



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

***TUESDAY, 20 DECEMBER 2011***

**CLUNES TOWN HALL**

**BAILEY STREET**

**CLUNES**

**5:30PM**

**Hepburn Shire Council  
Ordinary Meeting of  
Council**



**MINUTES**

**TUESDAY 20 December 2011**

**Clunes Town Hall  
Bailey Street, Clunes  
Commencing 5:30PM**

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DURING THE FLOODS A SECTION OF THE .....

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**PETER REEVE**  
INTERIM CHIEF EXECUTIVE OFFICER  
20 DECEMBER 2011

## 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

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

**IN ATTENDANCE:** Evan King, Acting Interim Chief Executive Officer, Barry Green, General Manager Sustainable Development, Kathleen Brannigan, General Manager Community Services, Anthea Lyons, Manager Finance, Richard Russell, Manager Assets and Engineering Services, Grant Schuster, Manager Risk, Adam McSwain, Manager Community Development.

### **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”

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### 3. APOLOGIES

**Nil**

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### 4. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Neil Newitt declared a Conflict of Interest in item 9.2 – Booktown Memorandum of Understanding – his wife is on the Board of Creative Clunes.

Councillor Neil Newitt declared a Conflict of Interest in item 9.13 Economic Development – Policy Reviews (Film Policy) – he operates a photography business in Hepburn Shire.

Councillor Don Henderson declared a Conflict of Interest in item 12.2 – Australia Day Awards 2012 - he is President of Creswick Railway Workshops Association.

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## 5. CONFIRMATION OF MINUTES

### MOTION

- 5.1. *That the Minutes of the Ordinary Meeting of Council held on 15 November 2011 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*
- 5.2. *That the Minutes of the Special Meeting of Council held on 29 November (as previously circulated to Councillors) be confirmed as required under Section 93(2) of the Local Government Act 1989.*
- 5.3. *That the Minutes of the Annual Statutory Meeting of Council held on 6 December 2011 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*
- 

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Rod May

**Carried**



## 6. NOTICES OF MOTION

### 6.1. NEWLYN ROUNDABOUT

Date: 8/12/2011

#### MOTION WITHDRAWN

#### MOTION

6.1.1. *That Council urges VicRoads to implement the original proposal of the Newlyn Community Plan to beautify the Newlyn Midland Highway Roundabout utilising the existing water supply, low and drought tolerant plantings, weed mat, and an attractive stone mulch.*

#### BACKGROUND

The Community's wishes appear to have been thwarted by a persistent refusal of VicRoads to allow anything but concrete. Yet Hepburn Shire aspires to reduce its carbon emissions, not increase them. And to increase its carbon sequestration. And examples abound where similar beautifications have been permitted.

**COUNCILLOR NAME:** Jonathon Barrell

**COUNCILLOR SIGNATURE:**

A handwritten signature in black ink, appearing to read "Jonathon Barrell".

**INTERIM CEO SIGNATURE:**

A handwritten signature in black ink, appearing to read "Peter A. Rose".

## **7. PRESENTATION OF COUNCILLOR REPORTS**

### **MAYOR'S REPORT**

#### **Councillor Sebastian Klein, Coliban Ward**

The main focus of my first two weeks as Mayor was the Central Highlands Regional Mayors and CEOs Forum. This time is, I suspect, a microcosm of what I can expect over the next year from the street level meeting with community, to driving the strategic direction with other mayors and CEOs at the forum.

I also attended the following meetings and events:

- Michael Lennon – Housing Choices housing association
- TNC Christmas Party
- Trentham Forum/ Council Staff Meeting and Small Working Group
- ESAC - EDAP catchup – Community Resilience Strategy
- Trentham Visitor Information Centre
- Creswick Railway Workshops Open day and carboot sale
- Creswick Senior Citizens – Christmas Dinner

### **COUNCILLOR REPORTS**

#### **Councillor Neil Newitt, Cameron Ward**

It was a busy month with many varied activities.

In my role as Cameron Ward Councillor, I attended the opening of the return of passenger rail services to Clunes.

With Cr May, I attended the unveiling of the new plaques at the memorial to the Ullina Soldiers, and attended the Clunes Community Christmas BBQ arranged by the Flood Recovery Office and Hepburn Health.

I also attended the Audit and Risk Advisory and Lee Medlyn Home of Bottles Committee meetings, and attended the Essential Councillor Seminar held in Torquay.

With Cr Booth and Cr Barrell, I attended an information session on the National Broadband Network (NBNCo) held in Ballarat.

**Councillor Janine Booth, Creswick Ward**

No Report

**Councillor Don Henderson, Creswick Ward**

This has been a busy time.

Congratulations to Creswick Museum on the successful grant application to digitalise the Creswick Advertiser archives.

I have attended the ESAC meeting and can report considerable progress is being made.

Heritage Advisory Committee where a call was made to recommend a full investigation into the sending of valuable Clunes heritage material to scrap. The Clunes station verandah did have to be removed for essential works but this should not have resulted in wanton destruction.

I must thank our out-going Mayor for his representation on the Flood Mitigation Urban Drainage Steering Plan. People in Creswick appreciated that Council had the Mayor there showing that we as Council gave this the highest priority. As a community we were capably represented by Bernie Rienets and Judy Henderson who had consulted widely to ensure that there was a local input. I understand that Barry Goldsmith will be a local representative on the Clunes Plan and so the people here can rest assured that their voice will be heard.

I attended the CWCC meeting where discussions took place around the importance of all groups working as one for our town. It was decided that Council should note that Creswick will be putting their hand up for ongoing major funding for their festivals in future.

Mr Mayor, the matter of Creswick being a major town and not receiving any funding for its festivals is something that certainly needs addressing.

An open day with a market was held last week and performing artists got together to celebrate our town. The day was a first step towards regular events that will be shared on a town-wide basis. One pleasing aspect was the huge support shown by Clunes folk who came over to share the day.

VICTRACK have given Creswick some very valuable memorabilia to display as part of the historic precinct. Many old railway workers came to share fond memories of these articles.

I note the work of Business and Tourism Creswick and Creswick and District Residents Ass assisted by some CRWA personnel who have put on a Christmas display in the Cube at the end of the Magic Pudding Playground. This is a small but important exercise in working together.

The highlight of this month is the completion of the first mural by primary school students. This was commissioned by Creswick Railway Workshops Association and sponsored by Merrett Construction Group

Creswick Primary have done the mural with all children participating in some way. A big surprise was the content of the finished article. Students were asked to paint what they saw as important and out came the heritage streetscape. Callembeen Park and Park Lake were there also.

So much for the theory that our young ones do not appreciate our heritage.

We will look forward to St Augustines and North Creswick Primary efforts as well as Newyln in the new year.

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

On Monday 5<sup>th</sup> of December 2011, I attended the final Glenlyon Progress Association meeting for the year where the level of Council spending in the town and the Holcombe ward was discussed. From its total budget, only 7% of Council's expenditure can be allocated to towns or wards. Of that 7%, it appears that less than half of one percent gets spent in Glenlyon and the Holcombe ward despite the ward contributing 13% of rates revenue.

The good news is that recent flood recovery works have been performed in the area and at the Glenlyon Recreation Reserve. Also, the new kitchen at the rear of the Glenlyon Hall has been completed to lock-up status by the committee. Unfortunately, the question of public transport for Glenlyon has not been resolved by either the Glenlyon Progress Association or the Glenlyon Action Group.

I attended two bushfire preparation meetings recently, the first being at the Clydesdale Hall on Thursday 9<sup>th</sup> of December. This session was run by the CFA and about eight local people from Clydesdale, Yandoit and Franklindford attended. It is planned to run another session next February. The second session I attended and hosted was at the Glenlyon Hall on Thursday 15<sup>th</sup> of December. Almost thirty local people attended this session and the CFA were also there to present their

information. Some other bushfire information sessions have not been well attended with nobody coming to the session at Hepburn Springs. This is a real worry with the onset of the summer fire season.

The Clydesdale Hall is run by a small volunteer Crown Committee of Management that is elected for three year terms. Recently, the Committee's term expired and I was asked to attend the tri-annual meeting on 24<sup>th</sup> of November and conduct the election of a new Committee. It is very pleasing to see the magnificent work that has been done on the former State School that is now the Clydesdale Hall. Built of local stone in Swiss / Italian style, the old hall has been excellently restored by the Committee. The roof was leaking and needed extensive repairs whilst the white ant damaged floor had to be completely replaced. The hall and its Committee of Management shine as a credit to the work of the local community.

Lastly, I would like to acknowledge and congratulate the caring work of Cr. Don Henderson of the Creswick ward for his recent commendable conduct on a cold and wet Saturday night in the Creswick bush. Cr. Henderson observed a local woman with known serious personal issues walking alone into the bush without adequate protective clothing. He stopped and spoke to her and tried to get her to turn back when he learned that she intended to end her own life that day. When the woman continued on into the bush, Cr Henderson monitored her location by staying nearby and called in the Police who took her to where she would be cared for. By that time, she had already collapsed in a remote location and would have died in the cold wet bush that night without official intervention.

This incident highlights the serious problems created when Governments and local health organizations withdraw life saving services to vulnerable people as we have witnessed recently here in the Clunes community. Those not capable of caring for themselves are being turned out into the community to fend for themselves, often with tragic results. Council needs to advocate for these people and their communities to have needed life saving services retained.

### **Councillor Jon Barrell, Birch Ward**

1. **In my Councillor capacity**, I was delighted to attend an information session with the National Broadband Network 6/12/2011 with Cr Booth, Cr Newitt & Mr Collins.
  - a. The NBN will be coming to Hepburn Shire in the next year or two and we need to get ready.
  - b. There will be job opportunities, and plant contracting and service industry opportunities.
  - c. I had the opportunity to ask questions regarding the fibre optic cable network, fixed wireless, and satellite opportunities across Hepburn Shire, and particularly the risks of clutter and visual pollution from NBN ground boxes and overhead cabling.
  - d. I would encourage Officers to liaise with NBNCo to arrange additional information sessions across Hepburn Shire involving the wide range of community groups.
  
2. **Wombat Hill Botanical Gardens Advisory Committee** met 06/12/2011
  - a. Ms Patrice O'Shea representing a sub-committee of the Friends Of Wombat Hill Botanic Gardens provided an update on fundraising efforts of the Friends group.
  - b. Their major fundraising focus is to support Council's management of the Gardens with a particular initial focus on the restoration of the Fern Gully and Rustic Cascade in time for the Gardens Sesquicentenary (150<sup>th</sup> birthday) in 2013.
    - i. *Musk Farm Open day - \$53k*
    - ii. *Gardens around the Gardens day – \$6k*
    - iii. *Hoping for additional \$40k from Wombat Park April 2012*
    - iv. *Thus fundraising goal by April 2012 \$100,000*
    - v. *Seeking matching funding from outside HSC*
  - c. The Advisory Committee makes 5 recommendations to Council. I am sure they will come to Council in due course. They are:
    - i. *That Council immediately prepares costed plans and grant applications to apply for co-funding with FoWHBG to complete the full fern gully and rustic cascade restoration works program.*
    - ii. *That Council immediately prepares a parking and traffic management plan for the WHBG and present same to WHBGAC for review.*
    - iii. *That Council appoints a consultant curator to WHBG on a periodic basis to interpret the Conservation Management Plan thus filling the gap between policy and operations to provide essential safeguards and advice.*
    - iv. *That Council adopt the WHBG signage policy as endorsed by the WHBGAC.*

- v. *That Council adopts the donations and plaques policy and incorporates it as an appendix in the next issue of the Conservation Management Plan*

**3. ARC Advisory Committee**

- a. Did not meet as we await new terms of reference and appointment of committee members

**4. Daylesford Macedon Ranges Regional Tourism Board met 14/12/2011**

- a. Ms Kerry I'Anson has been appointed to the position of Chief Executive Officer. Due to prior commitments, she commenced part-time mid-November and full time from 16/1/2011. She comes from a strong background in Strategy, Public Relations and Communications, with her most recent position Manager, Global Public Relations, Tourism Australia.
- b. A unique pilot tourism iPhone App is still scheduled for soft release for our region December 2011.
- c. Regular forums between the Board, Councils & all interested stakeholders should re-commence in February 2012
- d. Items discussed included
  - i. Progress towards MOUs with relevant craft & other groups eg Daylesford Macedon Produce
  - ii. The merit of one 'regional tourism membership' which would provide a basic level of tourism listing exposure & activities
  - iii. Industry development – need for an advance annual calendar for workshops and similar to better facilitate stakeholder involvement
  - iv. An improved media & communications strategy including all levels of stakeholders incl Councils, community profile, press releases, visits eg Schools Rotary etc
  - v. Strategies to achieve region wide Tourism excellence business awards
- e. I also flagged the following items for their upcoming agenda
  - i. Advocacy & strategies to protect our surface water, our agriculture and our iconic lakes & waterways
  - ii. Advocacy & strategies to protect our precious ground water including mineral water and associated branding, provenance & copyright issues
  - iii. Advocacy & strategies to achieve new & different tourism product such as the construction of the Daylesford to Macedon Ranges Rail Trail

**5. In connection with the Daylesford Streetscape Revitalisation Project I attended the first meeting of the Community Reference Group 02/11/2011**

- a. **I am very pleased to note the** additional community engagement 'listening post' being an on-street interview with residents conducted by Village Well staff 9.30am–12.30pm on Tuesday 22 November outside the Town Hall in Daylesford.
- b. I am awaiting the next report & consultation phase

**Councillor Rod May, Birch Ward**

I attended the following events and meetings, some of which were in my capacity as Mayor.

