



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

TUESDAY 19 JUNE 2012

**DAYLESFORD SENIOR CITIZENS ROOM
VINCENT STREET
DAYLESFORD
5:30PM**

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**Hepburn Shire Council
Ordinary Meeting of
Council**



MINUTES

TUESDAY 19 JUNE 2012

Daylesford Senior Citizens Room

Vincent Street, Daylesford

Commencing 5:30PM

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AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
19 JUNE 2012

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

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

2. OPENING OF MEETING

PRESENT: Mayor Councillor Sebastian Klein, 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 arrived at 5:35 pm.

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, Manager Finance Anthea Lyons, Manager Risk Grant Schuster.

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”

Holcombe Ward Councillor Bill McClenaghan arrived at 5:35 pm.

3. APOLOGIES

Nil.

4. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Don Henderson declared an indirect conflict of interest in Item 9.1 – as his partner is the Secretary of the Creswick & District Residents Association which is the organisation petitioning Council.

Councillor Bill McClenaghan declared an indirect conflict of interest in Confidential Item 12.7 – Extension to Waste Services Contracts. As a local waste management operator/business owner it may be perceived that Cr McClenaghan has a conflict of interest because he knows and has a close working association with some of the contractors.

5. CONFIRMATION OF MINUTES

RECOMMENDATION

- 5.1. That the Minutes of the Ordinary Meeting of Council held on 15 May 2012 and the Minutes of the Special Meeting of Council held on 29 May 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 15 May 2012 and the Minutes of the Special Meeting of Council held on 29 May 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.

6. ITEM OF URGENT BUSINESS

PROCEDURAL MOTION

6.1.1. *That Council considers an Item of Urgent Business.*

Moved: Councillor Neil Newitt

6.2. REQUEST FOR LEAVE OF ABSENCE BY COUNCILLOR NEIL NEWITT

MOTION

6.2.1. *That Council grants a Leave of Absence to Councillor Neil Newitt from 30 June – 11 July 2012 inclusive.*

Moved: Councillor Neil Newitt

Seconded: Councillor Jonathan Barrell

Carried.

7. NOTICES OF MOTION

Nil.

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Sebastian Klein, Coliban Ward

Having been subjected to one of the most emotionally and physically gruelling experiences of my life, I returned from the Australian Rural Leadership Course to a whirlwind of meetings and a number of issues causing some amount of conjecture themselves.

Not least of which was the manner in which I raised funds to go to Brazil for the Rio+20 Summit, where I am obviously not. This global dialogue is set to discuss how the nations on the planet might join together to envision the kind of world we want to live in, in the future. Unfortunately of course matters here at home prevent me from going.

Indeed, one of the major learnings from the Rural Leadership Program was around how to work together as a team, bringing to mind the age old adage: "If you want to go fast, go alone; if you want to go far, go together."

It was this saying that I had in mind as I witnessed the way in which the Hepburn Community came together in relation to a recent planning application for a phone tower at the Hepburn Recreation Reserve. To see this collective and positive vision for their community now, their history and their future was truly inspiring as was the clear amount of effort that had gone into understanding planning laws and considerations, but also how these considerations could be argued from the perspective of community interest and investment in the particular site.

The ability for the community to have this sort of input, to come together to express themselves in dialogue with council is something we take very seriously as we complete community plans throughout our shire to ascertain what our communities' positive vision for the future is. In this sense we echo the intent of the Rio+20 Summit and it is a process that I am proud to promote and be a part of, for change is the only constant in this fast moving world and if we do not put forward our positive intention for change then forces greater than us, whether they be global, economic, political or environmental, will fill that space.

It is in this spirit of positive vision that I continue to participate in regional Planning Committee and Mayors and CEOs Forums to cast such a vision for our region and also in which I look forward to attending the Future of Local Government Summit next week.

Even where there appears to be a failure of consultation, like our streetscape, it is encouraging to see the community come together to make a statement of how they want their world to be. In this regards we are listening and ready to make good on our commitment to include all views for the positive vision for our Daylesford Streetscape.

Other meetings I attended were:

- A Cameron Ward meeting in Smeaton
- A breakfast with the State Treasurer, Ministers for Water and Regional Development
- The Daylesford Planned Activity Group Craft Enterprise Launch
- Clunes Flood Mitigation and Urban Drainage Plan
- A visit from Zhoucun District in China
- A meeting with the MAV windfarm issues working group and Minister Guy
- Central Highlands Mayors and CEOs forum
- Central Highlands Regional Planning Committee
- A meeting with Che Tarn Biggs regarding community resilience at Melbourne University, Creswick
- The launch of the Goldfields Track Walking Guide, with two of my heroes, John Landy and Steve Moneghetti, as well as the hard working and dedicated committee and volunteers, including authors Gibb Wettenhall and Barry Golding
- SHARE “Good life” Festival and Sustainability Forum at the Daylesford Primary School
- The Creswick Winter Social, with dubious entertainment provided by councillors
- The announcement of \$128,000 Federal Funding for the Daylesford Spa Country Railway
- The Central Highlands Water local government consultation on their 5 year water plan
- A meeting with Hotham Mission regarding an Asylum Seeker project
- Coliban Ward Meeting
- Trentham Neighbourhood Centre Executive Meeting
- The presentation of Ephemeral Art Awards at the Creswick Primary School
- Trentham Community Groups FORUM meeting with Aaron van Egmond in Trentham
- A meeting with State Parliamentary Secretary for Regional Development, Damien Drum
- A meeting with the Regional Development Australia committee in Clunes

- The opening of the new Hepburn Primary School facilities by Catherine King
- the Daylesford Community Brass Band Annual Dinner and Annual General Meeting at the Old Hepburn Hotel

And finally:

- A special Breakfast for the students of Daylesford Secondary College cooked by councillors and staff onsite at the secondary school.

