



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

***TUESDAY 15 MAY 2012***

**HEPBURN HEALTH SERVICE – CLUNES CAMPUS**

**69 SERVICE STREET**

**CLUNES**

**5:30PM**

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**Hepburn Shire Council  
Ordinary Meeting of  
Council**



# **MINUTES**

**TUESDAY 15 MAY 2012**

**Hepburn Health Service - Clunes Campus  
69 Service Street, Clunes  
Commencing 5:30PM**

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**AARON VAN EGMOND**  
CHIEF EXECUTIVE OFFICER  
15 MAY 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:** Deputy Mayor Councillor Rod May, Birch Ward Councillor Jonathan Barrell, Cameron Ward Councillor Neil Newitt, Creswick Ward Councillor Janine Booth, Creswick Ward Councillor Don Henderson, Holcombe Ward Councillor Bill McClenaghan.

**IN ATTENDANCE:** Chief Executive Officer Aaron van Egmond, General Manager Corporate Services Evan King, General Manager Infrastructure Bruce Lucas, General Manager Sustainable Development Barry Green, General Manager Community Services Kathleen Brannigan.

### STATEMENT OF COMMITMENT

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

### 3. APOLOGIES

Mayor Councillor Sebastian Klein – Leave of Absence

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### 4. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

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### 5. CONFIRMATION OF MINUTES

#### RECOMMENDATION

- 5.1. That the Minutes of the Ordinary Meeting of Council held on 17 April 2012 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

#### MOTION

*5.1.1. That the Minutes of the Ordinary Meeting of Council held on 17 April 2012 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

**Moved:** Councillor Neil Newitt  
**Seconded:** Councillor Jonathan Barrell  
**Carried.**

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## 6. NOTICES OF MOTION

### 6.1. CO-OPERATION AGREEMENT (MEMORIAL OF COLLABORATION AGREEMENT) – HEPBURN SHIRE COUNCIL AND GOVERNMENT ADMINISTRATION OF WANNIAN MUNICIPALITY, JIANGXI PROVINCE, PEOPLE'S REPUBLIC OF CHINA

As you know, Hepburn Shire was visited by a delegation (see councillor bulletin for details) from Wannian County, China last month. This group included financial and agricultural people and were hosted by the Mayor, myself and Cr Henderson in the Council Chamber. They were responding to one of the invitations we provided following our resolution to host at least two delegations at our Clunes meeting early in the year. It is early to assess the visit but it was clear in the short few hours they spent at the Chamber and at my farm that they were interested in exchange good will, exchange of technical expertise especially in livestock processing technology, animal products and education opportunities.

It was also clear that they were interested in a long term relationship and were desirous of signing a MOU of co-operation with the shire. Without Council sign off, we satisfied the need with a friendship agreement.

It would be desirable if we could agree to sign a co-operation agreement that I will forward separately.

#### MOTION

6.1.1. *That Council endorses the signing of a Co-operation Agreement (Memorial of Collaboration Agreement) between Hepburn Shire Council and the Government Administration of Wannian Municipality, Jiangxi Province, China.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Janine Booth

**Carried.**

# Memorial of Collaboration Agreement



**Hepburn Shire Council  
Victoria , Australia**



**Government Administration of Wannian  
Municipality, Jiangxi Province, China**

Hepburn Shire Council Victoria, Australia and Government Administration of Wannian Municipality, Jiangxi Province have reached a memorial milestone on collaboration agreement. Both partners will be working together on encouraging global economic communication; promoting business collaboration; education; culture exchange; stimulate trade; information exchange and organizing seminar & forum, etc.

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**Hepburn Shire Council  
Victoria , Australia**

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**Government Administration of Wannian  
Municipality, Jiangxi Province, China**



## 7. LEAVE OF ABSENCE

### 7.1. REQUEST BY COUNCILLOR JANINE BOOTH FOR LEAVE OF ABSENCE

#### MOTION

7.1.1. *That Council grants a Leave of Absence to Councillor Janine Booth from 22 May – 11 June 2012 inclusive.*

**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Don Henderson

**Carried.**

### 7.2. REQUEST BY MAYOR COUNCILLOR SEBASTIAN KLEIN FOR LEAVE OF ABSENCE

I have been asked, as part of my participation in the Future \*City\* Leaders course with ICLEI (International Councils for Local Environmental Initiatives) to attend and contribute to the ICLEI World Congress and the RIO+20 Earth Summit.

After some thought, consideration and canvassing of members of Hepburn Shire communities, I have come to the conclusion that this is not an opportunity that should be missed. We here at Hepburn are rich in natural assets, industries that respect the landscape and environment, with skills and knowledge that represent cutting edge of solutions to the problems of a planet with more people, in need of more resources and with an ever greater impact on the systems and biota that sustain life.

For these reasons, we stand well to contribute to the participative, democratic and iterative processes of each of these forums. Also, as a shire looking to the future to meet challenges of peak oil and climate change, and develop resilience in the face of uncertain economic times, declining terms of trade for our primary producers and unpredictable weather events, we have much to learn from how other municipalities around the world are meeting these challenges.

For these reasons I ask that Council moves and endorses the following motion:

## MOTION

*That Council:*

- 7.2.1. Endorses Councillor Sebastian Klein in his mission to represent Hepburn Shire Council at the International Councils for Local Environmental Initiatives (ICLEI) World Congress and Rio+20 Earth Summit, seeking that he takes every opportunity to promote the interests of Hepburn Shire through his representation and his learning.*
- 7.2.2. Grants a Leave of Absence to Councillor Sebastian Klein from 11 June – 14 July 2012 inclusive.*
- 7.2.3. That the Mayor Councillor Sebastian Klein conveys Hepburn Shire's concerns at the destruction, by clear felling and burning, of the rain forest and the effect upon the population who inhabit these areas.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Neil Newitt

**Carried.**

**Councillor Don Henderson called for a division.**

**Councillors that voted in favour of the motion:** Councillor Jonathan Barrell, Councillor Janine Booth, Councillor Neil Newitt, Councillor Rod May.

**Councillors that voted against the motion:** Councillor Don Henderson, Councillor Bill McClenaghan.

### **7.3. REQUEST BY DEPUTY MAYOR COUNCILLOR ROD MAY FOR LEAVE OF ABSENCE**

At the invitation of the Australian International Trade Association (AITA) and Associates, (which I understand is an associate organisation of the Australian China Sister City Council), I have been invited to visit China next week and have circulated my itinerary some weeks ago.

*It has been our great pleasure to officially invite you (Mr. Rodney May, Passport Number: N5906109 D.O.B 11/6/1954) to visit China in May 2012, you will arrive in Changsha (The Capital City of Hunan Province) first, and attend The World Chinese Entrepreneurs Leadership Summit, while you are in China, we will arrange for you to meet with the Chinese related organizations, the aim is to bring more understanding and commitments in exchange between China and Australia.*

*I hope that this mission will provide a good opportunity for you to promote the relationship between Australia and China, especially the agricultural and industrial relationship between two countries. AITA & Associates staff and I myself will devote us to make the trip very successful.*

As I have indicated I will not be requesting resourcing from Council but I would request endorsement to attend this event and deliver a short speech to the summit.

Mr John Collins has convened a meeting of interested local business and cultural groups which was held last week and apart from unanimous endorsement of our initiative, at least two of them have agreed to provide local gifts for the hosts during this journey.

I hope this initiative, which will be a long and perhaps challenging one at times, pays off with both the consolidation of a sound sister city relationship with Bozhou, and a better promotion of our tourist, agricultural and cultural identity in China.

## MOTION

*That Council:*

- 7.3.1. *Endorses Councillor Rod May to attend and represent Hepburn Shire Council at The World Chinese Entrepreneurs Leadership Summit in Changsha, Hunan Province, China.*
- 7.3.2. *Grants a Leave of Absence to Councillor Rod May from 16 – 26 May 2012 inclusive.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Janine Booth

**Carried.**

## 8. PRESENTATION OF COUNCILLOR REPORTS

### MAYOR'S REPORT

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

The month of May was for me about remembering the past and looking forward to and planning for the future.

Late April is of course when we remember those who have endured and fallen in our country's name in conflict, as well as the significant impact that this had on our communities. For our youth this is a chance also to appreciate the many benefits we enjoy in the modern era, something that the students of Trentham Primary did as they planted a Wollemi Pine in remembrance. The multiple levels of significance that this tree offered- having once been thought extinct and now revived as a tree whose sale benefits national parks should not be missed as it remains a living symbol of our respect and memory for our service men and women.

I had the opportunity to encourage and endorse the leadership of our youth in presenting badges of office to the School and House Captains of Hepburn Primary School, and I was happy as ever to be contributing to the development of our leaders of tomorrow, a task I take seriously and urge Councillors and staff to consider in our strategies and activities.

This forward looking approach was also evident as I attended the Future of Local Government (FOLG) Pre-Summit meeting in Ararat, designed by the MAV to help develop and shape the debate and strategy at the FOLG summit proper, later in June. Of particular interest was discussion around how we can optimise our efforts in collaboration with other councils in or region to maximise the value for money we can provide our ratepayers through working together.

Also evident was the appreciation for the need to find new and diverse modes of income in regional area at the New Rural Industries conference in Ballarat. We heard from Professor Julian Cribb about some of the impending crises and opportunities in a world of constrained energy, water and arable land, from a Representative from KPMG looking at carbon accounting and carbon farming opportunities and numerous expert panels and speakers on a range of topics. New Rural Industries Australia is a company whose business is in facilitating investment in agriculture, particularly in diverse and cutting edge processes, products and technologies. I hope to bring their expertise to our own shire one day in the near future.

Attending the Rural Living Expo allowed me to see how the State Government plans to bring growth and jobs to regional Victoria through population growth

in those areas. They hope to distribute hundreds of thousands of urban residents out to regional Victoria as part of their strategy. It was great to see Booktown represented, along with the Creswick Knitting Mills and various spa and bath services from Daylesford and Hepburn at the event.

Finally, another approach to economic investment through our hosting of Wannian Province from China, with whom I signed, on Hepburn's behalf, a Friendly Exchange Memorandum, indicating our desire and willingness to develop trade and tourism links that will benefit both regions.

I look forward to reporting back to council about my upcoming participation in the first module of five with the Australian Rural Leadership Program. I hope that I can utilise the skills and perspectives I learn in this forum to better fulfil my role and duties as mayor of Hepburn Shire. I also look forward to representing Hepburn, and indeed Australia at the ICLEI World Congress and at the RIO+20 Earth Summit. The last Earth Summit was in 1992 and now 20 years on, we have the opportunity to meet once more to evaluate our progress from that first meeting to the present day; to plan how we will work together to meet the challenges of a world constrained by population growth, resource consumption and pollution.

A brief summary of events I attended this month:

- Clunes Flood Mitigation & Urban Drainage Plan Meeting
- Hepburn Shire Youth Art Awards at Cocoa Chy in Creswick
- New Rural Industries Australia conference in Ballarat
- MAV Future of Local Government Workshop at Ararat
- Glenlyon Art Show Opening, associated with our *Small Halls - Big Ideas* program
- Continued my efforts as councillor appointed to the Trentham Neighbourhood Centre Committee of Management, including rewriting the chart of accounts in my role as Treasurer
- I attended two community music events in Trentham, one a fundraiser for the Trentham Community Group and the second the first of series to be held by a new community arts body.
- I attended a tree planting in anticipation of ANZAC Day at the Trentham Primary School in remembrance of those who have fallen in war through Trentham's history.
- Monthly catchup with Daylesford Business and Tourism Group
- Catchup with Moorabool Mayor and CEO regarding wind-farms
- ANZAC Day in Trentham
- Hosted Chinese Delegation from Wannian Province, China
- Central Highlands Mayors and CEOs Forum

- Awarded badges to the new school and house captains at Hepburn Primary School
- I attended the Regional Living Expo in Melbourne
- I also met with representatives of DPCD to discuss the potential for skills-shortage funding for a Bioenergy project in Hepburn Shire
- I attended a consultation on options for sealing Mulcahys Road in Trentham
- The Launch of the Hepburn Shire Environmental Sustainability Strategy
- Took part in a "get well soon" project for the well-known and loved local arts identity Petrus Spronk
- Attended Budget Meetings in Creswick, Trentham and Glenlyon
- Attended a media event in Clunes for Booktown
- Attended Clunes Booktown
- Launched the book "Maisie and the Black Cat Band" about an historical figure at the Palais in Hepburn Springs. The launch was at the Palais. The book is by local poet Anne Gleeson and is of a commendable quality and is of significant relevance to our local area.

## **COUNCILLOR REPORTS**

### **Councillor Don Henderson, Creswick Ward**

- Creswick Ward Community Committee
- Creswick 4 Seasons Festival
- Doug Lindsay Reserve and Community Facility Management Advisory Committee
- ANZAC Day services and events in Creswick
- Visit from Chinese Delegation Visit from Chinese Delegation – Government Administration of Wannian, Jiangxi Province.
- Hepburn Shire Youth Arts Awards at Cocoa Chy in Creswick.
- Working with Creswick Primary School on an ephemeral art project funded by Hepburn Shire Council through a community grant. The project involves local and other artists, schools, community groups and individuals making scarecrows and sandcastles.

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

There are seven matters to report in my three minutes of fame and glory but regrettably there will not be time for any real detail. Firstly, on 20<sup>th</sup> April I attended the opening of the Glenlyon Art Show in the Glenlyon Hall. The event seems to grow in quality and popularity each year and many spectacular pieces of art were on display. Secondly, on ANZAC Day, I attended the dawn service in Daylesford, the morning Hepburn Springs Service and the main march and service in Daylesford later on. Again, the ANZAC event has an increasing following each year.

Monday 30<sup>th</sup> April was the latest Board meeting of the Highlands Regional Waste Management Group. One major issue facing the Group currently is the lack of any strategic Regional Waste Strategy and this is also the concern of the regional Mayors and CEOs Forum. The Group has sought leave to prepare a submission on the issue.

On 2<sup>nd</sup> May, I attended an MAV forum in Melbourne representing Hepburn Shire on a local government sector response to the State on the Fire Services Levy. There is widespread rejection of being required to collect this levy for the State as part of property rates and a strong position is being formulated.

On Friday 4<sup>th</sup> May, the Jim Crow Planning Group met again and is thrilled with the completion of the Yandoit Tennis Courts upgrade and an official opening is being planned. The following Monday, members of the group went on a bus trip through Yandoit, Franklinford and Clydesdale to consider improvements in road signage.

The sixth engagement was the regular Timber Towns Victoria general meeting in Melbourne where some very interesting and informative speakers presented on climate change, extreme weather events and forest productivity and bushfire research.

Lastly as late as yesterday, I attended an MAV Regional South Central Forum in Waurin Ponds (Greater Geelong) in the newly built Community Hub / Leisure Centre, sporting and library complex with a \$32 million price tag. Last time we met in the new Surf Coast Municipal Office and next time we will meet at the Golden Plains Shire Bannockburn community centre and library. Many issues of current municipal importance were discussed but unfortunately in my three minute report there is no time left to better inform Council of them.



