corporate Services, Evan King
- GM Community Development, Martin Walmsley
- GM Infrastructure Peter Reeve
- GM Sustainable Development, Robert Jennings
- Other, please specify:

Signature: *KAR*

# RECORD OF ASSEMBLY OF COUNCILLORS



This record is required under Section 80A of the *Local Government Act 1989*

**Date of Meeting:** 9/11/2010

**Time:** 5:00 PM

**Venue:**  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify)

**Councillors present:**

- Cr Janine Booth
- Cr Don Henderson
- Cr Tim Hayes
- Cr Sebastian Klein

- Cr Jon Barrell
- Cr Rod May
- Cr Bill McClenaghan

**Members of Council Staff present:**

- CEO Kaylene Conrick
- GM Corporate Services, Evan King
- GM Community Development, Martin Walmsley
- GM Infrastructure, Peter Reeve

- GM Sustainable Development, Robert Jennings
- Other, please specify:  
Manager Planning, Justin Fiddes

**Conflict of Interest Disclosures:**

*nil declared.*

**Matters Considered:  
(Heading only)**

- Refer *Delegated Planning Committee* Agenda – 9 November 2010

**Name and title of Officer responsible  
for this written record:**

- CEO Kaylene Conrick
- GM Corporate Services, Evan King
- GM Community Development, Martin Walmsley

- GM Infrastructure Peter Reeve
- GM Sustainable Development, Robert Jennings
- Other, please specify:

**Signature:** \_\_\_\_\_

# RECORD OF ASSEMBLY OF COUNCILLORS



This record is required under Section 80A of the *Local Government Act 1989*

Date of Meeting: 23/11/2010

Time: 2:00 PM

Venue:  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify) MAYORS ROOM

## Councillors present:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Cr Janine Booth    | <input checked="" type="checkbox"/> Cr Jon Barrell      |
| <input checked="" type="checkbox"/> Cr Don Henderson   | <input checked="" type="checkbox"/> Cr Rod May          |
| <input checked="" type="checkbox"/> Cr Tim Hayes       | <input checked="" type="checkbox"/> Cr Bill McClenaghan |
| <input checked="" type="checkbox"/> Cr Sebastian Klein |   |

## Members of Council Staff present:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> CEO Kaylene Conrick            | <input type="checkbox"/> GM Infrastructure, Peter Reeve   |
| <input type="checkbox"/> GM Corporate Services, Evan King          | <input type="checkbox"/> GM Sustainable Development, Robert Jennings                            |
| <input type="checkbox"/> GM Community Development, Martin Walmsley | <input checked="" type="checkbox"/> Other, please specify:<br><u>CONSULTANT FIONA McALISTER</u> |

## Conflict of Interest Disclosures:

NIL

## Matters Considered:

(Heading only)

CEO PERFORMANCE REVIEW

## Name and title of Officer responsible for this written record:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> CEO Kaylene Conrick            | <input type="checkbox"/> GM Infrastructure Peter Reeve               |
| <input type="checkbox"/> GM Corporate Services, Evan King          | <input type="checkbox"/> GM Sustainable Development, Robert Jennings |
| <input type="checkbox"/> GM Community Development, Martin Walmsley | <input type="checkbox"/> Other, please specify:                      |

Signature: 

# RECORD OF ASSEMBLY OF COUNCILLORS

This record is required under Section 80A of the *Local Government Act 1989*



Date of Meeting: 30/11/2010

Time: 6.30 PM

Venue:  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify)

## Councillors present:

- |  |  |
|--|--|
| <input type="checkbox"/> Cr Janine Booth               | <input type="checkbox"/> Cr Jon Barrell        |
| <input type="checkbox"/> Cr Don Henderson              | <input checked="" type="checkbox"/> Cr Rod May |
| <input type="checkbox"/> Cr Tim Hayes                  | <input type="checkbox"/> Cr Bill McClenaghan   |
| <input checked="" type="checkbox"/> Cr Sebastian Klein |  |

## Members of Council Staff present:

- |   |   |
|---|---|
| <input type="checkbox"/> CEO Kaylene Conrick                                    |   |
| <input type="checkbox"/> GM Corporate Services, Evan King                       |   |
| <input type="checkbox"/> GM Community Development, Martin Walmsley              | <input checked="" type="checkbox"/> Other, please specify:<br>Sustainability Co-ordinator, Jill Berry<br>Sustainability Project Officer,<br>Laurel Freeland |
| <input checked="" type="checkbox"/> GM Infrastructure, Peter Reeve              |   |
| <input checked="" type="checkbox"/> GM Sustainable Development, Robert Jennings |   |

## Conflict of Interest Disclosures:

## Matters Considered: (Heading only)

- Refer *Environmental Sustainability Advisory Committee* Agenda – 30 November 2010

## Name and title of Officer responsible for this written record:

- |  |  |
|--|--|
| <input type="checkbox"/> CEO Kaylene Conrick                       | <input type="checkbox"/> GM Infrastructure Peter Reeve                             |
| <input type="checkbox"/> GM Corporate Services, Evan King          | <input checked="" type="checkbox"/> GM Sustainable Development,<br>Robert Jennings |
| <input type="checkbox"/> GM Community Development, Martin Walmsley | <input type="checkbox"/> Other, please specify:                                    |

Signature: 

## 10. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

### 10.1 CLOSURE OR MEETING TO CONSIDER CONTRACTUAL MATTER

*The Local Government Act 1989, Section 89 (2), states that:*

*(2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—*

*(a) personnel matters;*

*(b) the personal hardship of any resident or*

*ratepayer;*

*(c) industrial matters;*

*(d) contractual matters;*

*(e) proposed developments;*

*(f) legal advice;*

*(g) matters affecting the security of Council property;*

*(h) any other matter which the Council or special committee considers would prejudice the Council*

*or any person;*

*(i) a resolution to close the meeting to members of the public.*

### RECOMMENDATION

10.1.1 *That Council resolve that the meeting be closed to members of the public to discuss contractual matters; **Tender H238-2010 Road Stabilisation, H239-2010 Supply of Quarried Materials and H236 2010/12 Municipal Valuation Services and 1 Anne Street, Creswick** in accordance with s 89 (2) (d) of the Local Government Act 1989.*

## MOTION

10.1.1 *That Council resolve that the meeting be closed to members of the public to discuss contractual matters; **Tender H238-2010 Road Stabilisation, H239-2010 Supply of Quarried Materials and H236 2010/12 Municipal Valuation Services and 1 Anne Street, Creswick** in accordance with s 89 (2) (d) of the Local Government Act 1989.*

**MOVED:** Councillor Bill McClenaghan

**SECONDED:** Councillor Sebastian Klein

**CARRIED.**

## **11. CONFIDENTIAL ITEMS**

**11.1 TENDER H236 2010/12 MUNICIPAL VALUATION SERVICES**

**11.2 TENDER H239-2010 – SUPPLY OF QUARRIED MATERIAL**

**11.3 TENDER H238-2010 - ROAD STABILISATION**

**11.4 BRIEFING RE 1 ANNE STREET**



## 12. RE-OPENING OF MEETING TO MEMBERS OF THE PUBLIC

### OFFICER'S RECOMMENDATION

*12.1.1 That Council having considered the confidential item re-open the meeting to members of the public.*

### MOTION

*12.1.1 That Council having considered the confidential item re-open the meeting to members of the public.*

**MOVED:** Councillor Don Henderson  
**SECONDED:** Councillor Bill McClenaghan  
**CARRIED.**

**13. CLOSE OF MEETING.** The Meeting closed at 10.24pm.