COUNCILLOR REPORTS

Councillor Janine Booth, Creswick Ward

Mr Mayor I would like to report that prior to attending the Non resident budget Information evening held at Moonee Ponds on 16th May 2012, I attended the Rural Councils Victoria (RCV) Mayors, Councillors and CEOs Forum held in Melbourne.

The President provided an outline of the project work undertaken for Year 1 of the Networked Rural Councils program. And also outlined the advocacy work undertaken with the State and Federal governments in the last six months for the RCV Membership.

An overview of the development, strategy and key tenets of the 'Good Move' campaign being delivered to promote the liveability of the regions was also provided.

The RCV Committee has also, via email, requested its Rural Council membership to provide a link to the Rural Councils Victoria website.

I will be pleased to provide further information to Council on this and other matters relating to the RCV in a report to a briefing session of Council.

Councillor Don Henderson, Creswick Ward

During the last month I have attended my Creswick Ward Meeting, the Creswick Ward Community Committee, Heritage Advisory Committee and meetings of the Creswick Action Network which is an initiative of Creswick groups to assist young people and their families.

I also attended the Ephemeral Art day which was made possible by a Shire community grant. . Locals, mainly children from Creswick Primary School, had a fabulous time making sand sculptures and scarecrows.

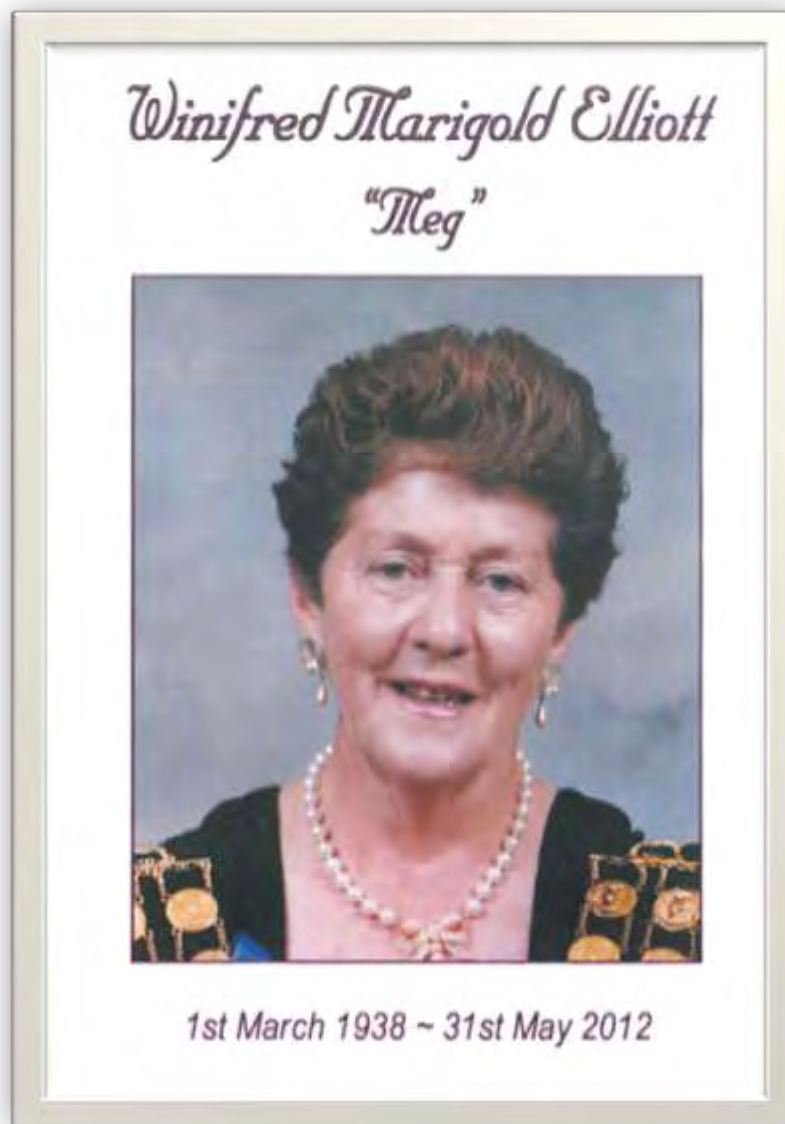
Presentations were made last Wednesday and the whole school joined our Mayor, Adam McSwain and Jane Barclay as well as myself in a feast of pancakes which was really enjoyed by everyone.

I also attended a community social organised by the Creswick Railway Workshops Association (CRWA). A great time was certainly had thanks to Mayor Klein who sang. I was not too impressed by his style but everyone else thought he was great. We all enjoyed the fabulous voice of Cr McClenaghan and other performers including some very young tap dancers.