- 17 November – The regular Highlands Water Supply Meeting. This committee is completing a water management plan for subterranean water which is expected to be completed by April 2012
- 20 November – Handover of a new firefighting light tanker to the Daylesford CFA which was made possible in part by community donations
- 23 November – Central Highlands Annual Business Forum at the Town Hall. There were two speakers of note:
  - Bio-energy
  - Efficiency of converting diesel pumps to gas
- 23 November –Department of Planning and Community Development Meeting with Creswick community groups regarding a common vision in Creswick
- 24 November - Opening of Raglan Street Disability Units
- 24 November - Daylesford Visitor Information Centre to celebrate volunteering in the Tourism sector
- 26 November - Lunch with Catherin King MP and Geoff Howard MLA to discuss Council initiatives
- 29 November - Opening of new Trentham Library
- 29 November - Meeting with members of community and the historical museum regarding the Stanbridge Jinker. Mr Stanbridge was the first mayor of Daylesford
- 1 December - Creswick Flood Mitigation meeting to determine a strategy for future flood events and a preferred option to take to the community
- 3 December – 60<sup>th</sup> Scottish Highland Gathering in Daylesford



- 3 December – Mayor’s Fundraising Ball “Peak Oil Ball”. It is hoped that a modest amount of funds was raised to donate to emergency events in the Shire. Thanks to all in the community who donated gifts and contributions.
- 4 December – Unveiling of upgraded Ullina Avenue of Honour plaques
- 5 December – Arts and Culture Committee meeting
- 6 December – Trentham Forum Small Working Group committee meeting
- 7 December – Committee for Creswick
- 7 December – Meeting with Michael Lennon from Housing Choices
- 7 December – Environmental Sustainability Committee meeting
- 11 December – Whole Food Launch at the Daylesford Neighbourhood Centre
- 14 December – Daylesford Primary School end of year event
- 15 December – Flood Mitigation Meeting to consider community input for option 5 of the Flood Mitigation plan.
- 16 December – Attended the Central Highland Mayor & CEO Forum with Cr Klein as part of the handover

I wish Cr Klein all the best in his role as Mayor.

#### **MOTION**

*7.1. That Council receives and notes the Mayor and Councillors’ reports.*

**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Rod May

**Carried**

## 8. PUBLIC PARTICIPATION TIME

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

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

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

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

### 8.1. PETITIONS

Nil

### 8.2. QUESTIONS

#### **Question 1 From Mr Michael Cheshire JP**

Firstly may I thank Council for their action in supporting the reopening of the nurse on call service in Clunes, by writing to the Minister seeking a solution. The question is, in lieu of the announcement from the Minister that funding is available for an extensive recruitment campaign to attract nurses to this service, plus a major increase to the on call fee, to compete with the other salary packages available to nurses and the report from the Hepburn Health Service that they will not take up the funding to try again; can the Council write to the Minister seeking his action to direct the Hepburn Health Service to move to reopen this valuable and vital service?

#### **Answered by: Mayor Councillor Sebastian Klein**

Council will seek a briefing from CEO and Board of Hepburn Health Service on the current situation.

## 9. OFFICERS' REPORTS

### 9.1. CLUNES CARAVAN PARK REVIEW

#### GENERAL MANAGER CORPORATE SERVICES

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

#### PURPOSE

The purpose of this report is for Council to note the Clunes Caravan Park Review and consider the potential lease assignment received by Council.

#### BACKGROUND

The Clunes Caravan Park was established in 1972 and has 38 sites, 19 of which are occupied by about 25 long-term residents. The residents predominantly occupy the Crown Land portion of the Caravan Park for which Council is the responsible manager. This practice is contrary to the regulations but can continue while the current lease is in existence.

The Caravan Park has been flooded twice and evacuated on a third occasion in the last twelve months. There has been substantial damage to infrastructure, natural environment and built environment.

The Park is owned by Hepburn Shire Council (partly on Council land and partly on Crown land) and leased to a tenant for a 16 year term. Four years has elapsed from the current lease term. The Manager has asked Council to consider an early termination of the lease, based on:

- Uncertainty over further flooding in the future
- Increasing legislative and regulatory conditions (in particular, upgrades to amenities, power, water and roadways to meet new state government fire and safety regulations).
- Reduced viability from the costs associated with restoring the park's assets.

Given these factors it was deemed appropriate to undertake a review of the Clunes Caravan Park prior to making a decision about its future.

Hepburn Shire Council received a \$25,000 grant from Regional Development Victoria under the Planning for Tomorrow Program to fund a Clunes Caravan Park review. The review was to assess the commercial, social and environmental issues associated with the Clunes Caravan Park.

The development of the Clunes Caravan Park review (Attachment 1) is designed to help Council determine the future viability of the park.

## ISSUE / DISCUSSION

### Street Ryan – Review of the Clunes Caravan Park

- The park is not a viable business enterprise. It is too small and located in a town with insufficient tourism visitation to be an attractive business proposition, even with maximum occupancy.
- The expectation that a lessee could maintain a sustainable operation over sixteen years under the terms and conditions of the existing lease agreement has proven unrealistic.
- The park is in breach of significant legislative requirements and is in need of an injection of capital improvements.
- To continue to operate the park in any form will require capital investment of at least \$86,000 and operational subsidies of around \$50,000 per annum, unless Council is able and prepared to enforce the terms and conditions of its lease agreement with the Park Business Owner/Operator.
- The community is divided in its support for the park:
  - An overwhelming majority support the continuation of a caravan park for tourists/short-term visitors.
  - A majority support the continuation of a park which provides both long-term (residents) and short-term tenancies.
  - A significant minority (24% of people interviewed) oppose long-term tenancies.
- The attraction of a new Park Business Owner/Operator to take over the lease agreement in its current form, on the representation that the park is a 'going concern', would be a deceptive misrepresentation.
- Should Council decide to continue the Caravan Park as a facility for both long and short term tenants, they would need to resolve the potential conflict with The Department of Sustainability and Environment Best Practice Management Guidelines which assert that "*under Victorian law no person can become a permanent tenant in a Crown land caravan and camping park*" and the Residential Tenancies Act which identifies a person staying in a caravan park as a 'resident' if and only if they have "*the written agreement of the caravan park owner to occupy the site as their main residence, or have occupied the site as their main residence for at least 60 consecutive days*".
- Should Council decide to close the park or upgrade it for exclusively short-term visitors, and due to the circumstances which have led to a small residential community developing within the Clunes park, on Crown land

under Council's control, there is an expectation that efforts should be made to ensure residents are accommodated in suitable alternative housing, following appropriate notice and transitional support.

### **Assignment of the Clunes Caravan Park**

On 21 November 2011 Council received an application from the Lessee of the Clunes Caravan Park seeking Council's endorsement to assign the lease.

In this case, the Lease requires that it cannot be assigned without the prior approval of both Council and the Minister - "Minister for Environment and Climate Change" in this instance.

In seeking the Council's and Minister/DSE approval to assign a lease they will normally look for:

- Whether the current tenant is in breach of its lease
- The tenant offering proof that the proposed new tenant is a respectable, responsible and solvent person with the financial capacity and trading experience to successfully operate the caravan park and providing:
  - At least two references
  - At least two references as to the proposed tenants financial circumstances
  - A detailed statement of the financial circumstances of the proposed tenant
- The execution of an appropriate deed of assignment, the form of which is to be approved by Council's solicitors and which binds the new tenant to the terms of the lease and that the current tenant is not released from its lease obligations.
- The tenant is required to pay all of the Council's costs associated with the assignment, including the cost of any enquiry Council may make about the suitability of the proposed tenant.

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

Good Governance principal number 7 – Disposing of poorly utilised, inefficient or surplus assets in consultation with the community where appropriate. Compliance with the new regulations needs to be considered in particular compliance with the fire services. The lessee has been requested to obtain an updated CFA report for the Park.

## **FINANCIAL IMPLICATIONS**

The Clunes Caravan Park requires significant capital investment as evidenced by the review. The investment returns on the Clunes Caravan Park for a lessee make it financially difficult to justify the required investment. The new regulations also impose increased registration fees on Caravan Parks along with stringent fire services requirements.

## **RISK IMPLICATIONS**

In order for the Clunes Caravan Park registration to be issued works on fire services either need to be completed or a detailed schedule of works prepared. The non compliance with the Fire Regulations is a risk that needs to be considered

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

Should Council decide to close the park or upgrade it for exclusively short-term visitors, there is an expectation that efforts should be made to ensure residents are accommodated in suitable alternative housing, following appropriate notice and transitional support.

A majority of retail business owners support the current operating model, including reliance of the park on residential tenants. They note that the park tenants provide an important economic contribution to Clunes and its retail service centre. The direct annual economic contribution of the park to the town of Clunes is estimated to be \$260,000 per annum.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

A total of 33 residents, tenants and other stakeholders in the Clunes Caravan Park were interviewed and/or provided a submission as part of the review process. The interviewees included:

- The Park Business Owner/Operator
- Park residents (11)
- Other past and present park users (5)
- Staff of Hepburn Shire Council (3)
- Business owners/operators in Clunes (9)
- Community organisation representatives (7)
- Government agencies other than Council (4)

The results of these consultations revealed quite sharp divisions in perceptions of the community contribution of the park and its role, and in attitudes towards its future.

## **CONCLUSION**

Council needs to consider the future of the Clunes Caravan Park.

## **OFFICER'S RECOMMENDATION**

That Council:

*9.1.1 Note the Clunes Caravan Park review*

*9.1.2 Request officers to prepare a report for Council regarding the recent request by the current Clunes Caravan Park lessee to assign the lease*

## **MOTION**

That Council:

*9.1.1 That Council endorse the continued operation of the Clunes Caravan Park and seek funding to assist with its reconstruction and operation.*

*9.1.2 Request officers to prepare a report for Council regarding the recent request by the current Clunes Caravan Park lessee to assign the lease*

**Moved:** Councillor Rod May

**Seconded:** Councillor Don Henderson

**Carried**

**ATTACHMENT 1 - Review of the Clunes Caravan Park, October 2011  
(UNDER SEPARATE COVER)**



Cr Neil Newitt left the meeting (due to Conflict of Interest): 6.30pm  
Returned: 6.35pm

## **9.2. BOOKTOWN MEMORANDUM OF UNDERSTANDING GENERAL MANAGER COMMUNITY SERVICES**

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

### **PURPOSE**

The purpose of this report is for Council to consider renewal of the Memorandum of Understanding between Hepburn Shire Council and Creative Clunes Inc for the Clunes Back to Booktown Event and Council's annual funding allocation for this event.

### **BACKGROUND**

At its March 2010 Council meeting, Council approved a Memorandum of Understanding (MOU) between Hepburn Shire Council and Creative Clunes Inc. for the Clunes Back to Booktown 2010 and 2011 events. The MOU created a working partnership between Hepburn Shire Council and Creative Clunes Inc.

The MOU allocated an annual amount of \$10,000 Council funding for Creative Clunes Inc to assist with conducting a safe, accessible and professionally run Booktown event.

### **ISSUE / DISCUSSION**

Following the 2010 and 2011 events the MOU and funding provided by Council is up for renewal. A copy of the Draft MOU is attached (refer Attachment 2). In line with Council's amendment to the Chillout MOU in relation to financial independence section 5b of the Draft MOU with Creative Clunes Inc incorporates that "The parties agree that Creative Clunes Inc will pursue a model less financially dependant on Council for the Clunes Back to Booktown event".

A summary of the attendance figures, economic impact and financial status of the 2011 Clunes Back to Booktown event is provided below:

### Attendance Figures

Event/Year	2010	2011
Back to Booktown	12,000	15,000

### Economic Impact

Whilst it is difficult to quantify direct economic impact, Booktown collect extensive data each year:

Booktown collected information that showed the Clunes ATM dispatched \$77,000 in cash over the weekend; all accommodation was booked out in Clunes, Creswick (excluding Novotel Forest Resort), Talbot and Newstead with significant bookings in Maryborough, Ballarat and Daylesford.

Creative Clunes Inc. estimate that Booktown generates \$2- 4 million dollars of funds within the region.

### Council contribution and financial status

Council's financial contribution of \$10,000 was spent on advertising and equipment hire. The contribution towards advertising allowed extensive advertising through The Age, radio stations, Tourism Victoria and Ballarat Courier. In addition the funding allows Clunes Booktown to leverage funding through Tourism Victoria that is only available if the event receives funding from Council.

Total expenses for Booktown 2011:	\$71,335
Total income for Booktown 2011:	\$73,802
<b>Net Operating Profit:</b>	<b>\$2,467</b>

All accounts for the financial year ended 30 June 2011 have been audited by WHK accounting services.

### Event Expansion/Innovation

The 2011 Booktown event saw the introduction of a childrens booktown for the first time. This new initiative proved to be popular and will look to be modified and expanded on in future events. A heritage train service was operated in conjunction with Seymour Heritage Train Centre which ran from Melbourne to Creswick. A bus service then ran linking Clunes to the Creswick station.

### **Community Volunteers**

Clunes Back to Booktown is well supported by local volunteers. It takes more than 147 one to three hour volunteer shifts to run the Back to Booktown event each year. This roughly equates to 300 volunteers contributing to the operation of the Booktown event each year.

### **Benefits of an MOU**

The introduction of the MOU and funding relationship between Council and Booktown has had a number of benefits, it has:

- Enhanced the good working relationship between Council and Booktown.
- Provided clear direction on the role of Council and Booktown when organising the event.
- Allows Booktown an improved level of financial sustainability and to access funding through Tourism Victoria and other funding bodies.
- Helped to secure additional marketing benefits for the Shire
- Helped reduce volunteer burnout on the event committee by providing professional event support.
- Provided Council with improved event reporting and through this increased understanding of the role Booktown plays in Hepburn Shire.
- Provided Creative Clunes Inc. with more confidence in growing the size of the event, which in turn has tourism and economic development benefits for Hepburn Shire.

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

Council Plan 2009-2013, Initiative 31: “Supporting various drawcard events like ChillOut and Booktown which draw large numbers of visitors to Hepburn Shire”.

### **FINANCIAL IMPLICATIONS**

Creative Clunes Inc are seeking an MOU and \$10,000 annual funding for the Clunes Back to Booktown event that covers the 2012, 2013 and 2014 events.

\$10,000 is currently allocated in Council’s 2011-12 budget for the Booktown event. This funding is to be used for providing a safe, accessible and professionally run event.

In addition Council provides just under \$5,000 of In-Kind support which includes waste management, road closures and site set up. (Appendix A to this Report)

Booktown receive 100% of the funding within two weeks of signing the MOU for the 2012 event.

### **RISK IMPLICATIONS**

As part of the MOU, Booktown are required to undertake all risk management planning with advice from Council officers.

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

The Booktown event attracts in excess of 12,000 people annually to Hepburn Shire and to the Clunes region. This brings substantial economic benefit to the region.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council staff have had a number of discussions with Creative Clunes Inc to make minor changes to the MOU.