### **Councillor Jonathan Barrell, Birch Ward**

**Wombat Hill Botanical Gardens Advisory Committee** met 24/04/2012. Next meeting in June will include a meeting of stakeholders where a primary focus will be a celebration of the sesquicentenary (150<sup>th</sup>) birthday to be held most probably on a weekend in May 2013. It is hoped that dignitaries including the Governor of Victoria will attend.

**ARC Advisory Committee** met 30/04/2012 and its deliberations are the subject of a report to Council tonight.

**Daylesford Macedon Ranges Regional Tourism Board (DMRRTB)** met today and I was delighted to meet DMRTs new Ms Nikki Barker to the DMRRTB team as Tourism and Industry Development Manager. I believe Ms Barker has a strong sales, customer service, marketing and business development background with a proven track record for developing projects from concept to completion.

**The Daylesford Streetscape Revitalisation Project.** A joint meeting of the Steering Group, Community Reference Group, and Local Design Group met 10/05/2012 and reviewed the draft documentation. An open day will be held at Daylesford Senior Citizens Centre this Saturday 19/05/2012 between 1000 and 1300hrs. I anticipate that Village Well will then present Council with detailed recommendations regarding master planning and the works to be undertaken within the funding available this calendar year.

**The Daylesford Community Plan Community Reference Group** presented to a Councillor Briefing on 08/05/2012.

**The Victoria Park Multi Purpose Facility Consortium** met again 26/04/2012 and continues to refine a 'Request for Expression of Interest - Independent Analysis of Feasibility Study'.

**The Freight Strategy Steering Committee** met 08/05/2012 and particularly explored access to the East Street, Daylesford industrial estate.

I have volunteered to represent Council on its Municipal Early Years Plan Steering Group. I am not yet aware of our meeting schedule.

### **Councillor Rod May, Birch Ward**

- Visit from Chinese Delegation – Government Administration of Wannian, Jiangxi Province with Crs Booth and Henderson.

- Upper Loddon Water Supply Protection Area Committee – after 15 meetings and 18 months, the draft plan for management of groundwater will be released in coming weeks for comment.
- Attended with Cr Barrell and chaired the meeting of the Victoria Park Multi Purpose Facility Consortium.
- Small Halls, Big Ideas project at Mollonghip Hall.
- Community Budget Session.
- Daylesford Streetscape Revitalisation Project Community Reference Group.
- Growers and Eaters Forum in Bendigo.

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

It is timely that I have the opportunity to report back to you tonight as I do so in this - *National Volunteers Week*.

This month's report largely centres around *Clunes Back to Booktown* and the contributions many have made to making this event the huge success it has become.

Earlier this month I attended the Regional Living Expo held in Melbourne. Many council staff and volunteers manned the Hepburn Shire Council's stand at this event which was designed to give Melbournians the opportunity to meet local representatives of the state's shires with the intention this may help those many who are seeking to relocate to regional Victoria. I took pleasure in joining the volunteers on the *Clunes Back to Booktown* stand to provide information to the many who enquired about the opportunities Clunes has to offer. Over the 3 days over 1500 programs and several thousand flyers for the Booktown and Clunes were handed out. The Overall expo was judged a success when attendance figures reached 10 000 visitors.

A week later the annual *Back to Booktown* event attracted more than 15,000 visitors to Clunes, with some estimates as high as 17,000+. The Saturday attendance was over 9,000 – a new first day record for the event. This event is entirely run by volunteers and it takes more than 100 two-hour volunteer shifts – on the weekend alone – just to stage. Without this commitment from the volunteers, it would not be possible to stage this event.

It is also particularly exciting to note that thanks to the work of the Booktown organising committee – Creative Clunes – the town has now been accredited as an International Booktown – the first in Australia and the southern

hemisphere, and only the 14th in the world. This truly places Clunes on the map as an all year destination for booklovers. Entry to the prestigious International Organisation of Booktowns does not come easily and entry must be by unanimous vote of the other member cities and towns. Clunes now sits on the world stage alongside the famous Hay on Wye and Wigtown. It is a great tribute to the volunteers who have worked so hard over the past 6 years to make this accreditation a reality.

Over the course of the month I also attended a community workshop led by VicTrack to discuss ideas and proposals for the redevelopment of the Clunes Railway station. The redevelopment of the station offers yet another exciting avenue for the community and I am looking forward to this process continuing to achieve the best outcome for the many interested groups who have taken part in these discussions to date.

Yesterday I joined Joe Helper, the member for Ripon, at a function that thanked and recognised the volunteers from nearly 20 Clunes organisations for their work and dedication to the community. In Rural Australia 42% of the communities volunteer in some capacity. They provide 700 million hours of community service.

I've heard Clunes referred to many times as the little town that could. With the strength and commitment of its volunteers, Clunes has become the little town that does.

### **Councillor Janine Booth, Creswick Ward**

No report to present this month.

### **RECOMMENDATION**

8.1.1 That Council receives and notes the Mayor and Councillors' reports.

### **MOTION**

8.1.1. <i>That Council receives and notes the Mayor and Councillors' reports.</i>
---

**Moved:** Councillor Neil Newitt  
**Seconded:** Councillor Jonathan Barrell  
**Carried.**

**8.2. ITEM OF URGENT BUSINESS – APPOINTMENT OF AN INTERIM DEPUTY MAYOR**

**PROCEDURAL MOTION**

8.2.1. *That Council considers an Item of Urgent Business for the appointment of an Interim Deputy Mayor.*

**Moved:** Councillor Janine Booth

**MOTION**

8.2.2. *That Council appoints Councillor Jonathan Barrell as the Interim Deputy Mayor during Councillor May's absence from 16 – 26 May 2012 inclusive.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried.**

## 9. 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.

## 9.1. PETITION – CONSTRUCTION OF PUBLIC TOILETS TO BE ACCESSED FROM INSIDE THE CRESWICK TOWN HALL

### SUMMARY

112 residents of Creswick and district request that Council receives this petition which reads: “We the undersigned request that Hepburn Shire Council build toilets that are able to be accessed from inside the Creswick Town Hall as a matter of urgency. Stage two project.”

### RECOMMENDATION

That Council:

- 9.1.1 Receives the petition and that it lay on the table for one month.
- 9.1.2 Refers the petition to the General Manager Infrastructure for consideration.
- 9.1.3 Advises the first signatory of the petition and the Creswick and District Residents Association.

### MOTION

*That Council:*

- 9.1.1. Receives the petition and that it lay on the table for one month.*
- 9.1.2. Refers the petition to the General Manager Infrastructure for consideration.*
- 9.1.3. Advises the first signatory of the petition and the Creswick and District Residents Association of the above process.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Janine Booth

**Carried.**

## 9.2 QUESTIONS

### Question 1: From Mr Stuart Norton, Daylesford

**Apart from a very brief mention of the Vincent Street redevelopment, where is there any provision in the budget to pay for this, or has all the money, apparently \$400,000, disappeared down the ‘bottomless pit’ (i.e. The Village Well)?**

#### **Answered by Deputy Mayor Councillor Rod May**

Council's 2011/12 budget has an allocation of approximately \$400,000 (\$300,000 from State Government and \$100,000 from Council) for the Daylesford Streetscape Revitalisation Project. Of this, around \$125,000 has been allocated for the appointment of Village Well to complete a two stage process.

Stage 1A includes a review of previous works, undertake a community engagement process and prepare an economic analysis report.

Stage 1B includes preparation of some design options, preparation of Revitalisation Strategy and an Implementation Plan.

The completion of stage 1A has identified some small wins which Council is now working to implement whilst stage 1B is progressing and will identify some of the larger works to be considered.

The balance of the funding (approximately \$275,000) will be carried forward and utilised to implement some of the larger works resulting from the Revitalization Strategy and Implementation Plan. These works are expected to proceed early in the 12/13 financial year with the current funding.

Council, in partnership with Village Well are conducting an Open Day this Saturday (19 May), between 10am and 1pm in the Daylesford Senior Citizens Hall to discuss the work completed to date and seek community feedback on the concepts prepared as a result of the community engagement process.

I would encourage all interested people to come along and provide some input.

**Question 2: From Mr Klarenz Rostova, Daylesford**

**If the Mayor, Sebastian Klein obtains his Myer Foundation funding for a two month course in, apparently leadership, will he forgo his allowance for the two months – (money from ratepayers) – and how does this course have any relevance other than for personal advancement?**

**Written response provided by Mayor Councillor Sebastian Klein**

The Australian Rural Leadership Program (ARLP) is something that is attended by professionals and representatives from throughout rural areas in order to increase their proficiency in their roles. More so often than not it is directly sponsored by employers and staff are not required to sacrifice their salary or wage to attend, but are supported by their place of employment.

At a recent Council Meeting (20 March 2012), Hepburn Shire Councillors approved my role and absence of leave for this program and in discussion understood the potential benefits to the shire, being namely increasing my capacities to work at both the council and community level, but also the regional and national level to represent the interests of Hepburn.

For the three weeks I will attend this program during this council term, I will be working hard to develop my skills and abilities regarding team work, awareness of how my manner, actions and style effects those around me in the role as mayor, I will also be undertaking to learn how better to communicate with the public and the media and making connections regionally and national on behalf of Hepburn shire. This program represents a very significant investment on the part of The Sydney Myer Foundation, and a lesser, but nonetheless significant investment on my own part, drawn from my own personal savings. I see this as an investment in my own future as well as the Shire's and am determined to give it the effort and attention that such an opportunity warrants and to return the benefits of that to Hepburn Shire.

The Mayor's role receives what is technically deemed by the Local Government Act to be "a volunteer allowance". Each shire has a range that they can set the allowances of Councillors and the mayor, here in Hepburn it is \$34,020 for what amounts to a full time role, albeit in strange hours, schedules and times of week, with no scheduled leave, paid or otherwise.

As such, while I work hard to maximise the benefits from the experience, my intention is to receive my allowance as per normal, as do mayors and Councillors throughout the state, whether at home or away. I would not be



participating in this course unless I was the mayor, or at least a councillor, and I do not think I would have been accepted if this wasn't the case.

**Question 3: From Mr John Baragwanath, Daylesford**

**With a rate revenue of \$14 million and after \$11 million going on wages - \$2 million surplus.**

**Do we really need 5 General Managers to manage \$2 million?**

**Answered by Deputy Mayor Councillor Rod May**

The 2012-2013 prepared budget has proposed total income of \$26.8m of which \$15.7 million comes from Rates and Charges. Hepburn Shire Council has four General Managers

- GM Infrastructure
- GM Community Services
- GM Sustainability Development
- GM Corporate Services

Hepburn Shire Council employs 116 EFT that provide a wide range of services: Libraries, Home and Community Care, Planned Activity Groups, Culture and Arts, Transport Connections, Youth, Recreation, Community Planning Housing, Planning, Building, Health, Environmental Sustainability, Compliance Economic Development, Tourism, Roads, Parks and Gardens and Corporate Services.

Every time a position becomes vacant the need and purpose of the position is reviewed. Benchmarking with other like Councils is also undertaken to ensure relevance in the industry.

**Question 4: From Ms Loretta Little, Daylesford**

**Of what benefit to Hepburn Shire is there in Mayor Klein's extended absences from the shire and Coliban ward, and will the Mayor forfeit his mayoral allowances for this period?**

**I wish to speak to this question.**

**Written response provided by Mayor Councillor Sebastian Klein**

**Read out by Deputy Mayor Councillor Rod May**

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## **10 OFFICERS' REPORTS**

### **10.1 FINANCIAL REPORTS – JULY 2011 TO APRIL 2012 GENERAL MANAGER CORPORATE SERVICES**

*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 report on the Council's financial performance for the 2011-2012 financial year up to the 30 April 2012.

#### **BACKGROUND**

This report provides information on Council's operating performance for the period 1 July 2011 to 30 April 2012 based on the Revised Budget adopted at the midyear budget review. The Annual Budget column reflects the changes made at the midyear review.

#### **ISSUE / DISCUSSION**

##### **INCOME STATEMENT**

The year to date operating result is \$8.3 million surplus. This is higher than budget due to timing of receiving income. Refer to the Income Statement attached for full details.

##### **BALANCE SHEET**

Cash at 30 April 2012 totals \$10.1 million.

Refer to the graph of cash and cash equivalents (attached) for the 2010-2011 financial year with comparisons to the 10 months of this year. Refer to the Cash Flow Statement (attached) for comparisons to this time last year. Note flood funds were not received until May 2011.

Cash is significantly higher than this time last year due to \$1.5 million received from State Government for roads and bridges and infrastructure being only partly spent to date. In addition, flood recovery income received in advance and not spent totals \$4 million and capital expenditure is \$1 million behind year to date expenditure compared to last year.

Rate debtors at the end of April 2012 are \$ 3.9 million, compared to rate debtors at the same time last year of \$3.5 million. \$286,000 in debtors remains from 2010-11 and prior.

Sundry debtors total \$585,000 at the end of April compared to the same time last year of \$891,000. Sundry debtors increased in February due to invoicing for flood related government grants.

The two graphs (attached) show the level of Rate Debtors and Sundry Debtors for 2011-2012 in comparison to the same time last year.

### **CAPITAL WORKS & PROJECTS**

Status on capital works and projects is detailed in the attached reports.

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

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

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

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

None noted.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

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

### **CONCLUSION**

The reports on the financial performance of Council for the ten months to 30 April 2012 have been reported.

### **OFFICER'S RECOMMENDATION**

- 10.1.1 That Council receives the Financial Reports for the ten months from 1 July 2011 to 30 April 2012

**MOTION**

*10.1.1. That Council receives the Financial Reports for the ten months from 1 July 2011 to 30 April 2012.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried.**



**ATTACHMENT 1 - FINANCIAL REPORTS – JULY 2011 – APRIL 2012**

**Income Statement**  
For period ending 30 April 2012

	Annual Budget 2011/12 \$'000	YTD Budget 2011/12 \$'000	YTD Actual 2011/12 \$'000	Variance to YTD Actual \$'000	YTD Budget to YTD Actual %	
<b>Revenues from ordinary activities</b>						
Rates charges	14,629	14,629	14,614	(15)	0%	
Statutory fees and fines & user fees	1,222	1,050	1,107	56	5%	1
Grants - Operating	5,087	3,982	4,347	365	9%	2
Grants - Capital	2,847	1,205	2,053	848	70%	3
Contributions	383	93	108	15	16%	4
Other revenue	16,825	1,052	7,861	6,809	647%	5
<b>Total revenue</b>	<b>40,993</b>	<b>22,011</b>	<b>30,091</b>	<b>8,080</b>	<b>37%</b>	
<b>Expenses from ordinary activities</b>						
Employee benefits	10,446	8,939	8,947	8	0%	
Materials and services	9,249	7,708	8,309	602	8%	6
Bad and doubtful debts	20	19	19	(1)	-	
Depreciation/amortisation	5,038	3,779	3,746	(33)	-	
Finance costs	282	221	217	(4)	-2%	
Other expenses	1,024	555	577	23	4%	
<b>Total expenses</b>	<b>26,058</b>	<b>21,220</b>	<b>21,815</b>	<b>595</b>	<b>3%</b>	
<b>Surplus (deficit) for the year</b>	<b>14,933</b>	<b>791</b>	<b>8,276</b>	<b>7,485</b>	<b>946%</b>	

1. Contract Care user fees are \$100,000 ahead of budget, this is offsetting a lower than budget actual for other aged care fees due to lower demand.