Councillor Bill McClenaghan, Holcombe Ward

In the last month, I attended two of Council's Special Committees for my Ward. Firstly, the Drummond Hall Special Committee is now celebrating the completion of tennis court restoration adjacent to the hall. This has been years in coming and will be a great asset to the local community as it is the one and only sporting venue in Drummond, Denver and North Drummond. We expect that the local Drummond Primary School will also make good use of the court. Secondly, the Glenlyon Recreation Reserve Special Committee met last Tuesday evening. The current issues are the restoration of toilet facilities in the reserve and the sad need to remove two large old eucalypt trees which were dropping large limbs. One of these was towering over the children's playground and the other over the BBQ area beside the Loddon River. The risk of injury or death was just too great and the trees had to go but new oak trees have been planted along internal roadways to compensate for their loss and add to the wonderful shady trees in the reserve.

Together with our Executive Governance Officer Mary Dancuk, I respectfully attended the funeral of a former lady Mayor of the former Shire of Daylesford and Glenlyon on 7th June. Winifred Marigold Elliott, known to all as Meg, passed away on the last day of Autumn after a long illness. Winifred Marigold Elliott was truly a leader of her day and was the second lady Mayor of the old Shire after Betty Rea. She is recognised for her work in local government and for elevating the status of women through her life. In recognising this, Meg has been already inducted onto the Hepburn Shire Women's Honour Roll. I was honoured to pay our final respects to Meg as her cortege passed the front of the Daylesford Town Hall. May she rest in peace.



In the past few weeks, I have been consulted by many local people from Daylesford and within my Ward as well as local traders about some of the proposed changes to the Daylesford streetscape and I have clarified the status of the project and the procedures being followed. It is important to stress that no decisions have yet been made by Council on any of the proposed changes and all proposals are still on the table.

Other duties performed in the past month include attending a Board Meeting of the Highlands Regional Waste Management Group and a meeting of Council's Audit and Risk Advisory Committee. I also conducted my regular monthly Ward Meeting last evening.

Councillor Jonathan Barrell, Birch Ward

Wombat Hill Botanical Gardens Advisory Committee today 19/06/2012 and also conducted its annual meeting of stakeholders which was attended by representatives of Central Highlands Water, Heritage Victoria, Daylesford Historical Society and Museum Committee of Management, and an independent arborist.

- a. Heritage Victoria & Department of Sustainability and Environment have raised no objection to an out of season display in the Begonia House, previously endorsed by Council.
- b. A car parking & traffic study has commenced to best understand the status of our trees so that parking & traffic decisions can be made accordingly
- c. Plans for the Garden's Sesquicentenary in May 2013 are well underway. Sesquicentenary (150th) birthday to be held most probably on a weekend in May 2013. It is hoped that dignitaries including the Governor of Victoria will attend.
- d. Officers are progressing a Memorandum Of Understanding with the Friends Of Wombat Hill Botanic Gardens (FOWHBG), which will be followed by the finalisation of the scope and implementation plan for the restoration of the Rustic Cascade and Fern Gully – a project for which the FOWHBG have indicated considerable financial support
- e. The WHBGAC revised Prioritised Activities List was reviewed. The revised list will be presented to our next meeting for endorsement.

ARC Advisory Committee met last night 18/06/2012 and received a progress report regarding the proposed handover of management responsibilities to Daylesford Neighbourhood Centre Inc. All parties are aiming for a handover on 01/10/2012 subject to consent of all parties.

Daylesford Macedon Ranges Regional Tourism Board will launch its new Daylesford Macedon Ranges Regional Wine Touring Guide next week

The Daylesford Streetscape Revitalisation Project continues. I attended an open day at Daylesford Senior Citizens 19/05/2012. Thus I await a final report from Village Well.

The Daylesford Community Plan Community Reference Group presented to a Councillor Briefing 08/05/2012 and we are awaiting a formal report to Council

The Victoria Park Multi Purpose Facility Consortium met 14/06/2012 with Pitcher partners who have been engaged to provide Council with an Independent Analysis of the existing Feasibility Study

The Freight Strategy Steering Committee met 08/05/2012 and the draft Freight Strategy is currently under review.

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

I attended 01/06/2012 with Mayor Klein, Past Governor and Patron John Landy, Ambassador Steve Moneghetti, the launch of the new Goldfields Track Guide. In my opinion, a magnificent work by many devoted community members.

On 13/06/2012 I attended Yandoit Public Park and Recreation Reserve Committee - Election of Office Bearers.

Councillor Rod May, Birch Ward

Along with Cr Barrell I attended a meeting of the Wombat Hill Botanic Gardens Advisory Committee and the Victoria Park Multi Purpose Facility Consortium working towards a successful funding application for this priority Hepburn Shire Council project.

I travelled to Changsha, China, to attend the three-day 7th Central China Investment and Trade Expo (Central China Expo 2012). Themed with "Opening-up Rising, Green Development", six provinces in central China (Hunan, Hubei, Henan, Anhui, Shanxi, and Jiangxi) showcased their images as a whole at the expo. Investment cooperation projects and various exhibitions attracted over 30,000 domestic and overseas guests. Green development was the main theme of the expo.

I attended and participated in one of the highlights of the Central China Expo 2012, the Mayors' Forum on Sustainable Development, themed with "the Two-Oriented Society construction and harmonious development" was held in Zhuzhou on 19 May.

At the forum, domestic and overseas mayors shared opinions on such kernels of urban development as sustainable development, green economy, personnel cultivation and cultural industry.

"Our aim is to build ecological and liveable cities of modern industrial civilization. Besides developing high-end manufacturing industries, efforts should be made to enable the citizens to live in happiness, peace and health. The ultimate goal of development is to make the urban environment more beautiful." as stated by Wang Qun, Mayor of the host city Zhuzhou.