As with all events Creative Clunes Inc and the Booktown sub-committee take part in Council's four meeting event planning process each year.

### **CONCLUSION**

Creative Clunes Inc are seeking a three year extension of the MOU with Council and an annual funding allocation of \$10,000 from Council for the Back to Booktown event.

### **OFFICER'S RECOMMENDATION**

*That Council:*

- 9.2.1 *Approves the Memorandum of Understanding between Creative Clunes Inc and Council for the 2012, 2013 and 2014 events.*
- 9.2.2 *Approves a contribution of \$10,000 for the 2012, 2013 and 2014 events.*
- 9.2.3 *Authorises the Chief Executive Officer to sign the Memorandum of Understanding on behalf of the Council.*
- 9.2.4 *Notes that Officers are working to develop a consistent evaluation methodology for evaluating and reporting the community and economic benefits of events.*

## MOTION

*That Council:*

9.2.1 *Approves the Memorandum of Understanding between Creative Clunes Inc and Council for the 2012, 2013 and 2014 events, and that subject to receiving a tax invoice from Booktown at least 14 days prior to the due date, Council will make the sponsorship payment for each event as follows:*

- *Payment of \$10,000 (100%) + GST to be paid within two weeks of the signing of this Memorandum of Understanding (for the 2012 event),*
- *not before 28 July, 2012 for the 2013 event, and*
- *not before 28 July, 2013 for the 2014 event.*

9.2.2 *Approves a contribution of \$10,000 for the 2012, 2013 and 2014 events.*

9.2.3 *Authorises the Interim Chief Executive Officer to sign the Memorandum of Understanding on behalf of the Council.*

9.2.4 *Ensures that Officers develop a consistent evaluation methodology for evaluating and reporting the community and economic benefits of events.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Jon Barrell

**Carried**

**ATTACHMENT 2 - MEMORANDUM OF UNDERSTANDING BETWEEN  
HEPBURN SHIRE COUNCIL AND CREATIVE CLUNES INC – ISSUED  
UNDER SEPARATE COVER**

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

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

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

- Advice on development of event memorandum of understanding
- Advice on development of Traffic Management Plan for Road Closures
- Advice on development of Risk Management Plan for Event
- Advice on development of an Emergency Management Plan
- Inspection on Saturday of event by an Environmental Health Officer to ensure all temporary food premises have relevant permits

### **9.3. ADOPTION OF MUNICIPAL FIRE MANAGEMENT PLAN**

#### **COMPLIANCE COORDINATOR**

*In providing this advice to Council as the Compliance Coordinator, I Eric Wright, have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this report is to present the Hepburn Shire Municipal Fire Management Plan for adoption by Council.

#### **BACKGROUND**

The Municipal Fire Management Plan (MFMP) is a risk based plan that identifies social, economic, built and natural environment aspects of fire and is a solid platform that guides agencies involved in fire management.

The MFMP is both complementary to and consistent with the Municipal Emergency Management Plan (MEMPC) and ensures linkages across preparedness, prevention, response and recovery (PPRR) spectrum.

On 21 October 2011, the Municipal Fire Management Planning Committee (MFMPCC) endorsed the MFMP and the plan was subsequently endorsed by the Municipal Emergency Management Planning Committee (MEMPC) on 2 November 2011.

The endorsed plan was forwarded to the Regional Strategic Fire Management Planning Committee (RSFMPC) for comment with a response provided that the plan is ready for Council adoption.

#### **ISSUE / DISCUSSION**

The Hepburn Shire Municipal Fire Management Plan identifies commitments where Council will be required to undertake asset management processes in relation to fire threat and also to provide ongoing development of staff involved in fire management planning.

The evolution of fire planning within the Emergency Management area will require ongoing commitment by Council in order to address both Community and Government expectations.

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

The Municipal Fire Management Plan aligns with the Council Plan 2009/2013:

- Good Governance – (Achievements 17, 21 and 22)
- A more Prosperous Community – (Achievement 34)
- Healthy, Safe and Vibrant Communities – (Achievement 49)

The Municipal Fire Management Plan addresses the requirements of Section 55A(2) of the Country Fire Authority Act 1958 and once adopted by council



will be deemed to meet the requirement for a Municipal Fire Prevention Plan under Section 55A(1) of that Act.

The draft version1 MFMP as endorsed by the MFMP on 21 October 2011 and subsequently endorsed by the MEMPC on 2 November 2011, did not have the inclusion of the Bushfire Planning Provision (10/50 rule) as adopted by the State Government on 18 November 2011.

The 10/50 rule has now been included into the MFMP and is principally an extension to the 10/30 rule which enables all landowners in areas **within the Bushfire Management Overlay** to undertake the following measures for bushfire protection on their property:

- Any removal, destruction or lopping of any vegetation within 10 metres, of an existing building used for accommodation; and
- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation.

#### **FINANCIAL IMPLICATIONS**

The program of activities contained in the MFMP (2011- 2014) commits Council and Council resources to a range of fire prevention treatments which can generally be achieved but can be impacted on by annual climatic conditions.

The 2011/12 late spring to early summer period is an example of perfect growing conditions for exotic grass species. This may result in significant enough regrowth, post the initial slashing program, to cause consideration for a second round of slashing after the Christmas period. Any extension to the current grass slashing program is not captured in Council's budget.

With the evolution of the plan, greater commitment may be needed to meet the range of future expected activities and requirements.

#### **RISK IMPLICATIONS**

The purpose of the Hepburn Shire Municipal Fire Management Plan is to provide structure and accountability in mitigating the effect of bushfire, grassfire, residential and Industrial fires in the community.

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

There is an expectation by people living in the Hepburn Shire as well as visitors that they can feel confident that agencies and stakeholders have thoroughly considered the risks that they may be subjected to.

Areas of Hepburn Shire have been identified as having high fire risk levels and as such could suffer from the impact of fire economically, socially and environmentally.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The Municipal Fire Management Plan has undergone a community consultation process throughout September with stakeholder and community sessions held in the Hepburn Shire targeting high-risk communities. Agencies represented at the sessions were, Hepburn Shire, CFA (including the Integrated Fire Management team) and Parks Victoria.

Consultation sessions were conducted in Glenlyon, Daylesford, Clunes, Trentham and Creswick as well as an online engagement program seeking feedback submissions.

### **CONCLUSION**

Mitigation planning for fire is not only imperative but is also a legislative requirement and the Municipal Fire Management Plan is the foundation for addressing this.

Giving full consideration to the risk levels of fire in the Hepburn Shire, the Municipal Fire Management Plan is presented to Council for adoption.

### **OFFICER'S RECOMMENDATION**

*9.3.1 That Council Adopt the Municipal Fire Management Plan for 2011 – 2014.*

### **MOTION**

*That Council*

*9.3.1 Adopt the Municipal Fire Management Plan for 2011 – 2014, version 1.1 dated 30 November 2011*

*9.3.2 Promote the Municipal Fire Management Plan for 2011-2014 in the community and place it on the Council website.*

**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Don Henderson

**Carried**

**ATTACHMENT 3 - MUNICIPAL FIRE MANAGEMENT PLAN –  
ISSUED UNDER SEPARATE COVER**

## **9.4. ADOPTION OF THE MUNICIPAL EMERGENCY MANAGEMENT PLAN GENERAL MANAGER INFRASTRUCTURE**

*In providing this advice to Council as the Manager Assets & Engineering Services, I Richard Russell, have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report is to present the Hepburn Shire Municipal Emergency Management Plan for adoption by Council.

### **BACKGROUND**

The Hepburn Shire Municipal Emergency Management Plan (MEMP) has been produced pursuant to Section 20(1) of the Emergency Management Act 1986. The aim of the MEMP is to detail the agreed arrangements for the prevention or minimisation of, the response to, and the recovery from, emergencies that could occur and are likely to occur within the Hepburn Shire.

Council plays an important role in the planning and management of emergencies within the municipality. Council has a responsibility to plan, respond and assist with recovery in the event of an emergency affecting its community.

The MEMP is the result of the efforts of the Emergency Management Planning Committee with the assistance from Victorian State Emergency Service Ballarat Regional Headquarters and recognises the previous planning activities of the municipal area.

The MEMP is made up of a main document and a number of Appendices.

### **ISSUE / DISCUSSION**

The MEMP was audited in May to June 2011 and a number of recommendations were initiated from the audit. These recommendations have been included in the draft Municipal Emergency Management Plan presented for adoption. The audit certificate is included in the plan documentation.

It is acknowledged in the MEMP that ...“The need for safe communities has seldom been more obvious after the experiences of the 2009 bushfires (and the 2010 and 2011 floods.) The MEMP is about developing rigorous and sophisticated emergency response plans and helping acquire and disseminate knowledge for the purposes of self reliance in emergencies not only for bushfires and flood but for other emergencies that might affect our communities.”

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

In providing the MEMP for adoption compliance with Section 20(1) of the Emergency Management Act 1986 is maintained.

Council Plan No 49 - Involving communities in emergency response preparedness and ensuring our response plans are sufficiently robust to deal with not only the familiar emergencies like bushfires but possible emergency crisis like fuel shortages or widespread financial distress.

## **FINANCIAL IMPLICATIONS**

In adopting the MEMP there are no immediate direct costs to Council, however the maintaining of the document and maintaining a number of sub plans and the CERM contained in the appendices will require ongoing resource inputs.

Council has received a grant to assist with the costs of undertaking the Community Emergency Risk Management (CERM) review.

## **RISK IMPLICATIONS**

A Community Emergency Risk Management (CERM) process using the generic guidelines of the Risk Management Standard AS/NZS 4360 has been conducted by the members of the MEMP Committee with input from other various experts.

Community risks in the CERM were identified, assessed and rated according to consequence and likelihood scales and risk matrices in the Emergency Risk Management Applications Guide (Emergency Management Australia, 2004). A review of the CERM in 2012 will review the community risks.

The previous CERM process rated the following risks as being either high or significant. Risk treatments have been developed to reduce either the likelihood or consequences of each risk.

- Wildfire
- Road Accident
- Storm & Tempest
- Flood
- Water Pollution
- Food Poisoning
- Gold Mining Shafts
- Special Events
- Rail Accidents
- European Wasps
- Pandemic

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

A key strategy in the Hepburn Shire Council Plan 2009 - 2013 is to create healthier, safer, more vibrant communities by: “Involving communities in emergency response preparedness and ensuring our response plans are sufficiently robust to deal with not only the familiar emergencies like bushfires but possibly emergency crises like fuel shortages or widespread financial distress.” Therefore the MEMP is in effect helping to create more robust communities to deal with emergencies.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The revised MEMP has been endorsed by the Municipal Emergency Planning Committee, which includes representation from all major stakeholders.

## **CONCLUSION**

That Council adopt the Municipal Emergency Management Plan

## **OFFICER’S RECOMMENDATION**

That Council:

*9.4.1 Adopt the audited Municipal Emergency Management Plan*

## **MOTION**

That Council:

*9.4.2 Adopt the audited Municipal Emergency Management Plan, Version 2, to be dated November 2011*

*9.4.3 Issue controlled copies to all authorised recipients in the format of their individual preference.*

*9.4.4 Continue the Community Emergency Risk Management (CERM) process with community consultation to identify any additional emergencies for input.*

**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Rod May

**Carried**

## **ATTACHMENT 4 - Municipal Emergency Management Plan**

**9.5. APPOINTMENT OF EMERGENCY OFFICERS TO STAFF THE MECC AND UNDERTAKE EMERGENCY DUTIES FOR THE 2011-2012 PERIOD  
INTERIM CHIEF EXECUTIVE OFFICER**

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

**PURPOSE**

The purpose of this report is to appoint appropriate internal staff to the Municipal Emergency Coordination Centre (MECC) to cater for any future emergencies that may occur over the 2011-2012 period for Hepburn Shire Council.

**BACKGROUND**

Under the *Emergency Management Act 1986 (the 'Act')*, Councils play a key role in emergency management in Victoria, as the closest tier of government to communities.

Clause 21(1) states: 'a municipal council must appoint a person or persons to be the Municipal Emergency Resource Officer (MERO) or Municipal Emergency Resource Officers', to coordinate the use of municipal resources for emergency response and recovery.

The Act (Clause 21(1)) provides the nominated Council personnel the responsibility to represent Council in an emergency situation, and to commit Council resources to assist the response and recovery agencies.

**ISSUE / DISCUSSION**

As a result of staffing movements, the position of MERO will become vacant in December 2011.

The vacancy of the MERO has provided Council with an opportunity to review the structure and membership of the Municipal Emergency Coordination Centre (MECC), and as a consequence, the following recommendations are made for Council consideration and approval in accordance with the attached typical structure. (Attachment 1):

- MERO: It is recommended that .Richard Russell be appointed to the position of Municipal Emergency Resource Officer (MERO)



- Deputy MERO: It is recommended that .Kevin Clohesy and Eric Wright be appointed to the position of Deputy Municipal Emergency Resource Officers D/MEROS.

Traditionally the role of MERO is undertaken by a senior officer employed in a municipality's infrastructure department.

It is further recommended that the positions of Municipal Recovery Manager (MRM) and Deputy MRMs also be appointed.

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

Under the *Emergency Management Act* (1986) each municipal council is required to:

- Appoint a Municipal Emergency Management Planning Committee (MEMPC)
- Appoint one or more Municipal Emergency Resource Officers (MERO) to coordinate the use of municipal resources for emergency response and recovery
- Prepare a Municipal Emergency Management Plan (MEMPlan) which must be audited by the Director, Victoria State Emergency Service every three years
- Respond to an audit report within three months.

The responsibilities of Council's MERO are defined in Hepburn Shire's Municipal Emergency Management Plan:

1. To be responsible for the co-ordination of Municipal resources in responding to emergencies.
2. To establish and maintain an effective infrastructure of personnel whereby Municipal resources can be accessed on a 24 hour basis.
3. To establish and maintain effective liaison with agencies within or servicing the Municipal district and the Municipal Recovery Manager (MRM).
4. To maintain the Municipal Emergency Co-ordination Centre(s) (MECC's) at a level of preparedness to ensure prompt activation when necessary.

5. To facilitate the arrangement of a post emergency debrief as requested by the Municipal Emergency Response Coordinator (MERC).
6. To ensure procedures and systems are in place to monitor and record all expenditure by the Municipality in relation to emergencies.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with Council appointing an interim MERO.