2. Operating grants are ahead of YTD budget due to an additional \$152,000 being received for the Advancing Country Towns that was not included in the current year budget. Other YTD difference are due to grants being received during the year that weren't budgeted to be received until June.

3. \$553,000 for the "Local Government Infrastructure Fund" has been received, this wasn't budgeted to be received until June. \$406,000 has been received for the Clunes Community Interpretive Centre, grants for this project were not budgeted to be received this financial year. Both grants have associated capital works expenditure.

4. \$12,000 final claim for Mt Prospect Tennis has been invoiced, this income was budgeted for in prior years.

5. \$6.4 million in flood recovery reimbursements and income have been received this financial year, per the budget this was all anticipated to be collected in June.

An additional \$230,000 has been received in interest on investments compared to budget, this is due to timing of capital works completion and timing of receipts and spend of flood recovery reimbursement funds.

Rental income is \$90,000 ahead of YTD budget.

6. Flood office expenditure is ahead of budget. Further, the variance is a result of timing differences; work has been completed ahead of when it was budgeted to be spent. This is not anticipated to result in overruns at year end.

**Balance Sheet as at 30 April 2012**

	30/04/2011 Actual \$000's	30/04/2012 Actual \$000's	Movement year on year
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	4,706	10,106	115% <sup>1</sup>
Trade and other receivables	4,600	4,796	4%
Inventories	59	8	-87% <sup>2</sup>
Assets	26	-	
<b>Total current assets</b>	<b>9,391</b>	<b>14,909</b>	<b>59%</b>
<b>Non-current assets</b>			
Trade and other receivables	(1)	-	-100%
Financial assets	962	1,083	13% <sup>3</sup>
Investments in associates accounted for using the equity method	443	453	2%
Property, plant and equipment, infrastructure	174,164	176,423	1%
<b>Total non-current assets</b>	<b>175,568</b>	<b>177,959</b>	<b>1%</b>
<b>Total assets</b>	<b>184,959</b>	<b>192,869</b>	<b>4%</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	(756)	(561)	-26%
Trust funds and deposits	(791)	(922)	17% <sup>4</sup>
Provisions	(1,659)	(1,982)	19% <sup>5</sup>
Interest-bearing loans and borrowings	(66)	(66)	0%
Other Liabilities	-	(16)	
<b>Total current liabilities</b>	<b>(3,272)</b>	<b>(3,546)</b>	
<b>Non-current liabilities</b>			
Provisions	(838)	(637)	-24% <sup>5</sup>
Interest-bearing loans and borrowings	(3,078)	(3,894)	27% <sup>6</sup>
Other Liabilities	-	(223)	
<b>Total non-current liabilities</b>	<b>(3,916)</b>	<b>(4,754)</b>	
<b>Total liabilities</b>	<b>(7,188)</b>	<b>(8,300)</b>	
<b>Net Assets</b>	<b>177,770</b>	<b>184,568</b>	
<b>Equity</b>			
Accumulated surplus	(100,512)	(109,020)	8% <sup>7</sup>
Surplus YTD	(4,028)	(8,276)	105% <sup>9</sup>
Reserves	(73,227)	(67,272)	-8% <sup>8</sup>
<b>Total Equity</b>	<b>(177,770)</b>	<b>(184,568)</b>	

1. Cash is significantly higher than this time last year due to \$1.5 million received from State Govt for roads and bridges and general infrastructure not being fully spent to date. The capital expenditure program is not as far advanced as anticipated, and approximately \$ 1 million behind year to date expenditure this time last year. In addition, flood recovery reimbursements exceed expenditure by \$4 million.



## Balance Sheet as at 30 April 2012

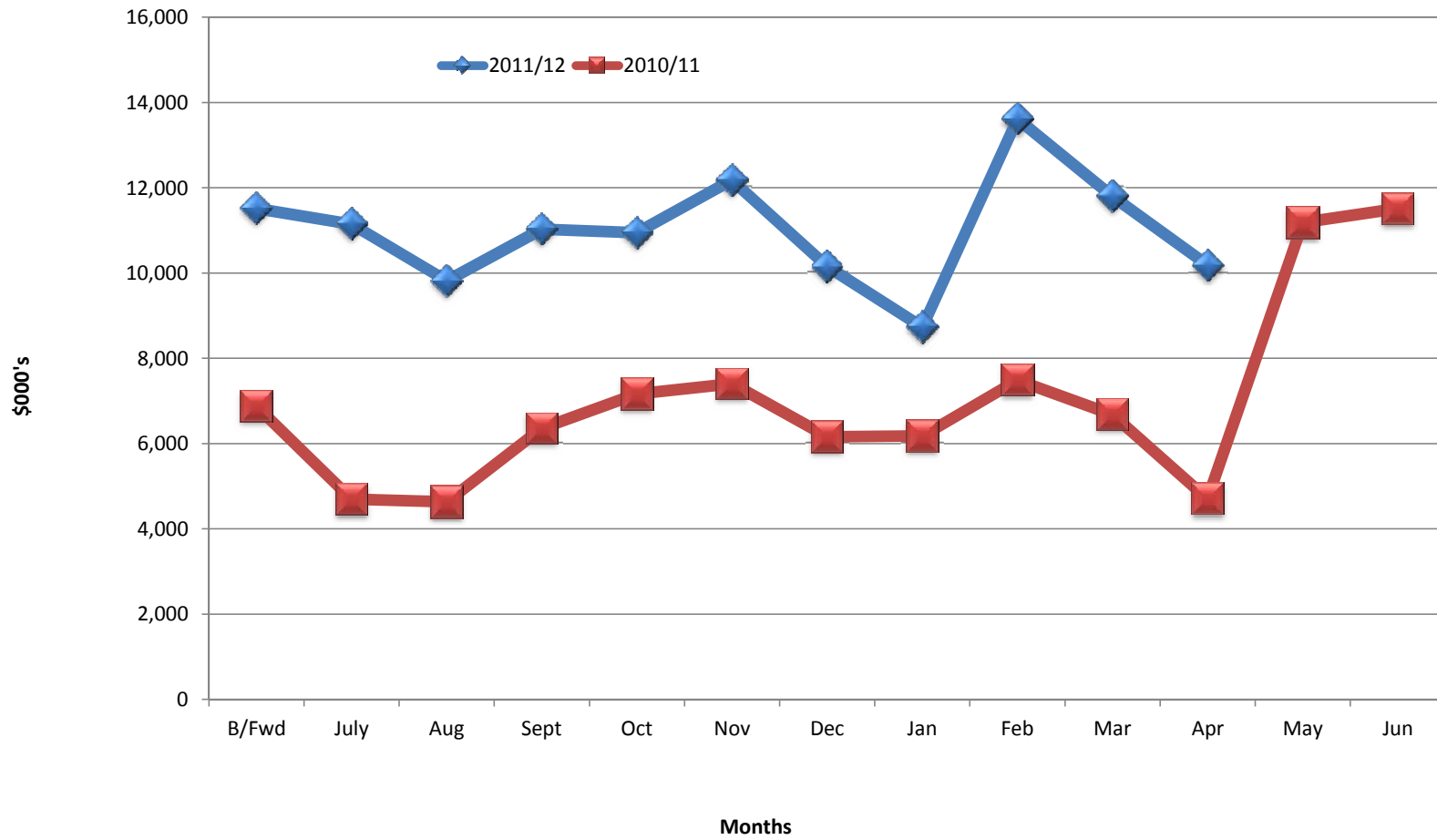
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2. Inventory is less than last year as the only stock Council holds now is diesel. Scoria is no longer included in inventory as it is now costed directly to the relevant job.
3. Monies invested on a long term basis have increased to meet Council's Long Service Leave Liability. In the current Enterprise Bargaining Agreement, officers are entitled to their Long Service Leave on a prorata basis after 7 years, a change from 10 years.
4. Trust funds and deposits are higher as an additional \$60,000 was received from Victorian Mineral Water Commission. Plus retention held for road works contracts has increased on last year.
5. In the current Enterprise Bargaining Agreement, officers are entitled to their Long Service Leave on a prorata basis after 7 years, a change from 10 years. This has resulted in the current portion of the provision (likely to be paid out in the next 12 months) to increase and the non current portion to decrease,
6. \$900,000 in borrowings was taken out in July 2011 to fund Council's payment towards the Defined Benefit Superannuation Fund and purchase of the new corporate System. \$300,000 is still to be borrowed.
7. This increase is associated with Council's surplus for the 2010-11 year.
8. As a result of the flood events, significant damage to Council's Infrastructure Assets occurred. \$5.9 million in recovery works are still required to repair Council assets to their pre-flood condition. Consequently these assets have been devalued by \$5.9 million, resulting in an overall decrease in total Property, Infrastructure, Plant and Equipment. This also has resulted in a decrease in Council's equity reserves.
9. Surplus greater than this time last year refer to the Income Statement.

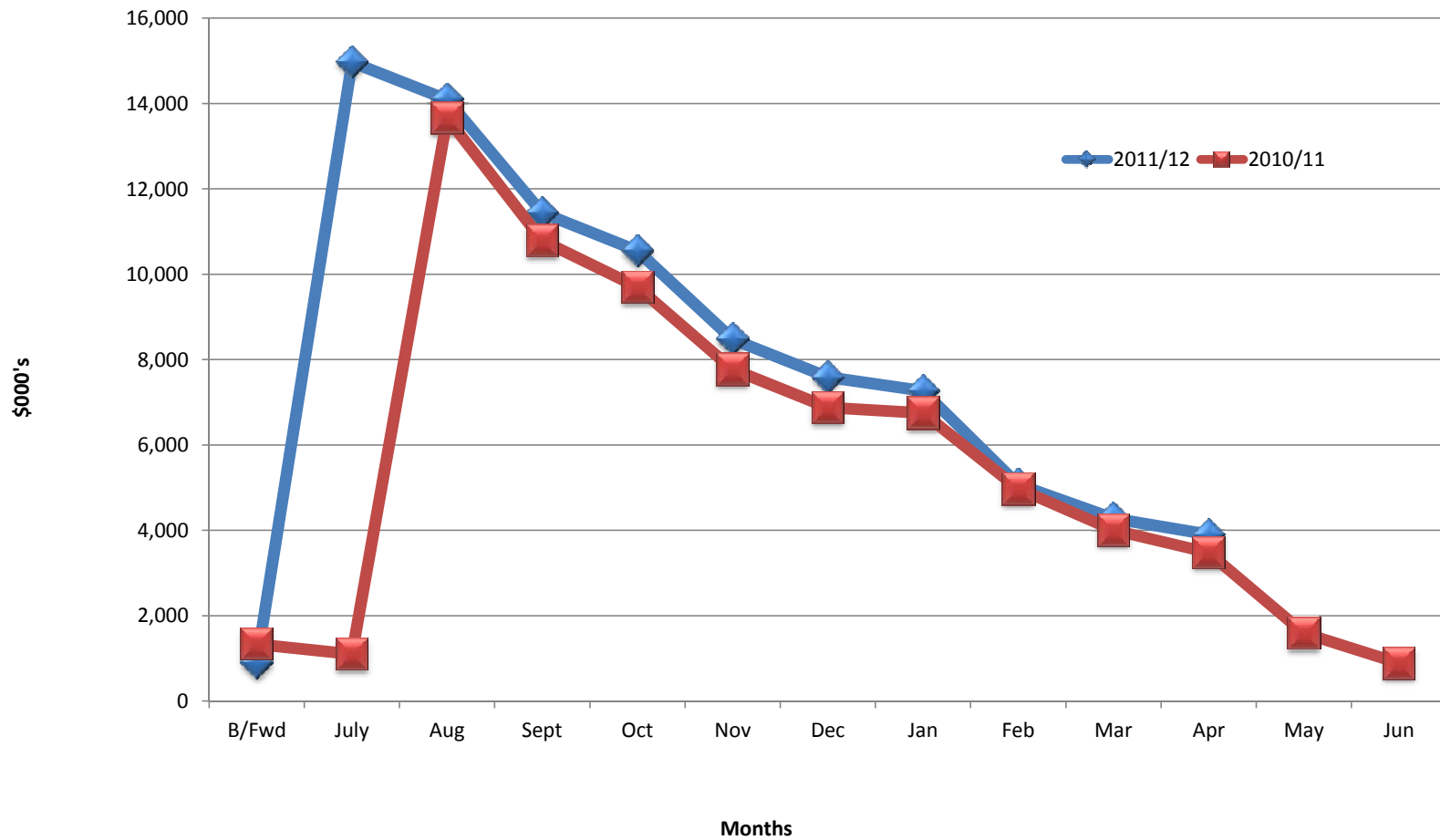
**Cashflow Statement**  
For the period ending 30 April 2012

	Annual Budget	
	30/06/2012	30/04/12 Actual
	\$'000	\$'000
<b>Cash flows from operating activities</b>		
<i>Receipts</i>		
Rates charges	14,629	11,424
Statutory fees and fines	1,222	1,107
Grants	9,117	7,176
Other revenue	16,525	7,392
Interest	300	469
	<b>41,793</b>	<b>27,568</b>
<i>Payments</i>		
Employee costs	(10,850)	(8,947)
Materials & consumables	(9,249)	(9,645)
Finance costs	(256)	(217)
Other expenses	(1,023)	(577)
	<b>(21,378)</b>	<b>(19,386)</b>
Net cash provided by operating activities	<b>20,415</b>	<b>8,182</b>
<b>Cash flows from investing activities</b>		
Proceeds from property, plant and equipment	402	31
Payments for property, plant and equipment	(30,136)	(10,438)
Net cash used in investing activities	<b>(29,733)</b>	<b>(10,407)</b>
<b>Cash flows from financing activities</b>		
Proceeds from borrowings	1,200	900
Repayment of borrowings	(473)	(387)
Net cash provided by (used in) financing activities	<b>727</b>	<b>513</b>
<b>Net decrease in cash &amp; cash equivalents</b>	<b>(8,591)</b>	<b>(1,712)</b>
Cash & cash equivalents at beginning of year	8,734	11,818
<b>Cash &amp; cash equivalents at end of period</b>	<b>143</b>	<b>10,106</b>