I then proceeded to meet with mayors, educators, industry representatives, non-government organisations (ngos) and government departments to:

1. Make friends,
2. Talk about the history, culture and circumstances of the Hepburn Shire,
3. Talk about our industries, including tourism and agriculture,
4. Learn about the hosts and their interests.

I spent the week being transported, accommodated and guided by the Australian International Trade Association (AITA) and Mr Michael Guo who ably assisted with the whole visit including interpretation. AITA have been active in bringing Chinese and Australian cities together and have successfully brokered many sister city relationships and have been responsible to date for developing the relationship between Hepburn Shire and Bozhou, Anhui Province.

I attended the Central Highlands Agribusiness Forum (CHAF) board meeting on which Hepburn Shire Council has a seat relating to its \$5,000 annual contribution to this regional body representing Local Government Areas (LGAs), industry groups and individuals.

The CHAF are planning a major expo that may be held in Hepburn shire next year. The bioenergy project remains near the top of the agenda.

Councillor Neil Newitt, Cameron Ward

Last month, I had the opportunity to hold the Cameron Ward meeting in Smeaton. The Mayor was also able to join me and we had the opportunity to take a tour of the new work being undertaken at the Smeaton Bowling Club.

The regular Cameron Ward meeting is usually held in Clunes, so it was a chance for Smeaton residents to voice some local issues without having to travel to Clunes. The residents who attended were keen to discuss how they can have better dialogue with Council. I was happy to extend an invitation to the upcoming Clunes Community Plan discussion which will take place later this month, with a consideration that a similar plan may be useful for the Smeaton community.

As Councillor representative on The Lee Medlyn Home of Bottles and Clunes Visitor Information Centre committee, I was able to hear about projects and ideas that will enhance the collection and the facility at their recent monthly meeting. The committee is looking to expand their collection with the purchase of some rare bottles that will be appropriate to join the local collection. The committee is also considering a submission from local musicians to host a regular performance evening which will bring another audience to the facility.

RECOMMENDATION

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

MOTION

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

Moved: Councillor Bill McClenaghan

Seconded: Councillor Rod May

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 – DAYLESFORD STREETScape REVITALISATION PROJECT

SUMMARY

John Goulet as Chairperson of the Daylesford Traders Association (DTA) which was formed on Wednesday 6 June 2012 at a gathering attended by 62 Daylesford traders, resolved to present to Council a petition which attracted 1,004 signatures in 11 days. The petition reads:

“We the undersigned petition Hepburn Shire Council that the following be included as the key components of the ‘Streetscape Revitalisation Project’:

Car parking within the Central Vincent Street Precinct not be reduced.

Trees not be planted within the Central Vincent Street Precinct

The Burke Square section of Albert Street not be closed to traffic

That the road surface within the area be improved and property maintained to the highest standard

That adequate regular maintenance and cleaning of the central business district be implemented and sustained.

That the War Memorial not be moved.”

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 Mr John Goulet, Chairperson of the Daylesford Traders Association of the above process.

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 Mr John Goulet, Chairperson of the Daylesford Traders Association of the above process.*

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

9.1 QUESTIONS

Question 1: From Trentham Community Groups FORUM Mr Ian MacBean

At the October 2011 Meeting of Council, Andy Robertson asked a question on behalf of the Trentham Community Groups FORUM, the core of which was: **“why are so few, in total or proportion, Trentham project priorities put forward by Council for funding?”** Council’s answer provided a list of Trentham projects for the years 2009-10, 2010-11 and 2011-12 i.e. it did not address the relative proportion aspect of the question, which was further emphasised in the preamble and commentary surrounding the question. [We note that the 2012-13 Prepared Budget includes a number of projects for Trentham and these are needed and appreciated as stated in our Submission and presentation 29 May.]

Given the current uneasy relationship between Council and the FORUM (and, we suggest, the Trentham community generally) in relation to the lack of equity Trentham receives from Council, we believe that if we are to negotiate this impasse our concerns must be addressed and that full information must be available to all parties.

We therefore ask for Council to provide full expenditure information (including actual costs for completed projects, sources of funding) for all discretionary capital works and initiatives projects (i.e. not including roads, bridges etc) approved in Council’s budgets for the past ten (10) years.

By asking for this information over the past 10 years (it would obviously be preferable to go back to when Hepburn Shire was created by municipal amalgamations) we believe this removes any implied criticisms of any particular Councillors or Officers. We have been told that Council systems do not have the capacity to readily provide this information and we understand that a manual compilation of such a list will place a demand on resources. However, this information is fundamental to resolving the current situation and, we believe, is also important for Council to have as essential planning and management data. We therefore look forward to a positive response to our question.

Answered by Mayor Councillor Sebastian Klein

As previously stated at the October 2011 Council meeting the provision of historical financial data is a challenging process for Hepburn Shire Council. All historical financial data resides in our old financial system (Wingist). Wingist is an IBIS product that is no longer supported. At present there is seven years of data in a Windows based version of Wingist. Financial data prior to 2005 resides in a non windows based version of Wingist.

In order to extract the financial data post 2005 IBIS would need to be contracted to perform this task. We estimate that the cost of such an exercise would be \$5,000 plus. Council is unsure if the pre 2005 data can be retrieved.

Once the post 2005 data has been extracted the data would need to be sorted by ward and then analysed. It is expected that this process would take up to three weeks at a cost of \$15,000 plus.