#### **RISK IMPLICATIONS**

The appointment of the MERO will address the key risk implications.

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

Not applicable.

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Not applicable.

#### **CONCLUSION**

The appointment of a MERO will provide the organisation and the community with the legislated and appropriate readiness for emergencies.

## **OFFICER'S RECOMMENDATION**

That Council:

- 9.5.1 *Appoint Richard Russell as the Municipal Emergency Resource Officer (MERO).*
- 9.5.2 *Appoint Kevin Clohesy and Eric Wright as Deputy MEROs*
- 9.5.3 *Appoint Kathleen Brannigan as the Municipal Recovery Manager (MRM)*
- 9.5.4 *Appoint Evan King and Adam McSwain as Deputy MRMs*
- 9.5.5 *Update the Contact Directory and send out to the Municipal Emergency Management Planning Committee members and other relevant emergency agencies.*
- 9.5.6 *Update the Position Description of General Manager Infrastructure to reflect the roles and responsibilities of the MERO.*

## MOTION

That Council:

- 9.5.1 *Appoint Richard Russell as the Municipal Emergency Resource Officer (MERO).*
- 9.5.2 *Appoint Kevin Clohesy and Eric Wright as Deputy MEROs*
- 9.5.3 *Appoint Kathleen Brannigan as the Municipal Recovery Manager (MRM)*
- 9.5.4 *Appoint Evan King and Adam McSwain as Deputy MRMs*
- 9.5.5 *Update the Contact Directory and send out to the Municipal Emergency Management Planning Committee members and other relevant emergency agencies.*
- 9.5.6 *Update the Position Description of General Manager Infrastructure to reflect the roles and responsibilities of the MERO.*
- 9.5.7 *Thank the officers for taking on these roles.*

**Moved:** Councillor Rod May

**Seconded:** Councillor Janine Booth

**Carried**

## **9.6 BUSHFIRE MEMORIAL FUNDING ALLOCATION GENERAL MANAGER COMMUNITY SERVICES**

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

### **PURPOSE**

The purpose of this report is to recommend that Council approve the Daylesford Community Park as the site for the community bushfire memorial.

### **BACKGROUND**

Following the 2009 bushfires Council was allocated \$79,647 from the Department of Planning and Community Development (DPCD) for a bushfire memorial to symbolise the 2009 Daylesford/Musk Vale and Black Saturday fires. This funding must be acquitted by June 2012.

In accordance with the DPCD funding guidelines, which require an inclusive and supportive community consultation process a consultant artist, Sally Goldstraw, was engaged to facilitate this process. The Bushfire Consultation Report (June 2010) identifies the symbols and themes important in developing the memorial and a number of potential sites for the memorial (Attachment 6).

At the Ordinary Council meeting November 2010 it was resolved that Council:

*Favours a memorial being community infrastructure works, with a very significant public art component, at one of the following sites:*

*Vincent Street Daylesford between the roundabouts and/or Burke Square, Daylesford*

*Daylesford Community Park (Daylesford Youth and Skate Park) cnr Stanbridge and Duke Streets*

*Defiance Tunnel Site, cnr Bleakley and King Streets.*

*Council is currently engaged in a Vincent Street Revitalisation Project and the staged development of the Daylesford Community Park, and has received submission regarding the development of a Daylesford Historical Precinct.*

*Council will make its final decision on the site and nature of its Bushfire Memorial as the above proposals progress.*

### **ISSUE / DISCUSSION**

Community members of the Daylesford Community Park Reference Group and the Hepburn Community Access Group (HCAG) have written suggesting that the memorial be an accessible drinking fountain/water feature at the

Daylesford Community Park. They propose that the feature would be a commissioned piece that responds to the themes identified in the Bushfire Consultation Report. Examples of the type of feature envisioned are included in the letter from the HCAG. (Attachment 7).

The other sites identified are not considered suitable as planning for the Vincent Street Streetscape Revitalisation project is not sufficiently advanced to meet memorial funding timeframes. The Bleakley/King Street site has been included on the vacant land register for Council's consideration.

A further request has been received from Daylesford Spa Country Railway that the memorial funds be allocated as a contribution toward a funding application to Regional Development Victoria (Regional Growth Fund) for repair of the railway between Musk and Bullarto.

The Community Recovery Fund Funding Guidelines - Memorials and Commemorative Events state that, "Memorials may take many forms, but all are collective symbols commemorating the event and its significance. This can be a site, structure, building landscaping, public art, sculpture and/or monument specifically designed and deliberately positioned to commemorate an event..." DPCD have advised that repair of the railway is unlikely to be an eligible use of the funding.

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

Council Plan 2009-2013 – Good Governance:

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

### **FINANCIAL IMPLICATIONS**

The Hepburn Shire has been allocated \$79,647 for the project.

### **RISK IMPLICATIONS**

Nil identified

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Extensive consultation has taken place in determining themes and potential locations of the bushfire memorial. If the proposal is supported:

- An expression of interest for an artist to develop the memorial will be advertised;
- A Community Advisory Group will be involved in selection of the artist.

## CONCLUSION

The proposal to commission a memorial water feature that responds to the themes identified during consultation would be an appropriate memorial and meets the funding guidelines. It would create functional public art at the Community Park.

## OFFICER'S RECOMMENDATION

That Council:

- 9.6.1 *Approve the Daylesford Community Park as the location of a bushfire memorial that will incorporate an accessible drinking fountain and designed in response to the themes in the Bushfire Consultation Report.*
- 9.6.2 *Note that an Expression of Interest for an artist/designer to develop the memorial Daylesford Community Park will be advertise in early 2012.*

## MOTION

That Council:

- 9.6.1 *Approve the Daylesford Community Park as the location of a bushfire memorial that will incorporate an accessible drinking fountain and designed in response to the themes in the Bushfire Consultation Report.*
- 9.6.2 *Note that an Expression of Interest for an artist/designer to develop the memorial Daylesford Community Park will be advertised in early 2012.*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Janine Booth

**Carried**

**ATTACHMENT 5 - BUSHFIRE CONSULTATION REPORT – ISSUED  
UNDER SEPARATE COVER**



**ATTACHMENT 6 - SUBMISSION – BUSHFIRE MEMORIAL – HEPBURN  
COMMUNITY ACCESS GROUP –  
ISSUED UNDER SEPARATE COVER**

## **9.7. RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS) REGULATIONS FEES**

### **GENERAL MANAGER – SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the Senior Environmental Health Officer, I Terry Crisp have no interests to disclose in this report.*

#### **PURPOSE**

To establish and adopt fees for the caravan parks operating within the Hepburn Shire

#### **BACKGROUND**

In 2010 the Residential Tenancies Act 1997 was completely amended with regard to caravan parks and movable dwellings. Prior to these changes the standard fee was \$2.50 per powered or camping site and once the caravan parks submitted this fee in company with the registration form that was all that was required to achieve registration.

However these recent amendments to the Act add a significant responsibility to the caravan park owners in terms of registration. The changes were so imposing that the State Government decided to defer the introduction of these changes for 12 months.

In addition to the fees the caravan park operator must now submit

1. A plan of the caravan park detailing the location of all sites
2. A copy of the most recent inspection report from the CFA
3. A schedule of works
4. An emergency management plan

If the above items are not submitted with the application to register the caravan park, Council cannot accept or issue their registration.

Council officers have been working with the caravan park operators to achieve these requirements and it was during these negotiations it was noted that Council was yet to formalise the fee structure. The registration period can now cover a 3 year period and Council can charge an amount detailed in Schedule 2 (Attachment 1 of this report) of the new regulations. The sliding fee laid out in this Schedule is based on the number of powered sites at each caravan park. The larger the caravan park, the higher the fee.

#### **ISSUE / DISCUSSION**

As a result of these new regulations caravan park owners have increased responsibilities for the operation in the running of their parks by the

introduction of these new regulations. Council has the option to charge up to the full amount for the coming 3 year period or a lesser fee. The table outlined below demonstrates what Council was receiving in the past from the caravan parks and what Council will receive if it decides to charge the full amount. Given that the changes can have significant impact on the caravan operators, it is considered appropriate to adopt some form of interim or transitional fee arrangements. This will ease the pressure on the caravan park owners and still be responsible in terms of Council's costs.

The current fee unit rate for Victoria is **\$11.95** per fee unit and the comparative chart below reflects this change in terminology. By applying fee units instead of fixed amounts for registration fees, when the State Government adjusts the price of these fee units from time to time this automatically allows for inflation. Consequently Council will no longer need to adopt new fees through Council resolution.

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

Caravan Park	No of Sites	Fees Charged 2011	Proposed Fees for 2012		Registration Fee for 2013		Registration Fee for 2014		Registration Fee for 2015	
			25 Fee Units	\$298.75	50	597.50	75	896.25	103 Fee Units	\$1,204.07
Victoria Park, Daylesford	111	\$277.50	25 Fee Units	\$298.75	50	597.50	75	896.25	103 Fee Units	\$1,204.07
Jubilee Lake, Daylesford	100	\$250.00	25 Fee Units	\$298.75	50	597.50	75	896.25	103 Fee Units	\$1,204.07
Creswick	88	\$220.00	20 Fee Units	\$239.00	35	418.25	50	597.50	68 Fee Units	\$794.92
Clunes	38	\$95.00	10 Fee Units	\$119.50	20	239.00	30	358.50	34 Fee Units	\$397.46
<b>TOTAL:</b>		<b>\$842.50</b>		<b>\$1,015.75</b>		<b>\$1852.25</b>		<b>\$2987.50</b>		<b>\$3,600.52</b>

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Residential Tenancies Act 1997

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards)

Regulations 2010

## **FINANCIAL IMPLICATIONS**

The financial implication will be that fees will now be paid every 3 years instead of the usual annual fee. The proposed fees will have no net loss of revenue over the next 3 years. Budget preparation in 2012 will have to reflect the transitional rise over the next 3 years as per the comparative chart above.

## **RISK IMPLICATIONS**

The risk to Council if the proposed fee structure is not adopted is that after the 1/1/2012 if there are no formally adopted fees in place by Council, then the caravan parks would have to close as Council could not issue the registration certificate. The caravan parks would stay closed until the matter of the fees is resolved.

Further to this if any of the caravan park owners do not satisfactorily complete and lodge the required documentation as stated in the Background section of this report then that particular caravan park cannot open after the 1/1/2012.

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

Nil

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There have been several meetings between the Caravan Park owners and Council Officers over the past 18 months. There have also been several meetings between adjoining Councils to discuss the interpretation of what a Works Schedule and which standards of emergency management and fire protection should be used.

As a result of these meetings Council Officers have been able to advise Caravan Park owners of what is expected for them to be registered.

## **CONCLUSION**

It is suggested that the fee that should be charged to cover the next 3 years gradually increased but commence at what the Caravan Park owners have been charged over the past 3 years. This amount will have to be expressed in terms of fee units to be in keeping with the terminology of the new legislation.

Also in 2016 Council will automatically adopt the full fee unit amount as the fee for registration as laid out in Schedule 2 of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations.

## OFFICER’S RECOMMENDATION

That Council:

9.7.1 *Adopt the full fee schedule located in Schedule 2 of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010 effective from 1/1/2015.*

9.7.2 *Adopt the transitional fee charges for the period 1/1/2012 until 31/12/2014 as follows:*

Caravan Park	No of Sites	Fees Charged 2011	Proposed Fees for 2012		Registration Fee for 2013		Registration Fee for 2014		Registration Fee for 2015	
Victoria Park, Daylesford	111	\$277.50	25 Fee Units	\$298.75	50	597.50	75	896.25	103 Fee Units	\$1,204.07
Jubilee Lake, Daylesford	100	\$250.00	25 Fee Units	\$298.75	50	597.50	75	896.25	103 Fee Units	\$1,204.07
Creswick	88	\$220.00	20 Fee Units	\$239.00	35	418.25	50	597.50	68 Fee Units	\$794.92
Clunes	38	\$95.00	15 Fee Units	\$179.25	20	239.00	30	358.50	34 Fee Units	\$397.46
<b>TOTAL:</b>		<b>\$842.50</b>		<b>\$1,015.75</b>		<b>\$1852.25</b>		<b>\$2987.50</b>		<b>\$3,600.52</b>

**MOTION**

That Council:

*9.7.1 Adopt the full fee schedule located in Schedule 2 of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010 effective from 1/1/2015.*

*9.7.2 Adopt the transitional fee charges for the period 1/1/2012 until 31/12/2014 as follows:*

Caravan Park	No of Sites	Fees Charged 2011	Proposed Fees for 2012		Registration Fee for 2013		Registration Fee for 2014		Registration Fee for 2015	
Victoria Park, Daylesford	111	\$277.50	25 Fee Units	\$298.75	50	597.50	75	896.25	103 Fee Units	\$1,204.07
Jubilee Lake, Daylesford	100	\$250.00	25 Fee Units	\$298.75	50	597.50	75	896.25	103 Fee Units	\$1,204.07
Creswick	88	\$220.00	20 Fee Units	\$239.00	35	418.25	50	597.50	68 Fee Units	\$794.92
Clunes	38	\$95.00	15 Fee Units	\$179.25	20	239.00	30	358.50	34 Fee Units	\$397.46
<b>TOTAL:</b>		<b>\$842.50</b>		<b>\$1,015.75</b>		<b>\$1852.25</b>		<b>\$2987.50</b>		<b>\$3,600.52</b>



**Moved:** Councillor Rod May

**Seconded:** Councillor Janine Booth

**Carried**

**ATTACHMENT 7 - Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010 – Regulation 17 Schedule 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

## 9.8. COUNCIL MEETING DATES - 2012

### INTERIM CHIEF EXECUTIVE OFFICER

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

### INTRODUCTION

This report presents for discussion, proposed dates and locations for the 2012 Ordinary Meetings of Council and Delegated Planning Committee Meetings.

### BACKGROUND

During the past few years, Council has rotated Ordinary Council Meetings around the Shire between the four major townships of Clunes, Creswick, Daylesford/Hepburn springs and Trentham.

### BRIEFING REPORT

Below are the proposed dates and locations for the 2012 Ordinary Meetings of Council.