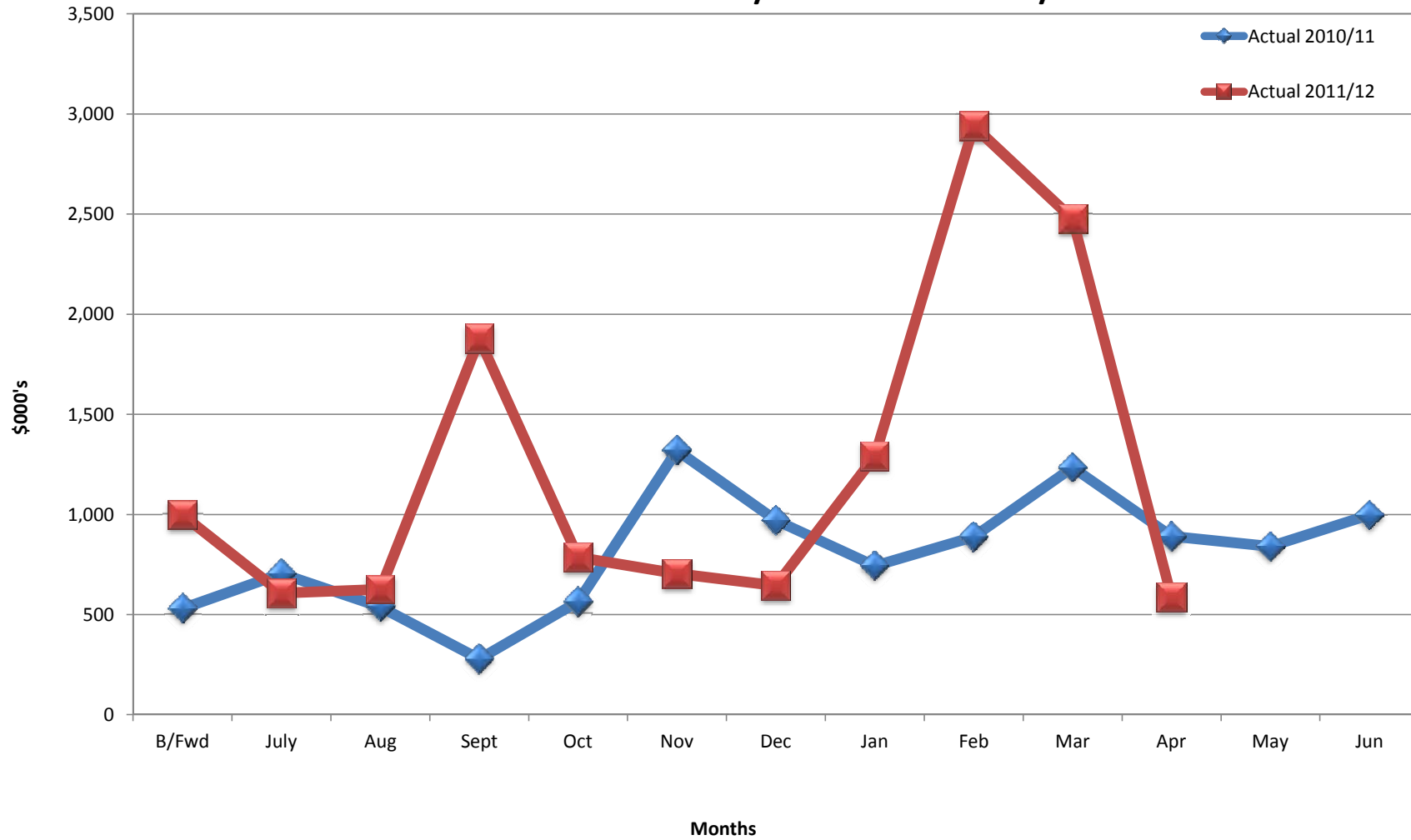
### Cash and Cash Equivalents Actual 2010/11 Vs 2011/12



### Rate Debtors Actual 2010/11 Vs 2011/12



### Sundry Debtors Actual 2010/11 Vs Actual 2011/12



**CAPITAL WORKS 2011/12 WORKS**  
**PROGRAM**

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
<b>ROADS</b>						
Reseals	\$ 1,484,498	\$ 856,795	\$ 1,484,498	\$ -	GMI	Project complete - Awaiting final invoicing
Reseal prep	\$ 81,120	\$ 56,170	\$ 56,170	\$ 24,950	GMI	Complete
Gravel resheets	\$ 325,486	\$ 337,191	\$ 337,191	-\$ 11,705	GMI	Works completed. Additional costs incurred due to some additional works completed and funded from savings in Shoulder resheeting program
Shoulder resheets	\$ 135,000	\$ 50,000	\$ 123,000	\$ 12,000	GMI	Works commenced and expected to be complete mid June.
Stabilisation (inc Reconstruction) Renewal	\$ 707,834	\$ 107,961	\$ 400,000	\$ 307,834	GMI	Contract stabilisation works to the value of \$400,000 on track for completion. Program balance to be carried forward 2012/13.
Shoulder sealing	\$ 472,552	\$ 2,091	\$ 2,091	\$ 470,461	GMI	Program deferred. No budget bid proposed for 12/13. Funds will contribute to covering remedial works at Mount Beckworth.
Special charge schemes	\$ 98,324	\$ -	\$ -	\$ 98,324	GMI	Projects being reviewed
Special charge schemes - Albert St			\$ -	\$ -	GMI	Level community support is currently being ascertained prior to Council declaring a scheme
Special charge schemes - Elm Tree Lane			\$ 6,000	-\$ 6,000	GMI	<b>Project completed</b> - finalising costs.
Ajax Road	\$ 375,812	\$ 18,968	\$ 460,000	-\$ 84,188	GMI	Works expected to commence as scheduled - additional funds to be funded from savings on Clunes Daylesford Rd and pavement renewal program
Blackmores Road	\$ 256,812	\$ 2,850	\$ 16,000	\$ 240,812	GMI	Tender award expected June Council meeting.

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Clunes-Daylesford Reconstruction	\$ 279,812	\$ 1,978	\$ 224,000	\$ 55,812	GMI	Works expected to commence as scheduled.
Luttet Street	\$ 70,809	\$ -	\$ 2,000	\$ 68,809	GMI	Reviewing proposed treatment prior to commencing. Resident consultation expected late May.
Mossops Road Reestablishment (legal costs)	\$ 16,000	\$ 502	\$ 8,000	\$ 8,000	GMI	Survey for creation road reserve commenced
Medlyn Bottle Museum access	\$ 15,000	\$ 14,060	\$ 15,000	\$ -	GMI	Awaiting C of O
<b>FOOTPATHS &amp; STREETS</b>						
Clunes School Footpath	\$ 40,000	\$ -	\$ 40,000	\$ -	GMI	Design is complete. Construction to be completed early June as scheduled.
Cosmo Road Footpath	\$ 35,811	\$ -	\$ 35,811	\$ -	GMI	Design is complete. Construction to be completed early June as scheduled.
Footpath Improvement & Renewal	\$ 66,600	\$ 28,395	\$ 66,600	\$ -	GMI	Cosmo Road renewal works currently scheduled for June to complete the program
Daylesford Streetscape	\$ 398,030	\$ 63,526	\$ 160,000	\$ 238,030	GMI	Community reference group established.
<b>BRIDGES</b>						
Bridge Renewal maintenance	\$ 404,125	\$ 112,436		\$ 316,525	GMI	
Bridge Renewal maintenance- Creswick Dean Culvert Replace (\$200k)			\$ -		GMI	Contractors difficult to source and materials not able to be secured prior to June.
Bridge Renewal maintenance - Guard rail			\$ 15,000		GMI	Works scheduled to be completed by 30 June
Bridge Renewal maintenance - Raglan Street Creswick			\$ 72,600		GMI	<b>Project complete</b>
Bleakley St Bridge / Peds Scope & Design	\$ 20,000	\$ -	\$ 20,000	\$ -	GMI	Project scoped and design quotes to be obtained expected at end of May for June Designs.
Andersons Mill Bridge Design	\$ -			\$ -	GMI	Project withdrawn

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Bridge Replacement (design of Monash bridge Lawrence - Creswick Rd)	\$ 79,200	\$ -	\$ 40,000	\$ 39,200	GMI	Anticipated site works to commence mid May. Will finish July.
Mullers lane bridge Reconstruction	\$ 313,130	\$ 313,130	\$ 313,130	\$ -	GMI	<b>Complete</b>
Footbridge Central Springs Daylesford	\$ 29,151	\$ 2,800	\$ 45,000	-\$ 15,849		Contract awarded. Prefab components expected end May and installation in June. Additional funds secured from DSE.
<b>DRAINAGE</b>						
Drainage works	\$ 294,973	\$ 97,953		\$ 123,473	GMI	
128 Clunes Rd Creswick (\$30k)			\$ 5,000		GMI	Scheduled to be completed by end of May
Mulchays Rd Trentham (300 pipe, easement)			\$ 85,000		GMI	Contract expected to be awarded early May. Construction to be completed by end May.
Golf Links Rd Hepburn design (easement)			\$ 10,000		GMI	\$50,000 works costs to be deferred into 2012/13
Creswick Bakery drainage			\$ 1,000		GMI	Contractor commissioned with completion at end of May.
American Hotel Creswick			\$ 5,000		GMI	Included in Depot Works Schedule for completion prior to June 30.
Carter St Broomfield			\$ 10,000		GMI	Complete
Davies, Rose, MacPhee			\$ -		GMI	No works required by Council
Garabaldi Court			\$ 10,000		GMI	Completion expected prior to June 30
4 Vincent Street, Daylesford			\$ 5,000		GMI	Included in Depot Works Schedule for completion prior to June 30.
Allendale Drainage			\$ 5,000		GMI	Project scope to be finalised by end May & temporary works complete prior 30 June
Main St Daylesford			\$ 10,000		GMI	Drain capacity investigation still being undertaken & works resulting may proceed in 2012/13



PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Harvey St Creswick			\$ 8,000		GMI	Drain capacity investigation still being undertaken & works resulting may proceed in 2012/13
Fraser -Service Street Clunes Catchment Design			\$ 7,500		GMI	Drain capacity investigation still being undertaken & works resulting may proceed in 2012/13
Creswick Depot& Surrounds Drainage			\$ 10,000		GMI	Complete
Drainage Works opp Farmers Arms / Malmsbury Rd / East Street	\$ 89,050	\$ -	\$ 90,000	-\$ 950	GMI	Works to commence mid May with completion prior 30 June
<b>WASTE MANAGEMENT</b>						
				\$ -		
Commercial Precinct Litter & Recycling Bins	\$ 57,113	\$ 3,000	\$ 60,000	-\$ 2,887	GMI	Bins ordered. Installation scheduled immediately following delivery in May 2012.
Sealing Access way to Municipal Recycle Facility	\$ 9,077	\$ 9,077	\$ 9,077	\$ -	GMI	<b>Complete</b>
Transfer Station facility Upgrade	\$ 16,180	\$ 16,180	\$ 16,180	\$ 0	GMI	<b>Complete</b>
Carbon Negative initiatives	\$ 104,500	\$ 56,929	\$ 104,500	\$ -	GMSD	Tender let for water tanks and solar systems, all works to be completed by May 2012
<b>RECREATION</b>						
Doug Lindsay reserve Multi Purpose Facility	\$ 171,776	\$ 225,628	\$ 225,628	-\$ 53,852	GMI	<b>Complete</b>
CDDA Magic Pudding playground	\$ 59,500	\$ 68,565	\$ 68,565	-\$ 9,065	GMCD	<b>Complete</b>
Daylesford Community Park Amenities Block	\$ 68,609	\$ 63,932	\$ 63,932	\$ 4,677	GMCD	<b>Complete</b>
Swimming Pools Upgrade					GMCD	

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Swimming Pools Upgrade - Trentham	\$ 68,079	\$ 28,619	\$ 28,619	\$ 39,460	GMCD	Works completed as contained in initial funding agreement. Variation sought to replace solar heating.
Swimming Pools Upgrade - Daylesford	\$ 68,079	\$ 46,640	\$ 46,640	\$ 21,439	GMCD	as above
Swimming Pools Upgrade - Clunes	\$ 68,079	\$ 21,903	\$ 21,903	\$ 46,176	GMCD	as above
Swimming Pools Upgrade - Calembreen Lake Diving Tower	\$ 108,572	\$ 169	\$ -	\$ 108,572	GMCD	This funding being used as matching component for RDV Flood Project. Planning permission from Heritage Victoria to repair section of concourse being sought. Meeting with Heritage Victoria Thursday this week to discuss tower.
Yandoit Tennis	\$ 63,000	\$ -	\$ 57,000	\$ 6,000	GMI	<b>Complete - Awaiting invoices</b>
Netball Pavilion	\$ 75,000	\$ -	\$ 75,000	\$ -	GMI	Continuing to finalise plans in consultation with Committee.
Lindsay Park Soccer	\$ 50,000	\$ -	\$ 40,000	\$ 10,000	GMI	Majority of works to be completed as scheduled however turf works to be held over until September.
Doug Lindsay Park, lighting and fencing	\$ 245,000	\$ 46,174		\$ 245,000	GMI	
Lindsay Park Lights			\$ 192,000	-\$ 192,000		Works to proceed as scheduled
Lindsay Park Fencing			\$ 9,000	-\$ 9,000	GMI	<b>Complete</b>
Lindsay Park Coaches Boxes			\$ 46,000	-\$ 46,000	GMI	<b>Complete</b>
Playground Equipment Replacement	\$ 20,000	\$ -	\$ 20,000	\$ -	GMI	Required as matching contribution to Queens Park Flood Recovery Project
Daylesford Community Park	\$ 161,000	\$ 113,203	\$ 161,000	\$ -	GMCD	Two remaining seats to be installed then project will be completed, waiting on outstanding invoice.
Skate park Improvement program	\$ 10,000	\$ 1,086	\$ 10,000	\$ -	GMCD	Minor works at Creswick and Clunes skate park, including water fountains and seating. Waiting on quotes
Clunes Football/Netball Club redevelopment (non flood)	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	GMCD	<b>Complete</b>
Drummond hall Tennis Court	\$ 28,000	\$ -	\$ 36,000	-\$ 8,000	GMCD	Complete, tennis fence to be reinstated by Hall Committee.