The major concern with the analysis of this data is the ability to sort this data by Ward. Given Council does not account by ward there is no easy way to sort by Ward other than to go through each year's trial balance line by line. To put this in context the 2010-11 trial balance is 56 pages long.

Given the nature of the data no guarantee can be given that the end product will be accurate and provide the insight the Trentham Forum is looking for. There is a high probability that there will be significant expenditure that is not allocatable rendering the exercise futile.

At an estimated cost of \$20,000 and a high probability of inaccurate data this exercise, as stated previously, is not as straight forward as it sounds.

If the information was easily accessible and accurate there would be no issue with providing this information. Unfortunately this is not the case.

Question 2: From Ms Loretta Little, Daylesford

Why have you removed the notice of ward meetings and contact numbers for the Councillors from the Council page in *The Advocate*?

I wish to speak to this question.

Answered by Mayor Councillor Sebastian Klein

The decision to remove this information is part of an ongoing strategy to change and improve the way Council communicates with the shire.

Over the past few months Council has been reviewing its communication methods.

Council has sought input from the community (via a survey) and after analysing the results, has developed a communication strategy which includes a number of changes.

All of the information in the 'useful information' section/box is readily available online or by making a phone call to one of our customer service offices – or by dropping in to one of our offices, libraries or community centres.

This information will be returned to Council's *Advocate* page.

Question 3: From Mr John Baragwanath, Daylesford

Seeing how the Council is forcing the local residents out with ever increasing rate rises and disadvantaging and forcing out of businesses the local traders, with this ridiculous streetscape. Why not just use the available funds to put in a ring road around Daylesford and complete the DEVASTATION?

Answered by Mayor Councillor Sebastian Klein

The Council Plan identifies many initiatives and strategic objectives, of which one is to prepare main street revitalisation plans for key towns and identifies Vincent as a priority for rejuvenation.

This project has been made possible with substantial State Government funding (\$300,000) and Council contributing \$100,000 (25%) of the project.

The project is intended to enhance our streetscape which could include improved pedestrian safety and impermeability, increased shade in adjacent streets and make better use of parking opportunities also in surrounding streets to mention a few. Several options to achieve this have recently been presented to our community.

Following initial feedback some further works are being completed on the concepts prior to finalising the draft strategy for Council consideration.

Some works to implement the small wins has already commenced with some improvements to signage and to make operable the two fountains.

Question 4: Mrs Joan Rattray, Glenlyon

At a meeting at the Glenlyon Hall recently, I asked about a subsidy for organic farmers if \$200 on top of the other farm rate. Has this been formally adopted in the Council’s final budget?

Answered by Mayor Councillor Sebastian Klein

The proposed farming sustainability rebate will be considered as part of the 2012-2013 Proposed Budget which is Item 9.2 on tonight’s agenda.

Details of the farming sustainability rebate will be developed following adoption of the budget.

Question 5: Mr Graeme Rattray, Glenlyon

Can you explain to us how the Council can give community grants to community groups that are not incorporated bodies?

Answered by Mayor Councillor Sebastian Klein

As set out in Council's Community Grant Guidelines 2011-2012, to be eligible for a community grant, groups must be not for profit incorporated associations or sponsored by such an association. Council has provided community grants to projects and groups auspiced by incorporated associations many times. This is consistent with other local government and state government grant programs.

Question 6: Mr Joshua Gilligan, Daylesford

Out of a possible 44 monthly Ward meetings, how many Ward meetings did Birch Ward Councillors hold? What year/months were they held?

Answered by Mayor Councillor Sebastian Klein

Birch Ward – Councillor Meetings		
Date	Time	Venue
Mon 14/09/2009	7pm	Hepburn Springs Primary School Hall
Mon 15/02/2010	7pm	Wombat Hill Botanic Gardens - Rotunda
Wed 14/07/2010	7:30pm	Yandoit Hall
Mon 5/09/2011	7pm	Daylesford Neighbourhood Centre
Mon 20/02/2012	7pm	Wombat Hill Botanic Gardens Rotunda

Most Birch Ward residents contact their Ward Councillors directly via phone or email to discuss any issues.

Question 7: From Mr Joshua Gilligan, Daylesford

Can Council outline the next steps of the Daylesford Streetscape Project, specifically, what is the time frame that the proposals will be put forward to Councillors for review/approval?

Answered by Mayor Councillor Sebastian Klein

The next steps for the Daylesford Streetscape project are:

- Complete amendments to concepts based on feedback received during and post Community Open day.
- Finalise draft revitalisation strategy.
- Present options and final draft strategy to Council. (This is anticipated to be in July 2012).
- Release the draft strategy for a formal submission period.
- Implement phase 1 works (not yet determined) with the balance of current project funding.

A media release and Fact Sheet 5 are expected to be available within the next week.

10. OFFICERS' REPORTS

Councillor Don Henderson left the meeting at 6:20 pm due to an indirect conflict of interest and returned to the meeting at 6:23 pm.

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

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

The purpose of this report is to inform Council of the matters raised in the petition received from Creswick & District Residents Association regarding the condition and current access concerns to the existing public toilet facilities at the rear of the Creswick Town Hall, tabled at the Ordinary Council Meeting on 15 May 2012.

BACKGROUND

Council has received a petition with 112 signatories from the Creswick & District Residents Association, requesting Council to prioritise as an essential project the construction of toilet facilities that are able to be accessed from within the Town Hall building.