<b>COUNCIL MEETING DATES AND LOCATIONS 2012</b>		
<b>Date</b>	<b>Time</b>	<b>Location</b>
Tuesday 17 January	5:30pm	Glenlyon Hall
Tuesday 21 February	5:30pm	Trentham Mechanics Institute
Tuesday 20 March	5:30pm	Clunes Town Hall
Tuesday 17 April	5:30pm	Creswick Senior Citizens Centre
Tuesday 15 May	5:30pm	Hepburn Health Service (Clunes Campus)
Tuesday 19 June	5:30pm	Daylesford Senior Citizens Room
Tuesday 17 July	5:30pm	Daylesford Senior Citizens Room
Tuesday 21 August	5:30pm	Daylesford Senior Citizens Room
Tuesday 18 September	5:30pm	Creswick Senior Citizens Centre
Tuesday 16 October	5:30pm	Trentham Mechanics Institute
Tuesday 20 November	5:30pm	Hepburn Health Service (Clunes Campus)
Tuesday 18 December	5:30pm	Trentham Neighbourhood Centre

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

Below are the proposed dates for the 2012 Delegated Planning Committee Meetings. Please note, there is no Delegated Planning Committee meeting proposed in January 2012, as was the case in 2010 and 2011.

<b>DELEGATED PLANNING COMMITTEE MEETING DATES 2012</b>		
<b>Date</b>	<b>Time</b>	<b>Location</b>
Tuesday 14 February	5:00pm	Daylesford Senior Citizens Room
Tuesday 13 March	5:00pm	Daylesford Senior Citizens Room
Tuesday 10 April	5:00pm	Daylesford Senior Citizens Room
Tuesday 8 May	5:00pm	Daylesford Senior Citizens Room
Tuesday 12 June	5:00pm	Daylesford Senior Citizens Room
Tuesday 10 July	5:00pm	Daylesford Senior Citizens Room
Tuesday 14 August	5:00pm	Daylesford Senior Citizens Room
Tuesday 11 September	5:00pm	Daylesford Senior Citizens Room
Tuesday 9 October	5:00pm	Daylesford Senior Citizens Room
Tuesday 13 November	5:00pm	Daylesford Senior Citizens Room
Tuesday 11 December	5:00pm	Daylesford Senior Citizens Room

## OFFICER'S RECOMMENDATION

That Council:

- 9.8.1 *Adopt the Council Meeting dates and locations for the 2012 Ordinary Meetings of Council as presented in the table entitled Council Meeting Dates and Locations 2012.*
- 9.8.2 *Adopt the Delegated Planning Committee dates and locations for 2012 Delegated Planning Committee Meetings as presented in the table entitled Delegated Planning Committee Dates 2012.*
- 9.8.3 *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 2012 calendar year in accordance with Section 89(4) of the Local Government Act 1989.*

## MOTION

That Council:

- 9.8.1 *Adopt the Council Meeting dates and locations for the 2012 Ordinary Meetings of Council as presented in the table entitled Council Meeting Dates and Locations 2012.*
- 9.8.2 *Adopt the Delegated Planning Committee dates and locations for 2012 Delegated Planning Committee Meetings as presented in the table entitled Delegated Planning Committee Dates 2012.*
- 9.8.3 *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 2012 calendar year in accordance with Section 89(4) of the Local Government Act 1989.*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Neil Newitt

**Carried**

## **9.9. MID YEAR BUDGET REVIEW**

### **MANAGER FINANCE**

*In providing this advice to Council as the Manager Finance, I Anthea Lyons, 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 2011-12.

### **BACKGROUND**

Council adopted the 2011-12 Budget at its Ordinary Meeting in June 2011. Each year, Council reviews the budget at 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 have completed an in-depth analysis of all income and expenditure in order to formulate a forecast to 30 June 2012.

All additional costs identified during the review have been offset by savings. Projects not completed but committed to during 2010-11 have been “carried forward” and included in the reviewed Budget.

A summary of the changes as a result of the review are as follows:

<b>Cost Type</b>	<b>Value \$</b>
Additional Staff costs	258,000
CEO Recruitment	35,000
By-election	26,000
Additional Doug Lindsay Reserve costs	70,000
Additional Magic Pudding costs	55,000
Additional Waste Management costs	92,000
<b>Total</b>	<b>536,000</b>
<b>Savings</b>	
Gravel Resheets	(24,000)
Shoulder Resheets	(19,000)
Shoulder Sealing	(70,000)
Caravan Parks	(22,000)
Drainage Works	(98,000)
Photocopy Expenses	(24,000)
Toner Cartridges	(29,000)
Planning salary vacancies and Additional Fees	(50,000)
Calambeen Park Tower Closure	(35,000)
Additional Mineral Springs Reserve Income	(42,000)
Additional Waste Charges	(38,000)
Decrease in Borrowing costs and increased interest income	(85,000)
<b>Total</b>	<b>(536,000)</b>

A reviewed set of Financial Statements are included in the Appendix below.

Also at Attachment 10 is a Capital and Project status report as at 30 November 2011.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Council has a statutory responsibility to prepare and adopt a budget. A reforecast to 30 June 2012 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 this report.

## **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, all additional costs have been offset by savings.

## **OFFICER'S RECOMMENDATION**

*9.9.1 That Council approve and adopt the reviewed budget for the 2011-12 financial year.*



## MOTION

*9.9.1 That Council approve and adopt the reviewed budget for the 2011-12 financial year.*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Neil Newitt

**Carried**

## ATTACHMENT 8 - FINANCIAL STATEMENTS

### Income Statement - For the period ending 30 June 2012

	Annual Budget 2011-12 \$'000	Reviewed Budget 2011-12 \$'000	Variance \$'000		
<b>Revenues from ordinary activities</b>					
Rates and charges	14,562	14,629	67	0%	Growth in rates and waste charges
Statutory fees and fines	222	299	77	35%	Increase predominately in permit and subdivision fees. These are budgeted at conservative levels.
User fees	905	923	18	2%	
Grants - Recurrent	4,948	5,087	139	3%	This increase is predominately in relation to the Library Grant (\$123,000) now received directly.
Grants - Non Recurrent	520	2,847	2,327	447%	See Table 1 below
Contributions	235	383	148	63%	The increase is due to community contributions for 3 projects that were anticipated to be received in the prior financial year - Mullers Lane Bridge, Doug Lindsay Recreation Reserve and the Creswick Magic Pudding Playground.
Other revenue	5,554	16,825	11,272	203%	This increase is in relation to reimbursements for Flood Recovery Works.
<b>Total revenue</b>	<b>26,947</b>	<b>40,994</b>	<b>14,048</b>		

**Income Statement - For the period ending 30 June 2012 (continued)**

	Annual Budget 2011-12 \$'000	Reviewed Budget 2011-12 \$'000	Variance \$'000		
<b>Expenses from ordinary activities</b>					
Employee benefits	9,359	10,447	1,088	12%	See Table 2 below.
Materials and services	6,473	9,249	2,776	43%	See Table 3 below.
Bad and doubtful debts	4	20	16	400%	Health and Wellbeing Grant was not used and therefore had to be repaid.
Depreciation/amortisation	5,038	5,038	-	0%	
Finance costs	358	282	(77)	-21%	Change based on forecasted actual interest rate and timing of borrowings.
Other expenses	1,231	1,023	(209)	-17%	No contribution to be paid to the Central Highlands Regional Library however reduced contribution to be made to the City of Ballarat for Shared Services. This decrease has been offset particularly by increased insurance costs as a result of the floods.
<b>Total expenses</b>	<b>22,463</b>	<b>26,058</b>	<b>3,595</b>		
<b>Surplus (deficit) for the year</b>	<b>4,483</b>	<b>14,937</b>	<b>10,453</b>		

<i>TABLE 1</i>	
<b>Increase in Non Recurrent Grants comprises:</b>	<b>\$</b>
Country Roads and Bridges Grant	1,000,000
Local Government Infrastructure Grant	500,000
V/line Crossing Project Grant	250,000
Transport Connections Program Grant	118,000
Wombat Hill Power Upgrade (Carryforward Project)	100,000
Glenlyon Hall Upgrade Grant - final payment (Carryforward Project)	46,000
Business & Community Develop. Officer funding (Carryforward Project)	80,000
Halls Refurbishment Grant - final payment (Carryforward Project)	46,000
Carbon Initiatives Grant - final payment (Carryforward Project)	43,000
DPCD Municipal Fire and Emergency Management Grant	50,000
Neighbourhood Safer Places Grant	41,000
Other	53,000
<b>Total</b>	<b>2,327,000</b>

<i>TABLE 2</i>	
<b>Increase in Employee Benefits comprises:</b>	<b>\$</b>
Staff costs	258,000
Employment of Library Staff directly	330,000
Funded positions - Business & Community Development Officer; Small Towns Adaption Program Project Manager; DPCD Municipal Fire and Emergency Management Officer; Transport Connections Officer; Flood Office Manager and Officers	560,000
Vacancy Savings	(60,000)
<b>Total</b>	<b>1,088,000</b>

<i>TABLE 3</i>		
<b>Increase in Materials and Services comprises:</b>		<b>\$</b>
Flood Recovery Expenses (non Capital)		1,100,000
V/line Crossing Project Expenditure		250,000
Waste		92,000
Increase recruitment costs		55,000
By-election costs		26,000
Community Planning Projects		10,000
Transport Connections - Additional Funding		118,500
Increased Legal Fees (including VCAT hearings)		45,000
Clunes Caravan Park Study - funded		25,000
Environmental Projects (all Environmental Levy funds to be used on projects)		48,000
Gravel Pit Clean Up Work		17,500
Central Highlands Transport plan		10,000
Arboricultural Works		10,000
Halls Refurbishment additional costs		20,000
Trentham Recreation Reserve additional costs		22,000
Use of Contractors due to vacancies		65,000
Carryforward Projects		16,000
Savings		54,000)
<b>Total</b>		<b>2,776,000</b>

**BALANCE SHEET AS AT 30 JUNE 2012**

	<b>Annual Budget 2011- 12 \$'000</b>	<b>Reviewed Budget 2011-12 \$'000</b>	<b>Variance \$'000</b>		
<b>Assets</b>					
<b>Current assets</b>					
Cash and cash equivalents	1,661	3,237	1,576	95%	See Cash Flow Statement
Trade and other receivables	1,366	1,205	(161)	-12%	Improved collection anticipated.
Inventories	70	140	70	100%	Increased prepayments anticipated.
<b>Total current assets</b>	<b>3,097</b>	<b>4,582</b>	<b>1,485</b>		
<b>Non-current assets</b>					
Financial assets	962	999	37	4%	
Investments in associates accounted for using the equity method	443	-	(443)	-100%	The dissolution of the Central Highlands Regional Library is to occur during the year. Council will receive Book stock in return.
Property, plant and equipment, infrastructure	191,731	201,044	9,313	5%	Additional Flood Recovery Works.
<b>Total non-current assets</b>	<b>193,136</b>	<b>202,043</b>	<b>8,907</b>		
<b>Total assets</b>	<b>196,233</b>	<b>206,625</b>	<b>10,392</b>		
<b>Liabilities</b>					
<b>Current liabilities</b>					
Trade and other payables	1,037	2,673	1,636	158%	Timing of creditor payments adjusted.
Provisions	1,437	1,864	427	30%	Increased current Long Service Leave Provision due to the change of access from 10 to 7 years.
Interest-bearing loans and borrowings	559	549	(10)	-2%	
<b>Total current liabilities</b>	<b>3,033</b>	<b>5,086</b>	<b>2,053</b>		

**BALANCE SHEET AS AT 30 JUNE 2012 (continued)**

	<b>Annual Budget 2011- 12 \$'000</b>	<b>Reviewed Budget 2011-12 \$'000</b>	<b>Variance \$'000</b>		
<b>Non-current liabilities</b>					
Provisions	1,054	843	(211)	- 20%	See comment above.
Interest-bearing loans and borrowings	3,624	3,624	-	0%	
<b>Total non-current liabilities</b>	<b>4,678</b>	<b>4,467</b>	<b>(211)</b>		
<b>Total liabilities</b>	<b>7,711</b>	<b>9,553</b>	<b>1,842</b>		
<b>Net Assets</b>	<b>188,522</b>	<b>197,072</b>	<b>8,550</b>		
<b>Equity</b>					
Accumulated surplus	115,289	123,956	8,667	8%	
Reserves	73,233	73,116	(117)	0%	
<b>Total Equity</b>	<b>188,522</b>	<b>197,072</b>	<b>8,550</b>		



**Cash flow Statement**  
**For the period ending 30 September 2011**

	Annual Budget 2011-12 \$'000	Reviewed Budget 2011-12 \$'000	Variance \$'000
<b>Cash flows from operating activities</b>			
<i>Receipts</i>			
Rates and charges	14,562	14,629	67
Recurrent grants	4,970	5,087	117
Non recurrent grants and contributions	734	4,030	3,296
Interest	250	300	50
User charges	907	923	16
Statutory fees	222	299	77
Other revenue	5,304	16,525	11,222
	<b>26,948</b>	<b>41,794</b>	<b>14,846</b>
<i>Payments</i>			
Employee costs	(9,662)	(10,850)	(1,188)
Materials & consumables	(6,473)	(9,249)	(2,776)
Finance costs	(271)	(256)	15
Other expenses	(1,231)	(1,023)	209
	<b>(17,638)</b>	<b>(21,377)</b>	<b>(3,740)</b>
Net cash provided by operating activities	<b>9,311</b>	<b>20,417</b>	<b>11,106</b>
<b>Cash flows from investing activities</b>			
Proceeds from property, plant and equipment	333	402	69
Payments for property, plant and equipment	(17,445)	(30,136)	(12,691)
Net cash used in investing activities	<b>(17,111)</b>	<b>(29,734)</b>	<b>(12,622)</b>

**Cash flow Statement**  
**For the period ending 30 September 2011**

	Annual Budget 2011-12 \$'000	Reviewed Budget 2011-12 \$'000	Variance \$'000
<b>Cash flows from financing activities</b>			
Proceeds from borrowings	1,200	1,200	-
Repayment of borrowings	(473)	(464)	9
Net cash provided by (used in) financing activities	<b>727</b>	<b>736</b>	<b>9</b>
<b>Net decrease in cash &amp; cash equivalents</b>	<b>(7,073)</b>	<b>(8,581)</b>	<b>(1,507)</b>
Cash & cash equivalents at beginning of year	8,734	11,818	3,084
<b>Cash &amp; cash equivalents at end of period</b>	<b>1,661</b>	<b>3,237</b>	<b>1,577</b>

TABLE 4	
<b>Movement in Capital Works comprises:</b>	
Country Roads and Bridges Grant	1,000,000
Local Government Infrastructure Grant	500,000
Additional Flood Recovery Works	9,350,000
Carryforwards	2,039,213
Less Senior Project Engineer salary	(75,000)
Savings	(123,083)
<b>Total</b>	<b>12,691,130</b>

**ATTACHMENT 9 - Capital and Project Status Report as at 30 November  
2011 (Issued under Separate Cover)**

## **9.10. POLICY UPDATE - 42 PUBLIC BUILDING MAINTENANCE GRANTS GENERAL MANAGER CORPORATE SERVICES**

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

### **PURPOSE**

This report presents the revised Council Policy 42 (C) - Public Building Maintenance Grants for adoption by Council.