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Wombat Hill Gardens tree replacement plan	\$ 11,599	\$ 4,066	\$ 11,599	\$ -	GMI	Ongoing. Stock on order.
Leitches Ck & Woolnough Crossing Mineral Springs Works - CFW Grant	\$ 3,510	\$ -	\$ 3,510	\$ -	GMI	<b>Project completed</b> - Completing final report
Lake Daylesford Central Springs Master Plan	\$ 15,350	\$ 12,241	\$ 15,350	\$ -	GMI	Draft plan subject to stakeholder consultation anticipated in June.
Lake Daylesford Mineral Springs Walk - Bore	\$ 75,900	\$ 10,529	\$ 11,000	\$ 64,900	GMI	Contractor identified and on hold pending GMW permit
HSMR Parking Traffic Strategy	\$ 20,000	\$ -	\$ 20,000	\$ -	GMI	Continuing to finalise plans in consultation with Committee.
HSMR replace concrete channel	\$ 38,940	\$ -	\$ -	\$ 38,940	GMI	Flood recovery works - Scheduled for latter part of calendar year.
Calambeen Park Walking track	\$ 100,000	\$ 61,984	\$ 100,000	\$ -	GMCD	Path completed. Seating and Signage remaining items to be completed.
HSMR Upgrade pedestrian connections	\$ 25,000	\$ -	\$ -	\$ 25,000	GMI	Works to follow completion of Traffic Strategy which is likely to commence in next financial year
Emergency Bore Hepburn	\$ 51,648	\$ 79,811	\$ 108,000	-\$ 56,352	GMI	Design of pump & headworks completed. Pump to be ordered & installed - \$94k received in 07/08 currently in balance sheet - total budget for project is \$154k
Wombat Hill Water / Power	\$ 71,549	\$ 35,795	\$ 71,549	\$ -	GMI	Testing complete and awaiting design for pump & headworks to progress completion. Irrigation
Glenlyon Rec Reserve Risk Management	\$ 15,811	\$ -	\$ 15,811	\$ -	GMI	Dangerous tree removal
<b>BUILDING</b>						
Building Renewal Program	\$ 195,900	\$ 50,796	\$ 15,400	\$ 25,000	GMI	
Duke St Fence			\$ 8,000		GMI	Works proceeding is subject to property owner consent.
Duke St Roof			\$ -		GMI	Works deferred and will be completed in conjunction with IT upgrade works proposed in 12/13.
Units retaining wall			\$ 75,000		GMI	Quotes being sought

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Creswick Office Roof			\$ -		GMI	Postponed next year due to retaining wall works
Building Compliance ESM Works			\$ 30,000		GMI	Ongoing and expected to be complete as scheduled.
Replacement of old shelter at Calembreen Park			\$ 15,000		GMCD	Shelter currently being built off-site. Installation to commence June 2012.
Painting of Toilet Blocks			\$ 20,000		GMI	Some works commenced and other projects being arranged.
Replacement of Creswick Kindergarten Carpets			\$ 7,500		GMI	Works expected to commence as scheduled.
Lyonville Community Hall	\$ 8,960	\$ 8,960	\$ 8,960	\$ -	GMCD	Complete
Creswick Depot OH&S works	\$ 100,000	\$ 103,091	\$ 103,091	-\$ 3,091	GMI	Completed.
Smeaton Bowling Club	\$ 200,000	\$ 192,592	\$ 200,000	\$ -	GMCD	Works completed, final invoicing and handover taking place.
Creswick Office refit	\$ 7,544	\$ 7,978	\$ 7,978	-\$ 434	GMCD	Complete
Cameron Court Units Clunes	\$ 586,336	\$ 6,000	\$ 6,000	\$ 580,336	GMI	Project currently being reviewed by Council
Clunes Community & Interpretive Centre	\$ 300,000	\$ 29,625	\$ 103,125	\$ 196,875	GMCD	Architect approved April Council meeting., design documentation to be completed mid July. Construction to commence October/November 2012.
Clunes Caravan Park Fire Services			\$ 15,000	-\$ 15,000	GMI	Commencement subject from Leasee and to be funded through the Flood Recovery Program
<b>PLANT EQUIPMENT</b>						
Works Plant & Equipment	\$ 1,090,000	\$ 221,027	\$ 1,090,000	\$ -	GMI	Some major items ordered. Plant Committee to meet.
Passenger & Commercial Fleet	\$ 220,000	\$ 144,494	\$ 220,000	\$ -	GMI	Ongoing.
Computer equipment renewal	\$ 106,000	\$ 9,082	\$ 106,000	\$ -	GMCS	Ongoing. \$50,000 of equipment to be leased at a cost of \$18k

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Corporate Information System	\$ 649,616	\$ 339,161	\$ 450,000	\$ 199,616	GMCS	Financials & Procurement went live on 22 Feb-2012, Assets are due to go live on 2 July 2012 and Property and Rating Nov 2012
Flood						

<b>TOTAL</b>	<b>\$ 11,439,356</b>	<b>\$ 4,090,143</b>	<b>\$ 8,337,507</b>	<b>\$ 3,101,849</b>		
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PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
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**OTHER PROJECTS**

<b>ROADS</b>						
V/Line crossing project expend	\$ 250,000	\$ 247,529	\$ 247,529	\$ 2,471	GMI	Completed
Freight Strategy	\$ 20,000	0	18,000	\$ 2,000	GMI	Stakeholder & public consultation has commenced & draft strategy expected in June
Central Highlands Transport Plan	\$ 10,000	9865	9865	\$ 135	GMI	Draft plan received and expected to be finalised end of May
Newlyn Roundabout	\$ 21,000	\$ -	\$ 28,000	-\$ 7,000	GMI	Work has commenced expected to be completed end of May. Additional funds to be covered from pavement renewal program.
<b>FOOTPATHS &amp; STREETS</b>						
Ullina Avenue of Honour project	\$ 800	\$ 659	\$ 659	\$ 141	GMI	Works being undertaken by Community Groups
Daylesford Cenotaph Restoration project	\$ 4,628	\$ -	\$ -	\$ 4,628	GMI	Concept plans subject to further consultation
<b>RECREATION</b>						
Trentham Recreation Reserve works	\$ 37,397	\$ 37,397	\$ 37,397	\$ -	GMI	Complete
Arboricultural Works Shire wide	10,000	10,717	10,717	-\$ 717	GMI	Complete
Community Infrastructure Planning Trentham	\$ 10,000	\$ -	\$ 10,000	\$ -	GMCD	Full application to be submitted to DPCD.
Lindsay Arts Trail - stage 2 & 3	\$ 20,000	\$ 191	\$ 10,000	\$ 10,000	GMCD	Full application to be submitted to DPCD.

<b>BUILDINGS</b>						
Glenlyon Community hall upgrade	\$ 27,058	\$ 36,724	\$ 36,724	-\$ 9,666	GMCD	Complete
Bullarto Community hall refurbish	\$ 37,834	\$ 37,834	\$ 37,834	\$ -	GMCD	Complete
Leonards Community Hall refurbish	\$ 9,049	\$ 9,334	\$ 9,334	-\$ 285	GMCD	Complete

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Glenlyon Hall restoration	\$ 58,581	\$ 65,276	\$ 65,276	-\$ 6,695	GMI	Complete. Additional costs funded by Glenlyon Progress Association as per funding agreement

STRATEGIES/PLANS/OTHER						
Waste management Strategy	\$ 60,000	\$ 26,653	\$ 48,445	\$ 11,555	GMI	Draft strategy being reviewed with consultant to achieve project scope. Outcomes to be presented to Waste Steering Committee.
Economic Development (EDS) Implementation	\$ 22,500	\$ 7,089	\$ 22,500	\$ -	GMSD	Signage audit complete. Business plan for implementation to be presented to Council June 2012.
Significant Tree Register	\$ 32,000	\$ 24,000	\$ 32,000	\$ -	GMSD	Consultation complete, document finalised for presentation to Council. Council Report to be completed for June 2012 meeting, then placed on exhibition.
MSS Review	\$ 76,927	\$ 20,400	\$ 76,927	\$ -	GMSD	Review finalised and endorsed by Council. Consultant appointed to complete the planning scheme documents. Planning Scheme amendment docs to be reported to May 2012 Council meeting. Then to be placed on exhibition
Mineral Water DVD	\$ 24,818	\$ 23,649	\$ 24,818	\$ -	GMSD	Final drafts viewed by sponsors/stakeholders. Completed and awaiting copies for distribution.
Energy Descent Action Plan & Other Environmental projects	\$ 101,649	\$ 38,920	\$ 101,649	\$ -	GMSD	Background planning document prepared and presented to Council. Plan being prepared for consideration by Council in June 2012
Sustainability Strategy	\$ 18,011	\$ 14,298	\$ 18,011	\$ -	GMSD	Complete
Trentham Library Study	\$ 50,000	\$ 595	\$ 50,000	\$ -	GMCD	Planning and building permits issued. Works commenced, shelving order submitted.

PROJECT	Revised Budget	YTD April Actual Expense	30 June 2012 Forecast	Variance	GM RESP	Comments
Vic Park review	\$ 15,000	\$ -	\$ 10,000	\$ 5,000	GMCD	Project brief for documentation review complete. Quotes being sought.
Daylesford Community Plan	\$ 7,000	\$ 7,350	\$ 7,350	-\$ 350	GMCD	Complete
Celebrating 150 Years of Local Govt	\$ 17,389	\$ -	\$ 12,000	\$ 5,389	GMCD	Artist submissions reviewed and 4 selected. Planning underway for installation in June 2012.
Preschools Project	\$ 28,584	\$ 11,131	\$ 19,131	\$ 9,453	GMCD	Stage 1 (Planning & research completed) and Steering Committee established. New contractor to be engaged by end May.
Advancing Country Towns	\$ 188,250	\$ 132,489	\$ 188,250	\$ -	GMSD	Steering committee formed, project plan complete and endorsed by steering committee. Briefing to both Councils complete. Communication plan implementation to commence
Bushfire planning provisions	\$ 120,000	\$ 5,511	\$ 20,207	\$ 99,793	GMSD	Funded position filled, work commenced late March and will continue next financial year.
LEAP projects	\$ 12,300	\$ 16,766	\$ 27,100	\$ -	GMCD	All four events now complete. Budget of \$12,300 was carryforward from last year. Additional funding of \$14,800 received in 2011-12 bringing total budget to \$27,100
<b>TOTAL</b>	<b>\$ 1,290,775</b>	<b>\$ 784,377</b>	<b>\$ 1,179,723</b>	<b>\$ 125,852</b>		



## **10.2 MELBOURNE CUP PUBLIC HOLIDAY ARRANGEMENTS IN HEPBURN SHIRE FOR 2012**

### **INTERIM CHIEF EXECUTIVE OFFICER**

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

### **PURPOSE**

This report requests Council to consider writing to the Minister requesting that the 2012 Melbourne Cup Public Holiday be substituted with 2012 Ballarat Show Day for the townships and surrounding localities of Clunes, Creswick, Smeaton and Newlyn in Hepburn Shire.

### **BACKGROUND**

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

The Act does however, provide for non-metropolitan Councils to nominate an alternative (substitute) public holiday to Melbourne Cup Day, if they wish. S8 (3) states:

*(3) A non-metropolitan Council may request in writing that the Minister make a declaration under subsection (1) -*

*(a) that the day appointed under section 6 being the first Tuesday in November (Melbourne Cup Day) is not in a specified year such a public holiday in the municipal district of that Council; and*

*(b) that another day be appointed as a public holiday in that year.*

*(4) A request under subsection (3) -*

*(a) may only be made at least 90 days before the Melbourne Cup Day to which the request relates; and*

*(b) may only be made for the whole of the municipal district of that Council; and*

*(c) must specify the day of the substituted public holiday.*

Following the 2008 changes to the Act a small number of non-metropolitan Councils have on an annual basis declared substitute days. Ballarat Council in 2010 determined that Ballarat Show Day be declared a Melbourne Cup substitute public holiday.

### **ISSUE / DISCUSSION**

In 2010 and 2011 the Hepburn Shire substituted the Melbourne Cup Public Holiday with the Ballarat Show Day for the townships and surrounding localities of Clunes, Creswick, Smeaton and Newlyn in Hepburn Shire.

Anecdotal feedback received indicates that the Ballarat Show Day Public Holiday worked well for the townships and localities in this part of the shire coinciding with the closure of local schools observing the same holiday.

A letter was recently received from the Hon Louise Asher MP Minister for Innovation, Services and Small Business, Minister for Tourism and Major Events, reminding council that Council is able to make alternative local public holiday arrangements in lieu of Melbourne Cup Date (refer Attachment 2).

Council would need to make any request to the Minister at least 90 days prior to Melbourne Cup Day, and the request would need to specify:

- The area or areas in the municipality subject to the proposed substitute arrangements;
- The nominated day or two half-days in lieu of Melbourne Cup Day; and
- The reason for the request.

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

Part-Shire holiday arrangements relevant to the activities of a community support communities and localities to be Healthy Safe and Vibrant Communities in line with the Hepburn Shire Council Plan 2009-2013.

### **FINANCIAL IMPLICATIONS**

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

Hepburn Shire Council Staff based in the part-Shire area observed the Ballarat Show Day in 2010 and 2011 with no implication for the organisation.

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

### **RISK IMPLICATIONS**

There are no identifiable risks associated with Council choosing to substitute the 2012 Melbourne Cup Public Holiday with 2012 Ballarat Show Day.

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

No implications identified.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council's decision will be duly advertised in *The Advocate*, the Ballarat Courier and Maryborough newspapers.

## **CONCLUSION**

Part-Shire holiday arrangements appeared to be received in 2010 and 2011 with little impact. It would seem reasonable that Council continues with this practice in 2012.

## **OFFICER'S RECOMMENDATION**

10.2.1 That Council writes to the Minister requesting that the Minister makes a declaration substituting the 2012 Melbourne Cup Public Holiday with the 2012 Ballarat Show Day for the townships and surrounding localities of Clunes, Creswick, Smeaton and Newlyn in Hepburn Shire.

## **MOTION**

*10.2.1 That Council writes to the Minister requesting that the Minister makes a declaration substituting the 2012 Melbourne Cup Public Holiday with the 2012 Ballarat Show Day for the townships and surrounding localities of Clunes, Creswick, Smeaton and Newlyn in Hepburn Shire.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried.**



**ATTACHMENT 2 - *Public Holidays Act 1993***  
**Letter from Minister for Innovation, Services and Small Business**  
**Minister for Tourism and Major Events**



**Minister for Innovation, Services and Small Business  
Minister for Tourism and Major Events**

**HEPBURN SHIRE COUNCIL**

File No: Foc/10/2854

Rec'd Date **28 MAR 2012**

Rec'd By: PS

Action By: P. Reeve

Reg No: \_\_\_\_\_

121 Exhibition Street  
Melbourne Victoria 3000  
GPO Box 4509  
Melbourne Victoria 3001  
Telephone: (03) 9651 9900  
Facsimile: (03) 9651 9962

Cr Sebastian Klein  
Mayor  
Hepburn Shire Council  
PO Box 21  
DAYLESFORD VIC 3460

Dear Councillor

*cc. Cr Klein*

**PUBLIC HOLIDAYS ACT 1993**

As you would be aware, last year the Victorian Government amended the *Public Holidays Act 1993* to restore to regional Councils the ability to make alternative local public holiday arrangements in lieu of Melbourne Cup Day.