ISSUE / DISCUSSION

The works being requested relate to stage 2 of the Creswick Town Hall upgrade project. Stage 1 was completed during 2008-2009 with grant funds and included the construction of access improvements to the Town Hall entrance from Water Street, kitchen refurbishment and improvement works and a planning phase for future works. The implementation of these future works was denoted as stage 2 of the project.

These planning works included the preparation of concept design plans for the construction of new toilet facilities which were suitable to obtain a Heritage Victoria Permit. In order to progress this project to construction detailed design drawings will need to be prepared to allow accurate cost estimates to be prepared and for use as construction drawings. The preparation of these detailed design plans is likely to cost in the order of \$15,000 for which there is no current budget allocation. Council's Heritage Architect who prepared the

concept drawings has previously indicated construction costs in the order of \$250,000.

This project was listed for consideration under the Local Government Infrastructure Fund along with many other projects, however currently has not been allocated any funding.

The additional item to be considered is that of maintenance and servicing of the existing facilities (behind the Creswick Office). Recent inspections have highlighted concerns with graffiti and significant spoiling of hard surfaces such as tiled floors or masonry walls which is ground into the surface and not easily removed due to surface finishes and age.

These facilities would benefit significantly with some periodic maintenance works which might include repaint surfaces, replace existing old hand basins and taps with more appropriate fittings, re-seal tiled areas, repairing trip hazards and vandalism and upgrading signage to current standards. These works are likely to cost in the order of \$10,000.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council's Meeting Procedures Local Law No 1 states that a petition presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the petition may be accepted by the Chairperson, unless the Council agrees to deal with it earlier.

FINANCIAL IMPLICATIONS

The preparation of detailed design plans for stage 2 is likely to cost in the order of \$15,000. There are no budgeted funds to complete this.

The construction of stage 2 works is indicatively estimated at approximately \$250,000. There are no budgeted funds to complete this.

Completion of periodic maintenance works valued at \$10,000 can be accommodated within Councils 2012-2013 Building Renewal Program without any detrimental impact on other projects due to other identified works either already completed, no longer required or now being completed by the Flood Office.

RISK IMPLICATIONS

There are some minor trip hazards requiring attention, however there are no identified risk implications associated with this report.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The current facilities do not present well and are regularly vandalised and graffitied, requiring regular intervention from maintenance staff.

They have a dark interior and given the general presentation may deter some sections of the community from using them.

Whilst there is some limited shelter between the Town Hall and the toilet facilities, it would be an unpleasant path from the Town Hall to these facilities in inclement weather or after dark if attending a function at the Hall. This may impact on the level of use for the Town Hall.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No external consultation has occurred in the preparation of this report however internal discussions continue around the level of maintenance and frequency of servicing these facilities.

CONCLUSION

Council has received a petition with 112 signatories from the Creswick & District Residents Association, requesting Council to prioritise as an essential project the construction of toilet facilities that are able to be accessed from within the Town Hall building.

Concept plans have previously been prepared suitable to obtain Heritage Victoria permits, however in order to progress projects to better service the Creswick Town Hall, detailed design plans will be required for construction purposes and to accurately cost the project.

There have been some periodic maintenance works identified which will improve the current facilities that can be accommodated within the 2012-2013 works program valued at approximately \$10,000.

OFFICER'S RECOMMENDATION

That Council:

- 10.1.1 Receives and notes the report which responds to the matters raised in the petition received from the Creswick and District Residents Association; and
- 10.1.2 Makes application to Heritage Victoria for the construction of new toilet facilities at the Creswick Town Hall as per concepts previously prepared; and

- 10.1.3 Continues to consider this project with future Council budgets or external funding opportunities that arise.
- 10.1.4 Proceeds with periodic maintenance works identified , to be covered in the 2012-2013 Building Renewal Program valued at approximately \$10,000; and
- 10.1.5 Writes to Creswick & District Residents Association to advise of the above actions.

MOTION

That Council:

- 10.1.1. *Receives and notes the report which responds to the matters raised in the petition received from the Creswick & District Residents association; and*
- 10.1.2. *Makes application to Heritage Victoria for the construction of new toilet facilities at the Creswick Town Hall as per concepts previously prepared; and*
- 10.1.3. *Continues to consider this project with future Council budgets or external funding opportunities that arise;*
- 10.1.4. *Proceeds with periodic maintenance works identified, to be covered in the 2012-2013 Building Renewal Program valued at approximately \$10,000; and*
- 10.1.5. *Writes to Creswick & District Residents Association to advise of the above actions.*

Moved: Councillor Janine Booth
Seconded: Councillor Bill McClenaghan
Carried.

**Mayor Councillor Sebastian Klein vacated the Chair at 6:26 pm.
Deputy Mayor Councillor Rod May took up the Chair.
Mayor Councillor Sebastian Klein resumed the Chair at 6:30 pm**

10.2. PREPARED BUDGET 2012-2013

GENERAL MANGER 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 present the 2012-2013 Budget for Council's consideration. Council is required to prepare and adopt a budget for the forthcoming financial year. Council, at the Ordinary Meeting on 17 April 2012, proposed the budget for the 2012-2013 financial year and the budget now needs to be formally adopted.

BACKGROUND

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

The budget papers contain the necessary statutory information required under the *Local Government Act 1989* and *Local Government Regulations 2004*.

ISSUE / DISCUSSION

Budget Overview

It is proposed that revenue from rates increase by 4.5% for the 2012-2013 year, raising total rate revenue of \$13.4 million, including \$150 thousand generated from supplementary rates.