### **BACKGROUND**

The current Policy 42 (C) states that Council will call for grant requests from managers of public buildings for maintenance expenses. The maximum amount that can be requested is \$3,000. This policy lists 17 committees and organisations that are eligible to apply.

In recent years, Council has been managing Policy 42 (C) by paying a fixed amount of \$500 to each of the 17 committees and organisations listed in the policy, rather than asking for a grant request each year. This is a simple way of distributing the budgeted funds.

In addition, separate to Policy 42, two other organisations have received a \$500 payment each year for the same purpose: Newlyn Community & Sporting Complex Inc. and Newbury Public Hall Committee of Management.

Council's 2011-12 budget has \$8,500 allocated for the 17 payments under the policy, and \$1,000 for the payments to Newlyn Community & Sporting Complex Inc. and Newbury Public Hall Committee of Management. i.e. Council has a budget total of \$9,500 for payments to managers of public buildings.

The policy has not been revised since 2004 and has subsequently lapsed.

### **ISSUE / DISCUSSION**

The revised Policy aims to align with current practice of issuing fixed amounts on an annual basis to committees and organisations managing selected facilities.

It is not clear what considerations led to the selection of the 17 public buildings in the current policy, or how the other two organisations (Newlyn Community & Sporting Complex Inc. and Newbury Public Hall Committee of Management) have come to receive the annual maintenance payment.

For this review, it is proposed to update the list of public buildings to the 19 who currently receive an annual payment, but to consider the needs of all public buildings in Hepburn Shire for the next review in 2012.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

No issues noted.

## **FINANCIAL IMPLICATIONS**

This update will result in no change to the current budget.

## **RISK IMPLICATIONS**

This update enables existing committees and organisations to receive ongoing funding, but there may be other public building managers who miss out on funding.

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

As per risk comment above.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

No external engagement was undertaken in this policy update.

## **CONCLUSION**

The revised policy is presented for Council's adoption.

## OFFICER'S RECOMMENDATION

*That Council:*

*9.10.1 Adds the Newlyn Community & Sporting Complex Inc. and Newbury Public Hall Committee of Management to the listing of organisations and updates the policy from 17 to 19 buildings receiving \$500 each*

*9.10.2 Adopts the revised Council Policy Number 42 - Public Building Maintenance Grants; and*

*9.10.3 Authorises the Chief Executive Officer to sign the policy and communicate it publicly.*

## MOTION

*That Council:*

*9.10.1 Adopts the revised Council Policy Number 42 - Public Building Maintenance Grants*

*9.10.2 Adds the Newlyn Community & Sporting Complex Inc. and Newbury Public Hall Committee of Management to the listing of organisations and updates the policy from 17 to 19 buildings receiving \$500 each*

*9.10.3 Authorises the Interim Chief Executive Officer to sign the policy and communicate it publicly.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried**

**ATTACHMENT 10 -POLICY NO 42 - PUBLIC BUILDING MAINTENANCE  
GRANTS – ISSUED UNDER SEPARATE COVER**

## **9.11. UPDATE OF THE WHISTLEBLOWERS PROCEDURE GENERAL MANAGER CORPORATE SERVICES**

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

### **PURPOSE**

The purpose of this report is to present the updated Whistleblowers Procedures for Council endorsement.

### **BACKGROUND**

The Hepburn Shire Council is committed to the aims and objectives of the Whistleblowers Protection Act 2001 (the Act). It does not tolerate improper conduct by its employees, officers or Councillors, nor the taking of reprisals against those who come forward to disclose such conduct.

The Whistleblowers Protection Act 2001 (section 68) requires a public body to establish written procedures for handling disclosures.

### **ISSUE / DISCUSSION**

These procedures establish a system for reporting disclosures of improper conduct or detrimental action by the Hepburn Shire Council or its employees, officers or councillors. The system enables such disclosures to be made to the protected disclosure coordinator or to the Ombudsman. Disclosures may be made by employees, councillors or officers or by members of the public.

These procedures are designed to complement normal communication channels between supervisors and employees. Employees are encouraged to continue to raise appropriate matters at any time with their supervisors. Alternatively employees can choose to make a disclosure of improper conduct or detrimental action under the Act in accordance with these procedures.

Changes made to the Whistleblowers procedures are:

- Rename to Hepburn Shire Council Whistleblowers Procedures
- Reference to:
  - Whistleblowers Protection Act 2001
  - Whistleblowers Protection regulations 2001 (158)
  - Whistleblowers Protection Act 2001 Ombudsman's Guidelines
- Update of the purpose of these procedures
- Update the objects of the Act
- Additional definitions added
- Update the Hepburn Shire Council Protected Disclosure Coordinator



- Update the Ombudsman's contact details
- Update the role of the Protected Disclosure Coordinator
- Updated the confidentiality section in line with the Act
- Updated the requirements for the register
- Updated the objectives of the investigation
- Updated the possible criminal charges, legal action and disciplinary proceedings

The Audit and Risk Advisory Committee recommended that Council approve the revised Whistleblowers Procedures at its meeting on 21 November 2011.

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

The Whistleblowers Procedure details Council's responsibility under the Whistleblowers Protection Act 2001, Whistleblowers Protection Regulations 2001 (158) and the Whistleblowers Protection Act 2001 Ombudsman's Guidelines

### **FINANCIAL IMPLICATIONS**

No Financial Implications to note

### **RISK IMPLICATIONS**

The existence and communication of a Whistleblowers Procedures provides guidance to the organisation and the community of the operation of the Whistleblowers Protection Act 2001.

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

No Environmental/Social/Economic Implications to note

### **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 and once adopted will be available on the Council's website.

### **CONCLUSION**

The Hepburn Shire Council Whistleblowers Procedure has been updated

## OFFICER'S RECOMMENDATION

That Council:

*9.11.1 adopts the updated Whistleblowers Procedure December 2011; and*

*9.11.2 makes the Whistleblowers Procedure available for public inspection on the Council's website*

## MOTION

That Council:

*9.11.1 adopts the updated Whistleblowers Procedure December 2011; and*

*9.11.2 makes the Whistleblowers Procedure available for public inspection on the Council's website*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Rod May

**Carried**

**ATTACHMENT 11 -DRAFT WHISLTEBLOWERS POLICY – DECEMBER  
2011 – ISSUED UNDER SEPARATE COVER**

## **9.12. FINANCE POLICIES UPDATE**

### **MANAGER FINANCE**

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

### **PURPOSE**

The purpose of this report is to present the revised Fraud Prevention Policy and Procurement Policy.

### **BACKGROUND**

Both the Fraud Prevention Policy and Procurement Policy are due for review and adoption by Council.

### **ISSUE / DISCUSSION**

#### *Fraud Prevention Policy (number 45 (C))*

The Fraud Prevention Policy was adopted in November 2008 and is due to be reviewed. Refer Attachment 13.

The review of the Fraud Prevention Policy involved looking at “Best Practice” policies and it now includes:

- Simplification of the existing policy
- Tie into the Employee Code of Conduct
- Inclusion of recommendations from recent Insurance audits, including training requirements and “Fraud Risk Analysis Template”.

#### *Procurement Policy (number 46)*

The Procurement Policy is to be reviewed annually. Refer Attachment 14.

Recommended changes to the policy are as follows:

- Reference to the following associated Policies:
  - Contract Procedure Manual DOC/11/16648
  - Council Policies Contained within TRIM Folder FOL/10/2659
  - Youth Policy No 43
  - Staff Code of Conduct Policy No 57
  - Complaints Handling Policy No 64
  - Corporate Credit Card Policy No 54
  - Acceptance of Gifts or Other Gratuities by Employees Policy No 51
  - Gift Declaration Form- DOC/11/30888
  - Risk Management Policy No 24

- Reference to and the inclusion of Social Procurement within the policy and processes.
- Includes examples of Threshold Compliance and “Do and Don’ts and Audit Checks”.
- Included in this Policy Review is the processes for :
  - Contract Variations
  - Terms of Payment
  - Engagement of Contract Staff
  - Selection Criteria
  - Collaborative Purchasing Schemes
- Inclusion of “Youth Development Questionnaire” to be completed by Councils Preferred Suppliers.
- Guidance provided on the correct protocol for use of consultants where a particular consultant has developed the specifications.
- Risk Management reference to TRIM DOC/11/16648 CONTRACT Procedures Manual- Procurement and Risk Management Processes.
- Achieving Value for Money, Strategy and Approach included in Policy document.

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

The existence of and the revision of Council policies is in accordance with Councils commitment to Good Governance.

Section 186A of the *Local Government Act 1989* deals with the Procurement Policy and states “A Council must prepare and approve a procurement policy”.

### **FINANCIAL IMPLICATIONS**

No Financial Implications identified.

### **RISK IMPLICATIONS**

None noted from the review of these policies.

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

No Environmental/Social/Economic Implications to note.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Social Procurement

The revised Procurement Policy includes a “Youth Development Questionnaire”. Hepburn Shire Council will have regard for:

- Employment of disadvantaged groups

- Employment of apprentices
- Employment of recognised youth traineeships
- Employment of youth labour permanent or part time in relation to Council Contracts
- Additional cost to the contract or service provision in compliance to Social Procurement

Both the Procurement and the Investment Policy state the “Best Value” Principles.

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

### **CONCLUSION**

The Hepburn Shire Council Fraud Prevention Policy and Procurement Policy have been revised.

### **OFFICER’S RECOMMENDATION**

That Council:

*9.12.1 adopt the revised Fraud Prevention Policy 45 (C) December 2011 and the revised Procurement Policy 46 (C) December 2011; and*

*9.12.2 make the Fraud Prevention Policy 45 (C) December 2011 and the revised Procurement Policy 46 (C) December 2011 available for public inspection on the Council’s website.*

## MOTION

That Council:

*9.12.1 Adopt the revised Fraud Prevention Policy 45 (C) December 2011 and the revised Procurement Policy 46 (C) December 2011; and*

*9.12.2 Make the Fraud Prevention Policy 45 (C) December 2011 and the revised Procurement Policy 46 (C) December 2011 available for public inspection on the Council's website.*

*9.12.3 Add wording to the Fraud Prevention Policy along the same lines as the existing Fraud Prevention Policy that charges Councillors with a responsibility and an obligation to report fraud.*

**Moved:** Councillor Rod May

**Seconded:** Councillor Don Henderson

**Carried**

**ATTACHMENT 12 -POLICY NO 45 - FRAUD PREVENTION POLICY –  
ISSUED UNDER SEPARATE COVER**



**ATTACHMENT 13 -POLICY NO 46 – PROCUREMENT POLICY – ISSUED  
UNDER SEPARATE COVER**

Cr Newitt left the room (due to Conflict of Interest): 7.50pm

Returned: 8.05pm

### **9.13. ECONOMIC DEVELOPMENT – POLICY REVIEWS**

#### **GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the Manager Economic Development and Tourism, I John Collins, have no interests to disclose in this report.*

#### **PURPOSE**

This report seeks endorsement by Council for the following Council policies

1. 12 (C) Tourism Policy
2. 32 (C) Film Policy.

#### **BACKGROUND**

The Policy Framework requires regular review and update of Council and Operational Policies. The Hepburn Shire Council Policies 12 (C) Tourism; and 32 (C) Film, are due for review.

#### **ISSUE / DISCUSSION**

##### Policy 12 (C) Tourism Policy

This policy was prepared to provide guidelines for the promotion and sustainable development of Tourism within the Shire.

There have been some minor changes made to this policy:

- Transfer to new template
- Update of position title so that enquiries are now to be made to the Manager Economic Development & Tourism.
- Minor wording changes under Objectives
- Minor wording changes under Policies
- Deletion of second paragraph under Policies regarding appointing a Section 86 committee to advise on tourism. With Council representation on both the local and regional tourism boards, this is believed to be unnecessary.

##### Policy 32 (C) Film Policy

This policy was prepared to provide guidelines for coordinating filming activity occurring on land under the Shire's care and management.

Changes made to this policy include:

- A new fee structure that would see abolition of fees paid to Council and redirected to local business and tourism associations for use in the community relative to the film location.

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

Policies 12 and 32 both relate to the promotion of our region as a great place to live, work, play, invest and visit. In particular Council Plan items 28, 29 and 31 that require Council to promote and encourage tourism, events, tourism businesses, and infrastructure development.

### **FINANCIAL IMPLICATIONS**

There are very minor financial implications from the redirection of film fees to communities. However, as fees are only minimal anyway and occasionally waived to encourage particular kinds of filming that promotes our region in a targeted way, it is not believed that the implications are significant compared with the goodwill engendered by redirecting the fees to the community.

Some years Council collect little or nothing from film fees. In a good year it could be between \$500-800, or higher if there were a large production being filmed in the Shire, however there has not been one for many years.

In addition, Film Victoria is keen to encourage Councils to remove all fees so that Victoria is seen as an attractive venue for film companies. This proposal is considered a reasonable compromise between 'no fees' and our current arrangement.

### **RISK IMPLICATIONS**

No risks identified.

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

No environmental or social implications. Economic implications are minimal and positive as the fees would now go to the local business and tourism association to support the community.

No implications as a result of changes to the tourism policy.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

No engagement has been considered necessary as both policies are long standing. It was also felt to be inappropriate to engage with the business and tourism associations regarding redirecting the film fees to them before Council had the chance to consider the proposal.