Accordingly, I am writing to remind you that your Council is now able to nominate a full day public holiday or two half-day public holidays in order to observe one or more local agricultural and pastoral shows or regional race days.

These local arrangements may be for the whole or for part of your Shire.

Your Council would need to make any request to me at least 90 days prior to Melbourne Cup Day, and the request would need to specify:

- the area or areas in the municipality subject to the proposed substitute arrangements;
- the nominated day or two half-days in lieu of Melbourne Cup Day; and
- the reason for the request.

A half-day on Melbourne Cup Day itself may be one of these two half-day public holidays, if that is your preference.

Those municipalities or areas of a municipality not subject to a substitution arrangement will continue to automatically receive the Melbourne Cup Day public holiday on the first Tuesday in November.

Should you have wish to further discuss this matter please contact Ms Barbara Cullen, Manager Small Business Policy in the Department of Business and Innovation on 9651 9214.

Yours sincerely

**THE HON LOUISE ASHER MP**  
Minister for Innovation, Services and Small Business  
Minister for Tourism and Major Events

cc Ms Kaylene Conrick, CEO, Hepburn Shire Council



**10.3. CANCELLATION OF ROAD RESERVE LICENCE – OFF GLEESON STREET, LYONVILLE**  
**GENERAL MANAGER INFRASTRUCTURE**

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

**PURPOSE**

To consider the cancellation of a Department of Sustainability (DSE) licence over an unused road reserve,

**BACKGROUND**

The legal point of access to CAs 1, 2, 3, 4, 5 & 6, Section 18, Parish of Lyonville, located off Gleeson Street, Lyonville is from road reserves that are currently under a DSE licence.



The owner of the property has requested that the existing Department of Sustainability licence over the reserve to the north be cancelled so as to re-establish the point of access.

## **ISSUE / DISCUSSION**

The road reserve is unmade and is the most direct point of access to the applicant's property, which is undeveloped.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Under the provisions of *section 407 Land Act 1958 "Re-opening of licensed closed road or water frontage"* if Council considers that it is in the public interest that an existing licence under section 130 of the Land Act be varied or cancelled, it may do so by informing DSE.

## **FINANCIAL IMPLICATIONS**

At this point in time there are no road construction requirements or obligations on the land owner or Council. Such requirements may be made at the time of any future development of the land.

## **RISK IMPLICATIONS**

The new point of access at Gleeson Street is located just around a bend. However clearance of some vegetation (requiring permits) would provide adequate sight distance.

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

Nil.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

As provided for under the Land Act, DSE are required to provide three months notice to the licence holder of the proposal to cancel the licence.

Written consent from the adjacent land owners was also received as part of the formal request.

## **CONCLUSION**

Council has received a request to consider the cancellation of an existing license over an unused road reserve in order to reinstate legal access for CAs 1, 2, 3 & 4, Section 18 and PC372113, Parish of Lyonville. As the road reserve is the most appropriate point of access to the applicant's property, the request is appropriate and is recommended for approval.

## **OFFICER'S RECOMMENDATION**

10.3.1 That Council informs the Department of Sustainability and Environment that the road reserve north of CAs 1, 2, 3 & 4, Section 18 and PC372113, Parish of Lyonville is required for public access and requests that the current licence be cancelled.

## **MOTION**

*10.3.1 That Council informs the Department of Sustainability and Environment that the road reserve north of CAs 1, 2, 3 & 4, Section 18 and PC372113, Parish of Lyonville is required for public access and requests that the current licence be cancelled.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried.**



#### **10.4 PROPOSED VEHICLE WEIGHT LIMIT - MULLERS LANE, SMEATON GENERAL MANAGER INFRASTRUCTURE**

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

##### **PURPOSE**

To implement the introduction of a vehicle load limit over Mullers Lane, Smeaton between Beaconsfield Road and the Daylesford-Clunes Road.

##### **BACKGROUND**

Mullers Lane has been subject to an increase in heavy vehicle traffic resulting in significant damage to the road pavement.

To limit continued damage to the road and improve road safety it is proposed that a vehicle load limit be placed over the road.

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

Mullers Lane is a 1.2km long Local Access sealed road under Council's road hierarchy that runs between Beaconsfield Road and the Daylesford-Clunes Road. The seal is typically 3.7m wide with narrow shoulders. The alignment is undulating, narrow and the road is not suitable for heavy vehicles. A low level watercourse crossing of Birch Creek is also present.

The purpose of the road is to provide property access for local farms. However the road is being used as a short cut by locally generated heavy vehicle traffic due to the bridge load limit on the Creswick-Lawrence Road.

At its meeting on 21 February 2012, Council resolved to declare its intent to place an 8 tonne load restriction on Mullers Lane and invite submissions from the community regarding the proposal.

Following the formal advertising and notification of adjacent land owners only one submission was received.

This submission was expressing support for the proposal.

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

A Council, under the provisions of the Local Government Act 1989 Section 207 Powers of Council over traffic, Schedule 11 (12)(1), may "... *prohibit, restrict the use of a road by any motor vehicle of, or over, a certain size or weight*".

In exercising this power Council must consider any submissions received in accordance with Section 223 of the Local Government Act 1989.

### **FINANCIAL IMPLICATIONS**

Cost of supply and installation of signage is minimal and long term road maintenance costs are expected to decrease for Mullers Lane following the completion of repairs under the flood recovery program.

### **RISK IMPLICATIONS**

Should no action be taken the risk of continued road damage resulting in escalating repair costs and decreasing levels of service to road users is highly likely.

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

The introduction of a weight limit will reduce the damage currently being caused by heavy vehicles and direct the vehicles to roads that are more capable of carrying commercial vehicles.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

In accordance with Section 223 of the Local Government Act 1989 Council invited submissions on the proposal by placing a public notice in a local paper and formally writing to adjoining land owners.

### **CONCLUSION**

At its meeting on 21 February 2012, Council resolved to declare its intent to place an 8 tonne load restriction on Mullers Lane and invite submissions from the community regarding the proposal.

Following the prescribed notification period of 28 days, only one submission was received in favour of the proposal. No submissions objecting to the proposal were received.

Council may now proceed with the introduction of the proposed weight restriction.

### **OFFICER'S RECOMMENDATION**

That Council:

- 10.4.1 Under the provisions of the Local Government Act 1989 Section 207 Powers of Council over traffic, Schedule 11 (12)(1), restrict the use of any motor vehicle over 8 tonne GVM on Mullers

Lane with an exemption for emergency vehicles and that the appropriate signage be installed.

- 10.4.2 If required, make provision for permits to local farmers for the use of vehicles exceeding the stated load restriction to be issued by the General Manager Infrastructure where appropriate.

### **MOTION**

*That Council:*

- 10.4.1 *Under the provisions of the Local Government Act 1989 Section 207 Powers of Council over traffic, Schedule 11 (12)(1), restrict the use of any motor vehicle over 8 tonne GVM on Mullers Lane with an exemption for emergency vehicles and that the appropriate signage be installed.*
- 10.4.2 *If required, make provision for permits to local farmers for the use of vehicles exceeding the stated load restriction to be issued by the General Manager Infrastructure where appropriate.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Neil Newitt

**Carried.**

## **10.5 COMMUNITY GRANTS ROUND 2 (2011-2012) 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 to recommend the allocation of Round 2 (2011-2012) Community Grants.

### **BACKGROUND**

Twice each year Council has the opportunity, through its Community Grants Program, to directly support the work of community groups and organisations as well as provide the chance for new innovations.

Round 2 (2011-2012) Community Grants opened on 1 February 2012 and closed on 23 March 2012. The availability of Community Grants was advertised in *The Advocate* and on Council's webpage. The Community Grants Program was also promoted through e-mail distribution lists.

A total of 40 applications were received compared with 25 in Round 1 (2011-2012). Three applications were received for projects in Trentham, 16 Daylesford, and 11 Creswick, 3 for Clunes, 2 for Hepburn and 2 for Glenlyon. Single applications were received for projects in Campbelltown, Clydesdale and Porcupine Ridge.

### **ISSUE / DISCUSSION**

#### **Round 2 Allocations**

The 40 applications received were assessed by a representative of the Recreation Advisory Committee, a former member of the Culture and Arts Advisory Committee (nominations are currently being sought for this Committee) and Manager Community Development. The Assessment Report, including funding recommendations is attached (refer Attachment 3).

Grant applications were assessed against the following criteria:

1. Description of project 10%
2. What will this project address? 25%
3. What will the project achieve? 25%
4. How will the project be implemented and who will be doing it? 20%

5. How will risk and safety issues associated with the project be assessed?  
10%

6. Financial details – income and expenditure budget 10%

The recommended Community Grant allocation for Round 2 (2011-12) is \$19,997. A summary of projects and recommendations is attached (refer Attachment 3).

### **Small Equipment Requests for Defibrillators**

Each year approximately 1% of the Australian population suffers from Sudden Cardiac Arrest (SCA). Most of these are the result of Cardiovascular Disease (usually over 30 years of age).

The theory behind providing sporting clubs with defibrillators is that evidence suggests that a person who suffers from SCA and is administered defibrillation within the first 10 minutes has a 70% increased survival rate.

Council has received a number of requests from sporting clubs seeking funding for the purchase of a defibrillator.

Currently there is a \$500 limit on Small Equipment grants through Council's Community Grants Program. It is proposed that this limit be increased to \$1,000 for Small Equipment Grants - Defibrillators, to assist with the purchase of this equipment.

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

*We will create healthier, safer, more vibrant communities.*

### **FINANCIAL IMPLICATIONS**

Council has allocated \$40,000 in the 2011-2012 budget for the Community Grants Program. Round 1 (2011-2012) expended \$19,620.

### **RISK IMPLICATIONS**

All applicants are required to identify how project risk and safety issues will be managed.

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

Community Grants support projects by volunteer community groups which strengthen community resilience and connection.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Round 2 (2011-2012) Community Grants were advertised in *The Advocate*, on Council's webpage and through community newsletters and email distribution lists.

## **CONCLUSION**

The recommended projects support the objectives of the Community Grant Guidelines.

## OFFICER'S RECOMMENDATION

That Council:

10.5.1 Awards the community grants for Round 2 (2011-2012), as recommended, to:

Maryborough Football League/ Trentham Football Club	\$500
Daylesford Rideability	\$260
Daylesford Girl Guides	\$252
Creswick Park Lake Reserve	\$500
Creswick Neighbourhood Centre	\$1,885
Anglican Church Daylesford	\$500
Daylesford Soccer Club	\$500
Glenlyon Action Group	\$2,000
Daylesford & District Historical Society	\$500
Trentham Golf Club	\$500
Creswick Lighthorse Youth	\$1,000
Creswick Museum	\$2,000
Clunes Preschool	\$2,000
Daylesford Highland Gathering	\$500
Spa Country Events	\$950
Acoustic Session	\$2,000
Glenlyon Recreation Reserve	\$350
Cornish Hill, Daylesford	\$800
Clunes Play Group	\$500
Creswick Brass Band	\$500
Daylesford Brass Band	\$500
Hepburn U3A	\$1,000
Trentham Station	\$500

10.5.2 Amends the 2012-2013 Community Grants program to allow applications through the Small Equipment Grant type of up to \$1,000 to support the purchase of defibrillators.

**MOTION**

*That Council:*

10.5.1 *Awards the community grants for Round 2 (2011-2012), as recommended, to:*

<i>Maryborough Football League/ Trentham Football Club</i>	<i>\$500</i>
<i>Daylesford Rideability</i>	<i>\$260</i>
<i>Daylesford Girl Guides</i>	<i>\$252</i>
<i>Creswick Park Lake Reserve</i>	<i>\$500</i>
<i>Creswick Neighbourhood Centre</i>	<i>\$1,885</i>
<i>Anglican Church Daylesford</i>	<i>\$500</i>
<i>Daylesford Soccer Club</i>	<i>\$500</i>
<i>Glenlyon Action Group</i>	<i>\$2,000</i>
<i>Daylesford &amp; District Historical Society</i>	<i>\$500</i>
<i>Trentham Golf Club</i>	<i>\$500</i>
<i>Creswick Lighthorse Youth</i>	<i>\$1,000</i>
<i>Creswick Museum</i>	<i>\$2,000</i>
<i>Clunes Preschool</i>	<i>\$2,000</i>
<i>Daylesford Highland Gathering</i>	<i>\$500</i>
<i>Spa Country Events</i>	<i>\$950</i>
<i>Acoustic Session</i>	<i>\$2,000</i>
<i>Glenlyon Recreation Reserve</i>	<i>\$350</i>
<i>Cornish Hill, Daylesford</i>	<i>\$800</i>
<i>Clunes Play Group</i>	<i>\$500</i>
<i>Creswick Municipal Brass Band</i>	<i>\$500</i>
<i>Daylesford Community Brass Band</i>	<i>\$500</i>
<i>Hepburn U3A</i>	<i>\$1,000</i>
<i>Trentham Station</i>	<i>\$500</i>

10.5.2 *Amends the 2012-2013 Community Grants program to allow applications through the Small Equipment Grant type of up to \$1,000 to support the purchase of defibrillators.*



**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Janine Booth

**Carried.**

**ATTACHMENT 3 - COMMUNITY GRANTS ROUND 2 (2011-2012)  
SUMMARY OF PROJECTS AND RECOMMENDATIONS**

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
<b>Recommended</b>					
Maryborough Castlemaine District FNL	MCDFNL Defibrillator Scheme	Small Equipment	The MCDFNL seek to provide all 14 member clubs with life saving defibrillation units at each venue. This contribution to go towards Trentham Sportsground.	81	\$500
Daylesford Rideability	First Aid Kits & UV sunblock supply	Small Equipment	To provide a sporting first aid kit for the dressage arena/work area and a portable first aid kit for use at the mounting area	80	\$260
Daylesford District Girl Guides	Replacement of old kitchen appliances in Guides Hall kitchen.	Small Equipment	Replace frying pans, electric beaters etc.	79	\$252
Friends of Creswick's Park Lake Botanical Reserve	Picnic benches & seating for Park Lake - Castlemaine Rd	Small Equipment	Many people stop on the Castlemaine Rd but there is no provision for them to picnic while taking a break from driving by installing two benches this problem would be overcome	79	\$500
Creswick Neighbourhood Centre	Creswick Sustainable Community Food Garden	Community Strengthening	The project will expand, improve and revitalise the established community garden which has been developed over the past 2 1/2 years with the input of many hundreds of hours work by local volunteer gardeners	75	\$1,885
Anglican Parish of Daylesford	The 5,000 Club	Community Strengthening	Church holds a weekly free lunch for the community for those who do not have the income to eat healthy meals	74	\$500
Daylesford and Hepburn United Soccer Club	Transition to Victoria Park Equipment Purchase	Small Equipment	The Daylesford Soccer Club is going through a transition from the previous home at Dean to Victoria Park in Daylesford this will enable greater community participation and access to soccer. Will purchase line marker, new junior soccer goals and new balls.	72	\$500
Glenyon Action Group	Glenyon Community Dance 2012	Community Strengthening	The project is to start a tradition in the historic Glenlyon Hall for old and young to mix and mingle	72	\$2,000
Daylesford & District Historical Society Inc	Purchase of Photocopier	Small Equipment	Purchase of photocopier to replace the now unrepairable machine & 1 year of service	71	\$500
Trentham Golf Club	Defibrillator Purchase and Installation	Small Equipment	To purchase and install a HeartStart First Aid defibrillator in the Trentham Golf Club	71	\$500