The budgeted operating result for the 2012-2013 year is a surplus of \$2.02 million, which is a decrease of \$12.92 million from the expected 2011-2012 financial year result of \$14.94 million. The significant decrease is mainly due to the impact of additional 2011-2012 year revenue that was allocated for flood recovery works.

Cash and investments are expected to increase by \$250,000 during the year, from \$3.24 million to \$3.49 million, to improve Council's capacity to fund its day to day operations.

Differential Rates

Differentials have been set in the Proposed Budget in accordance with the Rating Strategy.

It is proposed that the farm differential remains at a discounted 65% of the general rate and that the commercial, mixed use and industrial differential remain at 116% of the general rate.

Charges

The service charges are proposed as follows:

Rate type	2011/2012	2012/2013
Kerbside collection (Garbage)	\$99	\$117
Kerbside collection (Recycling)	\$87	\$93
Commercial garbage charge	\$218	\$262
Waste management charge	\$110	\$131

The kerbside collection charges and commercial garbage collection charge are a service charge and only those who receive the service pay. Council also has a waste management charge. Council considers that it is equitable that all properties make a standard contribution reflecting the costs of the transfer stations and any other costs associated with keeping the Shire clean and tidy, including street cleaning and street litter bin collection.

These charges are set to recover the costs associated with the waste area of service; therefore as costs in this area increase so will these charges proportionately. The Environment Protection Authority Victoria's levy per tonne for landfill in 2012-2013 will be \$48 per tonne, a 10% increase on the current 2011-2012 levy. In addition, the introduction of the carbon tax will significantly impact the cost of landfill; this has been estimated at \$150,000. These increases are to be recovered via the garbage and waste charges.

Capital Works Program

The total Capital Works program will be \$6.7 million. Of this amount \$5.6 million or 84%, will be allocated to renewal to directly address the

infrastructure gap and ensure assets are appropriately maintained for future generations. Approximately 43% of these works will be funded through capital grants, contributions and asset sales with the remainder allocated from cash from operations.

Highlights of the Capital works program are listed below – note some of these are subject to receiving funding from external government sources:

- Roads, bridges, footpaths and drainage – including reseals, re-sheets, pavement renewal and reconstruction, footpath improvement as well as bridge renewal, construction and design (\$4.3 million fully funded by Council)
- Daylesford Spa Country Railway – to reopen the railway line to Bullarto (\$310,000 – expected to be jointly funded with \$50,000 by Council, \$50,000 by the Daylesford Spa Country Railway and \$210,000 in government grants)
- Creswick Creek Path construction (\$250,000 – \$125,000 funding by Council and \$125,000 in government grants)
- Stage 4 of the Lindsay Arts Trail construction in Creswick (\$200,000 – \$100,000 funded by Council and \$100,000 in government grants)
- Project works at Lake Daylesford stemming from the walking and cycling strategy (\$100,000 fully funded by government grants)
- Stage 2 of the sportsground lighting at Trentham (\$79,000 fully funded by the state government)
- Hepburn netball court upgrade (\$65,700 mainly funded by a government grant with some community contribution and funding by Council)

Other New Initiatives/Projects

Other new initiatives and special projects include funding for the following - note some of these are subject to Council receiving the funding from external government sources:

- Transport trial for Glenlyon (\$20,000 funded by Council)
- Supporting the establishment of the region as Australia's first goldfield heritage region (\$50,000 funded by Council)
- Works on Domino trail from Trentham to Lyonville (\$50,000 fully funded by the state government)

- Signage and mapping for walking and cycling as part of the Small town tracks and trails project (\$44,600 including \$24,600 from government grants and \$20,000 funded by Council)
- Wombat Trail linking public parks in Trentham (\$45,000 with \$30,000 in government grants and \$15,000 by Council)
- Trentham Spudfest event (\$5,000 funding by Council – note this is in addition to funding that Council already provides to events such as ChillOut, Hepburn Springs Swiss Italian Festa and Booktown in Clunes)

Allowances

It is proposed that Council fix the allowance amounts for Councillors at \$19,020 (includes superannuation allowance of 9%) and the amount for the Mayor to be fixed at \$34,870 (includes superannuation allowance of 9%).

Council is required to place these proposed amounts on public exhibition in accordance with Section 223 of the Act.

Strategic Resource Plan

Council is required to develop a Strategic Resource Plan in accordance with Section 126 of the *Local Government Act 1989* as part of the development of the Council Plan and in conjunction with the annual budget process. The Strategic Resource Plan is a document which specifies which financial and non-financial resources are required in order for Council to complete the objectives identified in the Council Plan for the next four years.

Twenty-one submissions were received during the public advertising period. Submissions were heard on Tuesday 29 May 2012 and have been considered by Council.

Items to Consider

Municipal Fire and Emergency Management Resourcing Program – The 2012-2013 budget contains an allocation of \$50,000 towards the funding of the Municipal Fire and Emergency Management Officer. Council has been notified that it has been successful in gaining full funding for this position for the next two years. Therefore Council needs to determine the best use for the \$50,000 that had been allocated to funding the Municipal Fire and Emergency Management Officer. Some potential uses for these funds are:

Loan Reduction – Council could use these funds to reduce its current loan balance. As an example if Council was to pay the \$50,000 off a loan that had 6 years remaining at a fixed interest rate of 7.450% the interest savings would be \$15,979 (6 x \$3,725 interest savings less break costs of \$6,371)

Property Risk Reduction – The Smeaton Bowling Club recently completed the construction of an additional bowling rink. Council received a budget submission seeking \$54,500 to fund shelters, seating, footpaths, decking, landscaping and windows. Council Officers inspected the new Rink and have determined that \$10,000 will be required to make the site safe and provide access. A significant proportion of the \$10,000 will be required to install a ramp and paving for access to the rink.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989 - Council has a statutory responsibility to prepare a budget and advertise it for public comment.