## CONCLUSION

Both policies have been in place and functioning quite well for several years. The changes simply update the policies and ensure greater clarity/reduced ambiguity. The only significant change is redirection of filming fees away from Council to community business groups. Given this is most likely to be a total of approximately \$500 per year, it is not considered to have a major impact on Council compared with saving in administration time and the goodwill engendered with the local community (who are, after all, the one's that suffer disruption during filming).

## OFFICER'S RECOMMENDATION

That Council:

*9.13.1 adopt the revised Tourism Policy 12 (C) December 2011 and the revised Film Policy 32 (C) December 2011; and*

*9.13.2 make the revised Tourism Policy 12 (C) December 2011 and the revised Film Policy 32 (C) December 2011 available for public inspection on the Council's website*

## MOTION

That Council:

*9.13.1 adopt the revised Tourism Policy 12 (C) December 2011; and*

*9.13.2 make the revised Tourism Policy 12 (C) December 2011 available for public inspection on the Council's website*

*9.13.3 review that Tourism Policy within 6 months*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Janine Booth

**Carried**

**ATTACHMENT 14 -POLICY NO 12 - TOURISM POLICY 'SHOWING  
CHANGES'– ISSUED UNDER SEPARATE COVER**

**ATTACHMENT 15 -POLICY NO 32 – FILM POLICY CHANGES SHOWN IN  
YELLOW – ISSUED UNDER SEPARATE COVER**

## **9.14. ECONOMIC DEVELOPMENT – BUSINESS INCENTIVE SCHEME POLICY**

### **GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

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

#### **PURPOSE**

The purpose of this report is to recommend that council rescind Policy 35 - Economic Development – Business Incentive Scheme Policy.

#### **BACKGROUND**

Council's Business Incentive Scheme Policy was put in place for a trial period of six months to encourage new businesses to establish in commercial areas, which were suffering from economic decline.

The policy currently on Council's website was adopted on 19 August 2003 and lapsed on 19 February 2004.

#### **ISSUE / DISCUSSION**

The intent of the policy was to provide an incentive for new businesses to locate in premises that were vacant for long periods and encourage diversity of retail opportunities primarily within the townships of Trentham, Clunes and Creswick. The Policy provided that Council Planning Permit Fees be waived to give a limited financial assistance to new business applications that met with the criteria as set out in the policy.

The Policy remained in place for a trial of six months and has since lapsed and not been reviewed.

While current Council Officers were not around when this policy was trialled, anecdotal evidence suggests that the policy did not achieve its intended outcome. Contemporary economic practice shows that it is far more effective to look at strategies that grow existing businesses in a town or precinct, rather than to use strategies or resources to attempt to attract new businesses.

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

This policy was formed before the current Council Plan and the nearest applicable activity is No. 32 - Preparing main street revitalisation plans for our key towns.

#### **FINANCIAL IMPLICATIONS**

No financial implications.

### **RISK IMPLICATIONS**

There are no perceived risks of rescinding this policy.

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

As this policy has not been in effect since early 2004, there are no perceived environmental/social/economic implications.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Not applicable

### **CONCLUSION**

Policy 35 – Economic Development – Business Incentive Scheme Policy has lapsed.

### **OFFICER'S RECOMMENDATION**

That Council

*9.14.1 rescind the Economic Development – Business Incentive Scheme Policy 35; and*

*9.14.2 remove the Economic Development – Business Incentive Scheme Policy 35 from public inspection on the Council's website*

### **MOTION**

That Council

*9.14.1 notes the Economic Development – Business Incentive Scheme Policy 35 has lapsed and thus annuls it*

*9.14.2 Remove the Economic Development – Business Incentive Scheme Policy 35 from public inspection on the Council's website*

*9.14.3 Request a further report from officers on opportunities to support small business across the Shire in line with our adopted economic development strategy*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Jon Barrell

**Carried**



**9.15. ASSEMBLIES OF COUNCILLORS – NOVEMBER 2011**  
**GENERAL MANAGER CORPORATE SERVICES**

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

**PURPOSE**

This report summarises Assemblies of Councillors for November 2011.

**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;

<b>Assemblies of Councillors</b>		
<b>Date</b>	<b>Location</b>	<b>Committee Name</b>
17 October 2011	Creswick RSL	Creswick Ward Community Committee
24 October 2011	Council Chamber, Daylesford	Culture and Arts Advisory Committee
15 November 2011	Trentham Mechanics Institute	Pre-Council Meeting
21 November 2011	Creswick RSL	Creswick Ward Community Committee
23 November 2011	Creswick RSL	Advancing Country Towns – Building a Vision for Creswick
13 December 2011	Council Chamber, Daylesford	Councillor Briefing

## **ISSUE/DISCUSSION**

1. The *Local Government Act 1989* (as amended) requires the record of an Assembly of Councillors to be reported at an Ordinary meeting of the Council.
2. The *Local Government Act 1989* (as amended) requires the record of an Assembly of Councillors to be incorporated in the minutes of that Council Meeting.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

*Local Government Act 1989, Section 80A*

## **FINANCIAL IMPLICATIONS**

Nil

## **RISK IMPLICATIONS**

There are implications with regards to council's compliance with the Local government Act 1989 (as amended) if written records of councillor Assemblies are not reported to Council

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

The inclusion of the attached record of Councillor Assembly in the Council Agenda and their availability to the public will increase awareness of the activities of Council and could increase community involvement in decision making at Council level.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Using Council's adopted Community Engagement Framework, International Public Participation Consultation, this report presents information via the Council Agenda.

## **CONCLUSION**

Information provided for noting.

## **OFFICER'S RECOMMENDATION**

9.15.1 That the information be received.

## MOTION

9.15.1. *That the information be received.*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Neil Newitt

**Carried**

**ATTACHMENT 16 -RECORDS OF ASSEMBLIES OF COUNCILLORS –  
ISSUED UNDER SEPARATE COVER**

Councillor Rod May left the meeting: 8.38pm

Returned: 8.39pm

**9.16. LICENCE AGREEMENT WITH CRESWICK DISTRICT NEWS TO CONTINUE INFOLINK OPERATIONS  
GENERAL MANAGER - CORPORATE SERVICES**

*In providing this advice to Council as the Manager Risk, I Grant Schuster, have no interests to disclose in this report.*

**PURPOSE**

This report seeks Council's approval to grant a licence agreement with Creswick District News Inc ('CDN') in relation to continuing the operations of InfoLink in the Creswick Visitor Information Centre, and to donate the assets of the former InfoLink Special Committee to CDN.

**BACKGROUND**

In March 2011, Council decided to discontinue the Creswick InfoLink Special Committee on the basis that its operations would be better suited to an alternative arrangement.

When the Creswick InfoLink Special Committee was discontinued, the assets of that committee became assets of Council. The former InfoLink members continued operating the facility as volunteers of Council, but did not have authority to make purchases, e.g. to upgrade computers.

Since then, Council officers have discussed options for future management with both the former InfoLink members and CDN.

CDN is a not-for-profit community organisation based in Creswick, that collates, produces and distributes the monthly Creswick District News to residents of Creswick and surrounding areas. It is a key user of the computer facilities in the Creswick Visitor Information Centre for this purpose

**ISSUE/DISCUSSION**

Discussions with former InfoLink members and CDN focussed on two main options for Council:

- Relocating the operations to an alternative location; or
- Agreeing a licence with an incorporated body to continue the operations in the Visitor Information Centre.

As a result of discussions, option two was the preferred option and CDN expressed its interest in agreeing a licence to operate the InfoLink facilities. Former InfoLink members are also supportive of this action.

Council officers discussed the impact of both options on other areas of Council operations, including IT and Visitor Services, and on the community, in terms of provision of public internet services. It is believed that option two provides a good outcome for all parties.

In order to allow CDN to autonomously operate the InfoLink facilities, it is proposed that Council;

1. Enters into a licence agreement for the (non-exclusive) use of the Creswick Visitor Information Centre, including the Computer room. The proposed licence is attached.
2. Donate the assets of the former InfoLink to CDN, which includes:
  - Computers
  - Software
  - Networking infrastructure
  - Peripheral devices
  - Tables
  - Chairs
  - Retained earnings of approximately \$5,000.

The total value of these assets is estimated to be \$8,000.

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

Council Plan objective number 17 seeks to embrace community knowledge and expertise to help guide Council's decision making and implementation.

Good governance objectives and principles support having written occupancy arrangements. Policy # 9 Council Owned & Controlled Property requires that appropriate written occupancy arrangements be in place. The Licence, in this instance, is issued under Council's general powers contained in sections 3E and 3F of the Local Government Act 1989.

### **FINANCIAL IMPLICATIONS**

The proposal is for Council to donate approximately \$8,000 in assets, including approximately \$5,000 in cash, which were accumulated by the former Creswick InfoLink Special Committee to an established community-based not-for-profit organisation in Creswick.

The annual Licence fee of \$104 + GST, for community based organizations is included as a requirement of this Licence.

### **RISK IMPLICATIONS**

Entering into a formal licence agreement is an effective way to manage the risks associated with user groups in facilities, as it clarifies the roles and

responsibilities for both Council and the leasee. As a result, the residual risk rating once the licence is in place is considered low.

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

This licence is a demonstration of Council's support for local community-based organisations.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Both the former members of the InfoLink Special Committee and the current members of CDN have been consulted on both the preferred arrangements and the contents of the licence agreement.

Internally, IT, property, communications and visitor services were consulted to identify and manage the impacts the licence would have on Council's operations.

### **CONCLUSION**

The grant of a licence as proposed will formalise the operations of CDN and the former InfoLink in the Creswick Visitor Information Centre.

### **OFFICER'S RECOMMENDATION**

That Council:

- 9.16.1. *grant a 3 year Licence to Creswick District News Inc to occupy the Creswick Visitor Information Centre for the purposes outlined in the above Report;*
- 9.16.2. *authorise the Interim CEO to execute the Licence for and on behalf of Council;*
- 9.16.3. *donates the assets of the former Creswick InfoLink Special Committee to Creswick District News Inc, which includes:*
  - *Computers*
  - *Software*
  - *Networking infrastructure*
  - *Peripheral devices*
  - *Tables*
  - *Chairs*
  - *Retained earnings currently in the former InfoLink's bank account of approximately \$5,000.*

## MOTION

*That Council:*

- 9.16.1 grant a 3 year Licence to Creswick District News Inc to occupy the Creswick Visitor Information Centre for the purposes outlined in the licence agreement;*
- 9.16.2 authorise the Interim CEO to execute the Licence for and on behalf of Council;*
- 9.16.3 donates the assets of the former Creswick InfoLink Special Committee to Creswick District News Inc, which includes:*
  - Computers*
  - Software*
  - Networking infrastructure*
  - Peripheral devices*
  - Tables*
  - Chairs*
  - Retained earnings currently in the former InfoLink's bank account of approximately \$5,000.*

**Moved:** Councillor Rod May

**Seconded:** Councillor Janine Booth

**Carried**



**ATTACHMENT 17 - PROPOSED THREE YEAR LICENCE AGREEMENT  
WITH CRESWICK DISTRICT NEWS INC**

## **10 COUNCIL SPECIAL COMMITTEES (SECTION 86)**

### **10.1 MINUTES OF SPECIAL COMMITTEES**

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

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

#### **PURPOSE**

Special (Section 86) Committee minutes are tabled for noting.

#### **BACKGROUND**

Special committees are established by Council and their function and responsibilities outlined in an Instrument of Delegation. Under the Instrument of Delegation, special committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council for review.

#### **ISSUE/DISCUSSION**

Please see listed below the minutes and other reports of Special and Advisory Committees, as provided by the Committees over the past month, for your information:

- Minutes from the Lee Medlyn Home of Bottles Special Committee – General Meeting 02/11/2011
- Minutes from the Lyonville Hall Special Committee – General Meeting 26/10/2011

These minutes have been provided to Councillors under a separate cover.

#### **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 provided for noting.

## **OFFICER'S RECOMMENDATION**

*That Council:*

- 10.1.1 Notes the minutes of the Special Committees (Section 86) listed above which have been distributed under a separate cover.*
- 10.1.2 Endorse the addition of Tony Cornelle to the Lyonville Hall Special Committee.*
- 10.1.3 Endorse the addition of Darren Kamp to the Lee Medlyn Home of Bottles Special Committee.*

## **MOTION**

*That Council:*

- 10.1.1 Notes the minutes of the Special Committees (Section 86) listed above which have been distributed under a separate cover.*
- 10.1.2 Endorse the addition of Tony Cornelle to the Lyonville Hall Special Committee.*
- 10.1.3 Endorse the addition of Darren Kamp to the Lee Medlyn Home of Bottles Special Committee.*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Bill McClenaghan

**Carried**

## **11 COUNCIL ADVISORY COMMITTEES**

### **11.1 ADVISORY COMMITTEE MINUTES**

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

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

#### **PURPOSE**

Advisory Committee minutes are tabled for noting.

#### **BACKGROUND**

Advisory committees are established by Council and their responsibilities outlined in Terms of Reference. Advisory Committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council for review.

#### **ISSUE/DISCUSSION**

Please see listed below the minutes and other reports Advisory Committees, as provided by the Committees over the past month, for your information:

- Minutes from the Culture and Arts Advisory Committee – 24/10/2011
- Minutes from the Wombat Hill Botanic Gardens Advisory Committee – 25/10/2011

These minutes have been provided to Councillors under a separate cover.

#### **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 provided for noting.

## **OFFICER'S RECOMMENDATION**

*11.1.1 That Council notes the minutes of the Advisory Committees listed above which have been distributed under separate cover.*

## **MOTION**

*11.1.1 That Council notes the minutes of the Advisory Committees listed above which have been distributed under separate cover.*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Janine Booth

**Carried**

Councillor Neil Newitt left the meeting: 8.47pm  
Returned: 8.48pm

## **11.2 WOMBAT HILL BOTANIC GARDENS ADVISORY COMMITTEE**

*This recommendation to Council is based on a resolution by the Wombat Hill Botanic Gardens Advisory Committee from a meeting held on 25 October 2011.*

### **PURPOSE**

The purpose of this recommendation is to provide certainty to the Wombat Hill Botanic Gardens Advisory Committee in its quest to raise funds and to attract additional funds from external sources for works to be undertaken at the Wombat Hill Botanic Gardens.