Creswick Museum	The Lindsays	Arts & Culture	An exhibition celebrating the life ,the art and the great contribution to Creswick and the nation made by the family of Robert and Jane Lindsay	70	\$2,000
Clunes & District PreSchool Inc.	Clunes Preschool Edible Playscape	Community Strengthening	Further develop preschool grounds e.g. Chicken run, planting fruit trees, plants, vegetables etc	68	\$2,000
Daylesford Highland Gathering Committee Inc	Purchase Equipment	Community Events	Purchase of small marquee to be able to accommodate judges and officials and their equipment to enable them to carry out their duties regarding the various Pipe Band and Scottish dancing competitions conducted on the day of the Higland Gathering. Marquee will be shared with other events.	67	\$500
Spa Country Events Inc ( Trading as Words in Winter )	Words in Winter Family Day	Arts & Culture	Words in Winter Family Day is a one day festival of literature ,storytelling and creative expression for children and their families in the Hepburn Shire	67	\$950
Acoustic Sessions	Daylesford spring Folk Blues Fest	Arts & Culture	The Daylesford Spring Folk Blues Fest will provide quality entertainment and workshops to residents, local youths and aspiring mature age musicians.	66	\$2,000
Glenlyon Recreation Reserve	First Aid Kits	Small Equipment	To provide a static First Aid Kit in the kitchen area and also a major backup kit for the office	65	\$350
Clunes Playgroup Association Inc	Cubby House for preschoolers at Clunes Playgroup	Small Equipment	The cubby house would be installed by the Clunes playgroup at the Clunes Health Centre and utilised by our members and family daycare children who also use these grounds.	64	\$500
Friends of Cornish Hill	School Planting at Cornish Hill	Community Strengthening	Friends of Cornish Hill aims to engage community partners to broaden the understanding & support for the restoration of habitat and biodiversity on Cornish Hill	64	\$800
Creswick Brass Band	ICT Upgrade	Small Equipment	The band intends to purchase a new computer to manage band inventory and business	60	\$500
Creswick Youth Alliance (Inc)	Boer War Celebrations & Reserve Forces Day Melbourne Shrine of Remembrance	Community Events	The Creswick RSL Light Horse Troop is a re-enactment Troop of the Australian Light Horse of WW1	60	\$1,000
Daylesford Community Brass Band	Instruments for Learners and Junior Band	Small Equipment	To start a learners class as part of our 150th year anniversary, musical equipment required for the use of new pupils	59	\$500

U3A Hepburn Shire Inc	Blooming Art	Community Events	Local Creative people will provide flower displays which compliment artworks in the Convent Gallery and community groups will provide flower displays which will be displayed in local business windows	59	\$1,000.00
Friends of Trentham Station	Visitor Amenities at Trentham Historic Railway Station	Small Equipment	A project to provide a covered area over the BBQ and Cafe areas and to provide fixed seating and tables for visitors and stallholders	58	\$500.00
					\$19,997.00
<b>Not Recommended</b>					
Daylesford Home Educators	Performing Arts, Physical Education and Social Skills	Small Equipment	To purchase of sporting equipment for Daylesford Home Educators to allow home educated children to equipment that specifically targets key learning areas. <b>Reason</b> - Group not currently auspiced, would be a stronger application if the project linked with both home educators and broader community.		
Daylesford Secondary College	Cyber Safety Solutions	Community Strengthening	The project is designed to draw many aspects of the community together to look at cyber responsibility and possible solutions. <b>Reason</b> - Project being funded through Council youth area.		
Hepburn Wildlife Shelter Inc	Vegies for Wildlife	Community Strengthening	The Hepburn Wildlife Shelter would like to create a permaculture garden to help with the provision of fresh fruit for the injured native animals and birds in their care. <b>Reason</b> - Really a small equipment grant, not a strong community benefit.		
Clunes Neighbourhood House Inc	Building the Clunes Men's Shed Community	Community Strengthening	A series of facilitated mens shed meetings/workshops with interested participants will be conducted to identify the vision, direction and purpose of the Clunes Men's Shed. <b>Reason</b> - Strategic planning for the men's shed not seen as a strong need. Greater engagement required with community.		
Creswick Garden Club	Concrete slab for garden shed	Community Strengthening	The project is to have a concrete slab laid on a new site for the Creswick garden club's storage shed. <b>Reason</b> - Application lacking detail, no information on new shed site or re-erection of new shed.		
Daylesford Community Church	Daylesford Gospel Music & Art Festival	Arts & Culture	The Daylesford Gospel Music & Art Festival is an exciting project that the local churches of Daylesford have united to host .It will bring together a broad range of local community members as well as talented performers, singers, artists and entertainers. <b>Reason</b> - Application lacking detail that all churches are engaged in this project.		
Daylesford Home Educators	Our Place - a Journey to Cultural Awareness through Indigenous and Western Arts and Crafts	Arts & Culture	An art, craft, music and story telling project for local home educated children aged 5-12 designed to develop cultural awareness and explore our local environment from indigenous and western perspectives. <b>Reason</b> - Not auspiced and sporting equipment not accessible to broader community.		

Creswick & District U3A	Purchase of Digital Projector	Small Equipment	To Purchase a digital projector for use in classes at the library neighbourhood house & Clunes neighbourhood house. <b>Reason</b> - Poor application. Application not signed, budget not completed and lacking detailed information		
Daylesford & District Food AIO	Locker Acquisition	Small Equipment	To provide lockers for volunteers to safely store valuables whilst volunteering in the foodbank. <b>Reason</b> - Application lacking detail.		
Ballarat Sebastopol Cycling Club	Fred Icke Cycling Road Race	Community Events	The club aims to grow the number of participants both senior and junior competing in this long running event. <b>Reason</b> - Not a suitable use of community grant funding.		
Creswick & District Historical Society	Publishing of the book Gold at Slaty Creek	Small Equipment	The project is to publish the latest work by historian David Henderson. <b>Reason</b> - Sale of book will earn income yet no income demonstrated in the budget. Project not seen as a broad community need.		
Creswick Neighbourhood Centre in partnership with Creswick Men's Shed	A Building for Our Children	Community Strengthening	A building for Our Children will create an ever changing creative construction kit for the young people and children of our community. <b>Reason</b> - Neighbourhood centre has already received funding for their priority project through this round.		
Porcupine Ridge Country Fire Authority (CFA)	Seeing things close up	Small Equipment	Porcupine Ridge CFA would like to purchase a set of new binoculars to improve the equipment currently available to its volunteer fire fighters. <b>Reason</b> - Not in scope of this program, fundraising a better option.		
Creswick Neighbourhood Centre as Auspicing body	Pita-Pata Winter Garden Cocoons	Arts & Culture	Winter Garden cocoons is an artistic collaboration between artists Emma Pryse & Rebecca Russell and pre-school children and their parents to create sculptural play structures. <b>Reason</b> - Neighbourhood centre has already received funding for their priority project through this round.		
Daylesford Community Op Shop	Provision of fire protection & signage	Small Equipment	The Community Op Shop meets recycling / sustainable standards of reusing household items. <b>Reason</b> - More appropriate funding sources available.		
Campbelltown Recreation & Public Hall Reserve Committee	Fly Wire Screens for windows & fly wire door	Small Equipment	To keep out flies etc when windows and doors are opened for ventilation. <b>Reason</b> - Application lacking detail		
Clydesdale Hall Committee	Vacuum Cleaner	Small Equipment	The vacuum cleaner would greatly assist the committee in maintaining the hall in a clean and presentable state. <b>Reason</b> - Application lacking detail		
St Michael's Primary School	St Michael's Spring Fete	Community Events	The St Michael's Primary School Spring Fete is a bi-annual event held this year on the Melbourne Cup Weekend and a major fundraiser for the school. <b>Reason</b> - Fete already makes considerable fundraising for the school.		

## **10.6 B-DOUBLE PERMIT – ASCOT ROAD, CRESWICK GENERAL MANAGER INFRASTRUCTURE**

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

### **PURPOSE**

To consider the renewal of consent for an existing B-double permit issued for Ascot Road, Creswick.

### **BACKGROUND**

Council provided consent for low frequency B-Double access to Ascot Road Creswick on 14 September 2009.

Council consent is issued for a one year duration and the applicant has requested renewal of the permit.

### **ISSUE / DISCUSSION**

The purpose of B-Double access is to facilitate housing of the truck at the applicant's place of residence after interstate trips to aid security of the vehicle. It is intended as low frequency access as there are only two trips made each month resulting in four movements each month.

The road is not intended to be used as a haulage route and the vehicle will generally be unloaded when making use of Ascot Road.

Council's practice has been to issue consent for permits for a 12 month period and this consent would be provided for a period of 15 May 2012 to 14 May 2013.

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

The Council Plan 2009-2013 states "*We will help improve economic prosperity*". This request is considered under this commitment.

B-Double trucks are required to hold a permit issued by Vic Roads subject to the consent of the local municipality to operate on local roads which would include Ascot Road, Creswick.

### **FINANCIAL IMPLICATIONS**

Due to the minimal expected B-Double movements, this consent is not expected to have significant impact on the road over existing conditions.

### **RISK IMPLICATIONS**

No specific risks are believed to be associated with granting consent for this infrequent use.

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

The Council Plan 2009-2013 states *"We will help improve economic prosperity"*. This request is considered under this commitment.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The request is to effectively continue the current arrangement and is not expected to have any significant implications for the community.

### **CONCLUSION**

Council has been requested to renew consent for low frequency B-Double access on Ascot Road, Creswick to facilitate housing of the truck at place of residence after interstate trips to aid security of the vehicle.

The request is to effectively continue the current arrangement and is not expected to have any significant implications for the community.

### **OFFICER'S RECOMMENDATION**

10.6.1 That Council consents to the issue of a permit, valid for 12 months from 15 May 2012 to Mr Brendan Martin to operate a B-Double in Ascot Road, Creswick

### **MOTION**

10.6.1 *That Council consents to the issue of a permit, valid for 12 months from 15 May 2012 to Mr Brendan Martin to operate a B-Double in Ascot Road, Creswick.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried.**



## **10.7 HEPBURN PLANNING SCHEME REVIEW – AMENDMENT C56 GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the Manager Planning, I Justin Fiddes, have no interests to disclose in this report.*

### **PURPOSE**

This report seeks council approval to exhibit Amendment C56 – the review and re-write of the Local Section of the Hepburn Shire Planning Scheme.

### **BACKGROUND**

The Municipal Strategic Statement (MSS) is an integral part of every Planning Scheme in Victoria and includes the MSS and Local Policies. The MSS is the 'opening statement' to a Planning Scheme and is designed to express Council's planning and sustainability objectives and the means to achieve them for a municipality.

The importance of the review process is reflected in the requirement for planning authorities to formally review the MSS every three years however the requirement is now to review the planning scheme under Section 12B (1) of the Planning and Environment Act 1987 and this is generally to occur every four years.

Council has completed stage 1 of the review process which involved reviewing the current performance of the planning scheme resulting in the Data & Literature Review Report.

Council consulted the community to seek their expectations and views about planning and how it can be improved. Key stakeholders such as government agencies and other Council departments were consulted.

Following the Data Review and Consultation tasks, Council was required to undertake a planning scheme audit to be documented in the Review Report.

The Review Report was presented to Council at its Ordinary Meeting 17 July 2011. Council resolved to:

- *note and accept the Hepburn Planning Scheme Review report.*
- *seek the approval of the Minister for Planning to prepare an amendment to the Hepburn Planning Scheme – Municipal Strategic Statement.*

## ISSUE/DISCUSSION

The next phase of the Hepburn Planning Scheme Review required the Council to implement the findings and outcomes of all reports and all the required amendment documentation for exhibition to provide an opportunity to receive submissions on the amendment.

Council was required to re-write the Local Policies using the above-mentioned reports and in accordance with the Practice Note, *Strategic Assessment Guidelines for Planning Scheme Amendments*. The re-write methodology is summarised below:

- a re-write of the Hepburn Planning Scheme – MSS, including drafting of new strategic framework plans;
- revise and rewrite Clause 22, local policies and overlay schedules as required and;
- preparation of the Planning Scheme Amendment to insert the new and revised Local Planning Policy Framework (LPPF) including the MSS, local policies and overlays

**A copy of the amendment documents is provided under separate cover (refer Attachment 4).**

## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Hepburn Shire Council is obliged to review its Planning Scheme under Section 12B (1) of the Planning and Environment Act 1987. Pursuant to Section 12B (1) (a) such reviews are to occur no later than one year after each date by which a municipality is required to approve a Council Plan under section 125 of the Local Government Act 1989.

### Council Plan 2009-2013

#### Commitments

10. Stronger residential investment in Hepburn Shire by reviewing the Hepburn Planning Scheme to create a wider, more attractive, environmentally sustainable range of property, housing and lifestyle choices that will increase our total rate revenue by more than 1% each year.
17. Embracing community knowledge and expertise to help guide decision making and implementation.
26. Protecting our farms from encroaching and inappropriate development and/or land uses and fostering agricultural diversity through the Hepburn Planning Scheme.

27. Facilitating the continued growth of farm-gate sales, farmers markets and organic businesses through marketing strategies and planning controls.
30. Ensuring the Council's heritage controls, neighbourhood character guidelines, urban design frameworks and eco-tourism strategies balance the protection of the essential tourism features of the Shire with economic development.
37. Using the review of the Hepburn Planning Scheme and the Municipal Strategic Statement to explore options and business precinct opportunities which maximise infrastructure utilisation and promote local resource sharing and complementary business activity.
48. Reviewing our Planning Scheme to provide for different housing and lifestyle choices which are more resilient, less dependent, environmentally sustainable and socially cohesive.
71. Including new planning provisions in the Hepburn Planning Scheme to improve biodiversity and habitat preservation.

### **FINANCIAL IMPLICATIONS**

There is budget allocation in 2011-2012 for the review of the Hepburn Planning Scheme Review. The 2012-2013 draft Budget has allocation for the completion of the amendment including for the provision of the planning panel.

Further allocations in future budget cycles will be required for the identified future work.

### **RISK IMPLICATIONS**

In accordance with best practice and as required under Section 12B (1) of the *Planning and Environment Act 1987* council must review its planning scheme. Council must publicly exhibit the re-write of the Hepburn Shire Planning Scheme to seek submissions from the community/government agencies and others before making any recommendations or seeking possible changes through Council.

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

The local policy content of the planning scheme should be consistent with the State Planning Policy Framework. The MSS should reflect the community's current expectations in terms of environmental/social and economic direction and assist in guiding development in the shire now and for the future.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The review report was the subject of significant community consultation.

Council will formally exhibit the amendment documents - Hepburn Planning Scheme MSS and Local Policy review for a period of 30 days.

## **CONCLUSION**

Council has undertaken key stakeholder, agency and community consultation. The MSS and Local Policy has been re-written and the amendment documents have been prepared. The next step is to publicly exhibit the amendment documents to receive submissions.

## **OFFICER'S RECOMMENDATION**

10.7.1 That Council resolves to note the amendment documents and proceeds to place Amendment C56 – Hepburn Planning Scheme Review on exhibition for a period of 30 days.

## **MOTION**

*10.7.1 That Council resolves to note the amendment documents and proceeds to place Amendment C56 – Hepburn Planning Scheme Review on exhibition for a period of 30 days.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Bill McClenaghan

**Carried.**



**ATTACHMENT 4 - HEPBURN PLANNING SCHEME REVIEW –  
AMENDMENT C56 DOCUMENTS  
(Issued Under Separate Cover)**

**10.8 RECORD OF ASSEMBLIES OF COUNCILLORS – APRIL 2012**  
**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 April 2012.

**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>
3 April 2012	Council Chamber, Daylesford	Councillor Briefing
10 April 2012	Council Chamber, Daylesford	Councillor Briefing
11 April 2012	Doug Lindsay Community Facility	Doug Lindsay Reserve and Community Facility Management Advisory Committee
16 April 2012	Creswick RSL	Creswick Ward Community Committee
17 April 2012	Creswick Senior Citizens' Centre	Councillor/CEO Meeting
17 April 2012	Creswick Senior Citizens' Centre	Pre Council Meeting
20 April 2012	Daylesford Museum	Heritage Advisory Committee

30 April 2012	Daylesford Secondary College	ARC Advisory Committee
30 April 2012	Daylesford Town Hall	Community Budget Information Session

**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 Assemblies 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**

10.8.1 That the information be received.

**MOTION**

*10.8.1 That the information be received.*

**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Neil Newitt

**Carried.**





**ATTACHMENT 5 - RECORD OF ASSEMBLIES OF COUNCILLORS –  
APRIL 2012  
(Issued Under Separate Cover)**

## **11. COUNCIL SPECIAL COMMITTEES (SECTION 86)**

### **11.1. COUNCIL SPECIAL COMMITTEES (SECTION 86) 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 and recommendations of Special Committees are presented for consideration by Council.

#### **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 Creswick Museum Special Committee General Meeting 02/04/2012.
- Minutes from the Lee Medlyn Home of Bottles Special Committee General Meeting 04/04/2012.
- Minutes from the Clunes Museum Special Committee General Meeting 06/02/2012.

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

The following recommendations have been received by Council and are presented for Council to consider adopting:

- No recommendations received

#### **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 Special Committees (Section 86) listed above which have been distributed under separate cover.

## **MOTION**

- 11.1.1. *That Council notes the minutes of the Special Committees (Section 86) listed above which have been distributed under separate cover.*
- 11.1.2. *That Council sends a letter to the Special Committees listed in this report commending them for their actions in meeting their reporting requirements to Council.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Don Henderson

**Carried.**

**11.2. APPOINTMENT OF A MEMBER TO THE GLENLYON RECREATION RESERVE SPECIAL COMMITTEE  
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 provides Council with a recommendation for an additional member to be appointed to the Glenlyon Recreation Reserve Special Committee.

**BACKGROUND**

The Glenlyon Recreation Reserve Committee is responsible to administer, maintain and control the Glenlyon Recreation Reserve under delegation from Council.

Based on Council's register of special committees, the Committee had one less member than the minimum specified in the Instrument of Delegation. As such, a call for nominations for additional members to be appointed to the above Special Committee for a fixed term was undertaken via a public advertisement on Council's website, *The Glenlyon & District News* newsletter and in *The Advocate*.

This report presents the proposed nomination based on the application received.

**ISSUE/DISCUSSION**

The following nomination was received by the closing date for applications:

Applicant	Associations	Received
Kyle Barnes	- Background in tourism including prior visitor services coordinator with Hepburn Shire Council	11/04/2012

The application received has been provided to Councillors under separate cover.

As per the Instrument of Delegation for the Glenlyon Recreation Reserve Special Committee, a minimum of seven community members is required. The committee currently has six community members.

It is proposed to add Kyle Barnes as a member of the special committee in order to reach the minimum number required as outlined in the Instrument of Delegation.

Current members are appointed until 31 July 2013. The proposed term for the new member ends on 31 July 2015, to enable continuity of members in future appointments.

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

*Local Government Act 1989 – Council has the power to appoint members to Special Committees of Council.*

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

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

### **RISK IMPLICATIONS**

In order to achieve a fair and equitable appointment of additional members, a public call was made for nominations. Individuals who did not apply now will have an opportunity to apply in July 2013 when the term of current members expires.

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

No significant implications noted. These new members will be empowered to contribute to the work of the Glenlyon Recreation Reserve Special Committee in managing the reserve.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The call for nominations to the above Special Committee has been undertaken via a public advertisement on Council's website, in *The Glenlyon & District News* and *The Advocate*.

### **CONCLUSION**

Appointment of an additional applicant as a committee member will ensure the committee meets the minimum number of members as outlined in the Glenlyon Recreation Reserve Special Committee Instrument of Delegation.

## OFFICER'S RECOMMENDATION

That Council:

- 11.2.1 Resolves to appoint Mr Kyle Barnes as a member to the Glenlyon Recreation Reserve Special Committee for a period commencing on Tuesday 15 May 2012 until 31 July 2015.
- 11.2.2 Pursuant to Section 81(2A) of the Local Government Act 1989, exempts the above Special Committee member from being required to submit a primary return or ordinary return.

## MOTION

*That Council:*

- 11.2.1. Resolves to appoint Mr Kyle Barnes as a member to the Glenlyon Recreation Reserve Special Committee for a period commencing on Tuesday 15 May 2012 until 31 July 2015.*
- 11.2.2. Pursuant to Section 81(2A) of the Local Government Act 1989, exempts the above Special Committee member from being required to submit a primary return or ordinary return.*

**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Jonathan Barrell

**Carried.**

## **12. MINUTES OF ADVISORY COMMITTEES**

### **12.1. MINUTES OF ADVISORY 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**

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 from Advisory Committees, as provided by the Committees over the past month, for your information:

- Minutes from the Creswick Ward Community Committee 16/04/2012.
- Minutes from the Heritage Advisory Committee 20/04/2012.
- Minutes from the ARC Advisory Committee 20/04/2012.

These minutes have been provided to Councillors under 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**

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

## **MOTION**

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

**Moved:** Councillor Don Henderson  
**Seconded:** Councillor Jonathan Barrell  
**Carried.**



## **12.2. ADVICE FROM ARC ADVISORY COMMITTEE - FUTURE MANAGEMENT ARRANGEMENTS**

### **GENERAL MANAGER COMMUNITY SERVICES**

*This recommendation to Council is based on a resolution by the ARC Advisory Committee from a meeting on 30 April 2012.*

#### **PURPOSE**

The purpose of this report is to provide Council with advice from the ARC Advisory Committee about future management of the ARC and for Council to decide on management arrangements for 2012-2013 onwards.

#### **BACKGROUND**

The Daylesford ARC Indoor Recreation Centre commenced operation in 2007. Funding for this facility was provided by Hepburn Shire Council, Department of Education, Sport and Recreation Victoria and the Hepburn Shire community.

In the lead up to the facility being constructed a Joint Use Agreement was developed between Daylesford Secondary College (DSC), Department of Education and Hepburn Shire Council (HSC). This agreement runs for an initial term of 40 years with an option for extending a further 20 years. The Joint Use Agreement sets out the usage/access requirements for all groups, insurance requirements, areas of control, maintenance requirements, dispute measures and termination of the agreement.

In addition to the Joint Use Agreement, HSC conducted a Tender process for the management of the facility with the YMCA being the successful tenderer. Since commencing their role as facility managers the YMCA has lost considerable money each year. Currently Council provides a \$25,000 management fee/subsidy annually for managing the facility

Hepburn Shire Council's initial five year Contract with the YMCA to manage the facility ends Sunday 1 July 2012.

The ARC Advisory Committee has been investigating a variety of operational models for the Daylesford ARC which would allow further development for programming and use of the facilities as per the working vision articulated 31 July 2011 that:

*The Arts, Recreation and Culture precinct on Smith St, Daylesford - the ARC - will be a community managed shared-use facility whereby Daylesford Secondary College, Hepburn Shire Council and the community provide a*

*diverse, balanced and appealing mix of physical, cultural and social activities with maximum participation by the whole Hepburn Shire community.*

This would mean that the ARC would be:

- Utilised more often, by more people for a diverse range of activities
- Financially viable
- Owned by the Community

At its last meeting the ARC Advisory Committee discussed the various management options (refer Attachment 6 – ARC Management Options: Discussion Paper).

The Committee agreed that management by an existing Incorporated Association is the preferred management model. Daylesford Neighbourhood Centre (DNC) was considered by the Committee as an appropriate organisation to manage the ARC as it was seen to have capacity and expertise to do this successfully. DNC's reach in the community and existing partnerships with Daylesford Secondary College were also noted.

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

The ARC Advisory Committee recommends:

- 12.2.1 That the incorporated association is the preferred model and recommends that Hepburn Shire Council enter into an arrangement with Daylesford Neighbourhood Centre (DNC) to manage and develop the ARC in accordance with working vision articulated 31 July 2011. Council, DNC and Daylesford Secondary College will work together to develop this arrangement to the satisfaction of all parties.

Moved: Allan Wolf-Tasker

Seconded: Faye McLeod

Carried

## MOTION

*That Council:*

12.2.1. *Resolves to enter into an arrangement with Daylesford Neighbourhood Centre (DNC) to manage and develop the ARC in accordance with the working vision articulated 31 July 2011 that:*

*'The Arts, Recreation and Culture precinct on Smith Street, Daylesford – the ARC – will be a community managed shared-use facility whereby Daylesford Secondary College, Hepburn Shire Council and the community provide a diverse, balanced and appealing mix of physical, cultural and social activities with maximum participation by the whole Hepburn Shire community'.*

12.2.2. *Requests officers to work with DNC and Daylesford Secondary College and the ARC Advisory Committee to develop this arrangement to the satisfaction of all parties.*

12.2.3. *Notes that a further report to Council containing the proposed arrangements is required.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Janine Booth

**Carried.**



**ATTACHMENT 6 - ARC MANAGEMENT OPTIONS: DISCUSSION PAPER**

## ARC Management Options: Discussion Paper

### Vision for the ARC

The Arts, Recreation and Culture precinct on Smith St, Daylesford - the ARC - will be a community managed shared-use facility whereby Daylesford Secondary College, Hepburn Shire Council and the community provide a diverse, balanced and appealing mix of physical, cultural and social activities with maximum participation by the whole Hepburn Shire community (31-07-2011).

### What would that look like?

The ARC precinct is:

Utilised more often, by more people for a diverse range of activities

- Maintain and enhance sport and recreation programs
- Develop broader range of programs, arts and culture in other spaces e.g. Daylesford Enterprising Youth, theatre productions, events etc.

Financially viable

Owned by the Community

### What are the best governance arrangements to deliver vision?

Minimum Requirements:

- Clear need to effectively engage and be part of Daylesford and district community
- Ability to administer and develop the ARC precinct
- Collaboration and partnership between Council, School and other agency professionals to diversify operational practices

### Management Options:

#### Council management

Limited capacity, not owned by community.

#### Managed via contract

Does not address community vision, cumbersome.

#### Special Committee (Section 86) of Council

Description: Hepburn Shire Council (Council) delegates to the special committee established by resolution of Council the powers and functions set out in the Schedule (Pro forma attached).

Special Committees are required to submit minutes and the Instrument Delegation annually.

#### Incorporated association - new site specific

As set out in *Administering the Arts, Recreation and Cultural Precinct Paper* by Allan Wolf-Tasker 19 March, 2012 (Attached).

#### Incorporated association - existing locally based

Options - Daylesford Neighbourhood Centre, other?

Support for sport and recreation activities from recreation officer

Support for youth activities from Youth Development Coordinator

**Recommendation from ARC AC future management working group:** That the Incorporated Association is the preferred management model and the Advisory Committee consider the whether an existing locally based Association or a new site specific Association is preferred.

### **12.3. ADVICE TO COUNCIL FROM HERITAGE ADVISORY COMMITTEE MANAGER PLANNING**

*These recommendations to Council are based on resolutions by the Heritage Advisory Committee from a meeting on 20 April 2012.*

#### **PURPOSE**

The purpose of this report is to provide advice to Council from the Heritage Advisory Committee, an advisory committee to Council.

#### **BACKGROUND**

The Heritage Advisory Committee met on 20 April 2012 and resolved to recommend to Council the following motions.

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

That the Hepburn Shire Council Heritage Advisory Committee advises Council:

12.3.1 The Minutes of 17 February 2012 meeting were adopted with the following correction – Motion 10.3 should read:

That the Hepburn Shire Council Heritage Advisor be consulted and have direct input into the preparation of the Vincent Street Revitalisation Project.

Moved: Heather Mutimer    Seconded: Margaret Fullwood  
Carried.

12.3.2 Heritage Advisory Committee to set up a working group to work on the policies starting with the Heritage Policy and Heritage Loans Policy.

Moved: Michael Cheshire    Seconded: Margaret Fullwood  
Carried.

12.3.3 Council re-instate the budget allocation for Heritage Plaques as per the Heritage Plaques Policy.

Moved: Michael Cheshire    Seconded: Valda Catrice  
Carried.

12.3.4 Heritage Advisory Committee recommends that Council prepares a new and properly prepared nomination to the Heritage Council of

Victoria in an attempt to ensure that those buildings which constitute the “Daylesford Church precinct” (HO 0696 in the Hepburn Shire’s Heritage Overlay) are included in the Victorian Heritage Register, taking into consideration matters outlined in the Heritage Council’s decision dated 04 May 2009.

Moved: Heather Mutimer    Seconded: Lynette Wilson  
Carried.

12.3.5 Council provide training for conflict of interest for Section 86, Advisory Committee’s and other groups as desired.

Moved: Michael Cheshire    Seconded: Heather Mutimer  
Carried.

#### **MOTION**

*12.3.1. That Council receives and notes the recommendations from the Heritage Advisory Committee and officers to investigate and report on relevant items.*

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

**13. CLOSE OF MEETING**

**The Meeting closed at 7:27 pm.**

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