### **BACKGROUND**

At its meeting on 25 October 2011, the Wombat Hill Botanic Gardens Advisory Committee received a presentation from Mr Stuart Rattle during which he outlined the following proposals:

- That the Committee endorse that a Special Subcommittee of the Friends of Wombat Hill Botanic Gardens (WHBG) be formed;
- The Musk Garden was to be open over the weekend of 19/20 November 2011 to raise money for future project works at WHBG;
- That the initial works program for the funding be the restoration of the Fern Gully;
- Wombat Park is another potential garden to be used to raise money;
- That funding is required in the immediate future to stop the gardens falling into disrepair;
- Monies raised from the Open Gardens to be used for funding grants from Heritage Victoria and State Government;
- The Wombat Hill Botanic Gardens Conservation Plan be the main driver for project works in the gardens;
- Priority tasks to be used in projects included in a list provided to Cr Barrell and that Cr Barrell circulate the list;
- The Advisory Committee source funding and other grants and that a Memorandum of Understanding (MOU) be developed between Council and Friends of Wombat Hill; and
- The approximate Project cost for restoration of the Rustic gardens is approx \$70,000 and that funds raised from the Open Gardens be used to apply for grants.

The Advisory Committee received a further update at its meeting held on 6 December 2011 advising that in excess of \$58,000 had been raised as the result of two recent events (including Musk Garden) and that these funds be used to meet the funding requirements of potential State and Federal Government Grants for projects as previously recommended.

### **ADVISORY COMMITTEE'S RECOMMENDATION**

*That Council:*

*11.2.1 Approve at least \$10,000 sourced from Council or external grant or other funding in 2011-2012, and*

*11.2.2 Develop a Memorandum of Understanding for ongoing funding with the Friends of Wombat Hill Botanic Gardens, to pursue the works program including the Fern Gully & Rustic Cascade.*

### **MOTION**

*That Council:*

*11.2.1 seek to obtain at least \$10,000 from external grants or other funding in 2011-2012, and*

*11.2.2 develop a Memorandum of Understanding for ongoing funding with the Friends of Wombat Hill Botanic Gardens, to pursue the works program including the Fern Gully & Rustic Cascade.*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Rod May

**Carried**

### **11.3 APPOINTMENT OF MEMBERS – ARC ADVISORY COMMITTEE GENERAL MANAGER COMMUNITY SERVICES**

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

#### **PURPOSE**

The purpose of this report is for Council to appoint new members to the Daylesford ARC Advisory Committee.

#### **BACKGROUND**

In August 2011 Council:

Approved the reappointment of the ARC Advisory Committee to assist in the planning and/or transitioning process as determined by Council upon review of the Independent Review of ARC Daylesford;

Authorised the advertisement of positions on the ARC Advisory Committee.

#### **ISSUE/DISCUSSION**

A call for nominations for the Daylesford ARC Advisory Committee was advertised on Council's Advocate Page on 30 August 2011 and Council's website. Nominations closed on Friday 16 September 2011. Following this advertising period Council received no nominations for the Committee. The nomination period was then extended and individual community members were approached.

The ARC Advisory Committee Terms of Reference state that the Committee is made up of the Principal Daylesford Secondary College, the Daylesford School Council President or nominee, the Facility Manager, the Facility Manager's Supervisor, three community representatives, the Manager Community Development, the Recreation Officer ex officio as Secretary and one ward Councillor.

Council received one community representative nomination for this Committee with two former members re-nominating in order to provide historical background and expertise.

The nomination form asked that nominees demonstrate an understanding of community needs, concerns and issues relating to social, recreational, sporting, recreational, health and fitness opportunities along with experience in one of the following fields:

- Financial management and budgeting
- Programming for all sections of the community
- Facility management



- Grants, fundraising and sponsorship
- Marketing and promotion
- Governance

The nomination was assessed against and met these criteria. Attachment # provides information about the nominee including connection to Daylesford and area of expertise.

### **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 Daylesford ARC Advisory Committee plays an important role in advising Council on strategic and policy matters relating to the management of the Daylesford ARC.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The call for nominations for the ARC Advisory Committee was advertised in the Advocate and on Council's webpage and community members were approached.

### **CONCLUSION**

Nominations have been reviewed against the selection criteria by the Manager Community Development and the Acting Recreation and Events Coordinator. All nominees have met these criteria.

### **OFFICER'S RECOMMENDATION**

That Council:

*11.3.1 Appoint Stephanie Goetze-Thies as a community representative member of the ARC Advisory Committee for a period of two years, expiring in July 2013.*

*11.3.2 Reappoint Alan Wolf-Tasker and David Hall as a community representative members of the ARC Advisory Committee for a period of two years, expiring in July 2013.*

## MOTION

That Council:

*11.3.1 Appoint Stephanie Goetze-Thies as a community representative member of the ARC Advisory Committee for a period of two years, expiring in Dec 2013.*

*11.3.2 Reappoint Alan Wolf-Tasker and David Hall as a community representative members of the ARC Advisory Committee for a period of two years, expiring in Dec 2013.*

*11.3.3 Invite a further nomination from Ms Faye McLeod of Daylesford, and if she agrees, she be appointed to the Committee.*

**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Don Henderson

**Carried**

**ATTACHMENT 18 - ARC ADVISORY COMMITTEE NOMINATIONS**

<b>Name</b>	<b>Connect to Daylesford</b>	<b>Area of Expertise</b>
Stephanie Goetze-Thies	Manager of the Daylesford Neighbourhood Centre	Financial management and budgeting Programming for all sections of the community Facility management Grants, fundraising and sponsorship Marketing and promotion Governance

**Daylesford ARC Advisory Committee – Summary of Nominees**

#### **11.4 APPOINTMENT OF MEMBERS – DOUG LINDSAY RESERVE AND COMMUNITY FACILITY MANAGEMENT ADVISORY COMMITTEE GENERAL MANAGER COMMUNITY SERVICES**

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

##### **PURPOSE**

The purpose of this report is for Council to appoint members to the newly created Doug Lindsay Reserve and Community Facility Management Advisory Committee.

##### **BACKGROUND**

On 20 September 2011 Council resolved to disband the Doug Lindsay Recreation Reserve Section 86 Committee and create a new Advisory Committee. This new Advisory Committee will provide advice to Council on the future management of Doug Lindsay Reserve and Community Facility.

##### **ISSUE/DISCUSSION**

A call for nominations for the Doug Lindsay Reserve and Community Facility Management Advisory Committee was advertised on Council's Advocate Page on 28 September 2011, 12 October 2011 and on Council's website. Nominations closed on Friday 14 October 2011. The advertising period was extended due to a lack of nominations. Individual community members and user group representatives were then contacted to attract nominations.

The Doug Lindsay Reserve and Community Facility Management Advisory Committee Terms of Reference state that the Committee is made up of Creswick Ward Councillor(s), one representative each from Creswick Soccer Club, Creswick Football and Netball Club, Creswick Cricket Club, Creswick Municipal Band and Creswick Bowling Club plus four community representatives.

Council received nominations from four community representatives and four of the five clubs for this Committee.

The selection criteria for nomination of community members is below:

The community members of the Committee should have a connection with Creswick and expertise in one or more of the following:

- Financial management;
- Facility management;
- Fundraising and sponsorship;
- Marketing and promotion;
- Governance

Nominees should:

- Be residents of Hepburn Shire;
- Be able to demonstrate an understanding of the role of local government;
- Be able to communicate effectively with a wide range of individuals, organisations and professionals;
- Be committed to principles of community multi-use and shared facilities at Doug Lindsay Reserve.
- 

All nominations were assessed against and met these criteria. Attachment # provides information about the ten nominees including connection to Creswick and area of expertise.

### **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 Doug Lindsay Reserve and Community Facility Management Advisory Committee will play an important role in advising Council on strategic and policy matters relating to the management of the Doug Lindsay Reserve and Community Facility.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The call for nominations for the Doug Lindsay Reserve and Community Facility Management Advisory Committee were advertised in the Advocate and on Council's webpage. Each of the clubs were invited to nominate a representative and provided the Terms of Reference and a nomination form.

## CONCLUSION

Nominations have been reviewed against the selection criteria by Council's General Manager Community Services and Recreation and Events Officer. All nominees have met these criteria.

## OFFICER'S RECOMMENDATION

*That Council:*

- 11.4.1 *Appoints community nominees Mark Spenceley, Damian Knowles, Les Vercoe and Graeme Mitchell as community members of the Doug Lindsay Reserve and Community Facility Management Advisory Committee until 30 November 2012.*
- 11.4.2 *Appoints user group representatives Emma Bennett (Creswick United Soccer Club), Richard Hutton with a deputy of Gerry Flapper (Creswick Bowling Club), Peter Considine (Creswick Football Netball Club), Darren Mitchell (Creswick Imperials Cricket Club) and Michael Bird (Creswick Municipal Band) as user group members of the Doug Lindsay Reserve and Community Facility Management Advisory Committee until 30 November 2012.*

## MOTION

*That Council:*

- 11.4.1 *Appoints community nominees Mark Spenceley, Damian Knowles, Les Vercoe and Graeme Mitchell as community members of the Doug Lindsay Reserve and Community Facility Management Advisory Committee until 30 November 2012.*
- 11.4.2 *Appoints user group representatives Emma Bennett (Creswick United Soccer Club), Richard Hutton with a deputy of Gerry Flapper (Creswick Bowling Club), Peter Considine (Creswick Football Netball Club), Darren Mitchell (Creswick Imperials Cricket Club) and Michael Bird (Creswick Municipal Band) as user group members of the Doug Lindsay Reserve and Community Facility Management Advisory Committee until 30 November 2012.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Don Henderson

**Carried**

**ATTACHMENT 19 - SUMMARY OF DOUG LINDSAY MANAGEMENT COMMITTEE NOMINATIONS**

**Doug Lindsay Reserve and Community Facility Management Advisory Committee – Summary of Nominees**

<b>Name</b>	<b>Connect to Creswick</b>	<b>Area of Expertise</b>
Darren Mitchell	Creswick Imperials Cricket Club	Club Representative
Emma Bennett	Creswick Soccer Club	Club Representative
Richard Hutton (with Gerry Flapper as Deputy)	Creswick Bowling Club	Club Representative
Peter Considine	Creswick Football Netball Club	Club Representative
Michael Bird	Creswick Municipal Band	Club Representative
Graeme Mitchell	Creswick resident and Chair of Creswick Community Bank	Financial Management & Budgeting; Fundraising & Sponsorship; Marketing & Promotion and Governance
Les Vercoe	Creswick resident and committed to community activities	Financial Management & Budgeting and Fundraising & Sponsorship.
Damien Knowles	Creswick resident and local business man	Financial Management & Budgeting, Marketing & Promotion and Governance.
Mark Spenceley	Creswick resident and former Doug Lindsay External Reference Group member	Financial Management & Budgeting and General Management.

## 11.5 URGENT ITEM OF BUSINESS

**Moved:** Councillor John Barrell

**Carried**

### MOTION

*That Council*

*11.5.1 Approve the substitution of the current Mayoral sedan car with a utility vehicle of similar value and economy, at no additional cost to Hepburn Shire Council, and*

*11.5.2 Request Officers prepare an updated Vehicle Policy as soon as practicable.*

**Moved:** Councillor Jon Barrell

**Seconded:** Councillor Don Henderson

**Carried**

## 11.6 URGENT ITEM OF BUSINESS

**Moved:** Councillor Rod May

**Carried**

### MOTION

*That Council*

*11.6.1 Over the next six months, allow two Chinese delegations to visit, and*

*11.6.2 Request Councillor May and Officers to bring a report to Council on this matter in the near future.*

**Moved:** Councillor Rod May

**Seconded:** Councillor Don Henderson

**Carried**



## 12 CONFIDENTIAL ITEMS

### 12.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

- (d) Contractual matters:
  - Quotation H273-2011 - For Repairs to the Hepburn Creek Walls and Pavilion Retaining Wall, Hepburn Mineral Springs Reserve
  - Quotation H271-2011 – Minor Patching including Stabilisation and Sealing of Existing Road Pavement Material

And

- (h) Any other matter which the Council or special committee considers would prejudice the Council or any person:
  - Australia Day Awards 2012

### RECOMMENDATION

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

- *89(2)(d) Contractual matter:*
  - Quotation H273-2011 - For Repairs to the Hepburn Creek Walls and Pavilion Retaining Wall, Hepburn Mineral Springs Reserve
  - Quotation H271-2011 – Minor Patching including Stabilisation and Sealing of Existing Road Pavement Material

*and*

12.1.2 *89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person:*

- Australia Day Awards 2012

## MOTION

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

- *89(2)(d) Contractual matter:*
  - Quotation H273-2011 - For Repairs to the Hepburn Creek Walls and Pavilion Retaining Wall, Hepburn Mineral Springs Reserve
  - Quotation H271-2011 – Minor Patching including Stabilisation and Sealing of Existing Road Pavement Material

*and*

*12.1.2 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person:*

- Australia Day Awards 2012

**Moved:** Councillor Bill McClenaghan

**Carried**

## 13 RE-OPENING OF MEETING TO PUBLIC

### MOTION

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

**Moved:** Councillor Janine Booth

**Carried**

### The Meeting re-opened to the Public at 9:35 pm.

In accordance with Council resolutions, the following information is provided to the public on matters resolved by Council during the confidential section of the Meeting.

13.2. ***Tender for Contract H273-2011 – For Repairs to the Hepburn Creek Walls and Pavilion Retaining Wall, Hepburn Mineral Springs Reserve***

13.2.1 That Council awards the Quotation for Contract No H273-2011 to Wm Thos Jones and Son Stonemasons on schedule of rates basis for up to \$155,855 (excluding GST).

13.3. ***Tender for Contract H271-2011 – Minor Patching included Stabilisation and Sealing of Existing Road Pavement Material***

13.3.1 Award the Tender for Contact No H271-2011 Minor Patching Including Stabilisation and Sealing of Existing Road Pavement Material for the sum of \$756,089.07 (excluding GST) to Citywide.

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## 14 CLOSE OF MEETING

The meeting closed at 9.37pm.