FINANCIAL IMPLICATIONS

The budget setting process is necessary to ensure that funds are set aside to achieve the most important objectives as prioritised by Council after consulting the community. The budget is Council's principal financial tool.

Financial implications of any changes to the budget have been outlined above.

RISK IMPLICATIONS

None noted.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Council appreciates the varying demographics of our Shire and have sought to keep the increase of revenue to be raised from rates as low as possible, without comprising service.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As per the Hepburn Shire Community Engagement Framework level 3 engagement has been undertaken.

The Prepared Budget was publicly advertised in the local newspapers seeking submissions from interested parties in accordance with Section 223 of the *Local Government Act 1989*.

The Prepared Budget and prescribed information was available from Friday 20 April 2012 at Council's offices in Daylesford and Creswick, at all Hepburn Library branches, the newsagent in Trentham and from Council's website www.hepburnshire.com.au.

Any person was able to make a submission to the Council on any proposal contained in the budget. Submissions received by the Council before 5pm on Monday 21 May 2012 will be considered for impact on the budget.

Council undertook a wide ranging Budget consultation process with a series of information sessions held in each local ward enabling ratepayers to get an insight into the proposed Budget and ask questions of Councillors.

Fact sheets have been produced on various aspects affecting the Budget and are available on Council's website www.hepburnshire.com.au.

At a Special Council Meeting on Tuesday 29 May 2012, Council formally met to consider submissions received and to hear any person who had indicated that they wish to be heard in support of their submission.

All submitters will be written to, providing them with detailed feedback and answers to their queries as appropriate.

The final Council Budget and Strategic Resource Plan for 2012-2013 will be placed on Council's website and copies will be made available for viewing at Council's administration offices.

CONCLUSION

The 2012-2013 budget has been tabled for Council's consideration and key points have been detailed in the report above.

RECOMMENDATION

That having complied with the procedures described within the Local Government Act 1989 and Local Government Regulations 2004 regarding the method of preparation and content of the budget for the 2012-2013 financial year:

- 10.2.1 The Hepburn Shire Council hereby determines that the budget for the 2012-2013 year, as presented to this meeting and incorporating the changes detailed in the report, be adopted.
- 10.2.2 The Strategic Resource Plan for the year 2012-2013 to 2015-2016 included in the budget document be adopted.
- 10.2.3 That the following details are provided in relation to the 2012-2013 Hepburn Shire Council budget, which commences on 1 July 2013. As at 30 June 2012, the total amount borrowed by Council will be \$4.2 million.
 - There will be no new borrowings during the 2012-2013 financial year.
 - The total amount of borrowings projected to be repaid during the year will be \$549 thousand.
 - The total amount of borrowings at 30 June 2013 is projected to be \$3.6 million.
 - The expected cost of servicing the borrowings during the financial year is \$270 thousand.
- 10.2.4 Declare that rates and charges be in accordance with the following statement

DECLARATION OF RATES AND CHARGES

Whereas the Council is required by Section 158 of the Local Government Act 1989 to at least once in each financial year by 31 August, to declare the amount it intends to raise by general rates, municipal charges, service rates and charges and whether such declaration will be of uniform or differential rates, the Council now resolves:

- An amount of \$15,603,000 be declared as the amount which Council intends to raise by general rates and annual service

charges (all later described in this resolution) which amount is calculated as follows:

General Rates \$13,212,000

Annual Service Charge - Waste Management \$1,330,000

Annual Service Charge - Garbage Collection \$594,000

Annual Service Charge - Recycling Collection \$467,000

A general rate be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.

- It is further declared that the general rate be raised by the application of differential rates.
- It be recorded that Council considers a differential rate will contribute to the equitable and efficient carrying out of Council functions.
- The differential rate be applied by multiplying the capital improved value of the rateable land by the percentages indicated on the following table:

Category	Rate Cents in \$
Residential (General)	0.4090
Farmland	0.2658
Commercial	0.4744
Mixed Use	0.4744
Industrial	0.4744
Vacant Land- township	0.5112
Vacant Land – other	0.4090
Recreational	0.2045
Trust for Nature	0.2045

ANNUAL SERVICE CHARGES

- An Annual Service Charge (here after described as the 'Service Charge – Waste Management (improved)' be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.

The Service Charge - Waste Management (improved) be declared for the management of waste disposal and the environment.

The Service Charge - Waste Management (improved) be the sum of \$131 for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

All land within the municipality upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Waste Management (improved).

- An Annual Service Charge (here after described as the 'Service Charge – Waste Management (vacant)' be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.

The Service Charge - Waste Management (vacant) be declared for the management of waste disposal and the environment.

The Service Charge - Waste Management (vacant) be the sum of \$131 for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

All land within the municipality which is vacant land or is land upon which is erected a building which is not occupied or not obviously adapted to be occupied for residential, commercial or industrial purposes will be liable for the Service Charge - Waste Management (vacant) with the exception of farmland where multiple assessments exist and which is worked as a single farming enterprise, only one charge will be levied.

- An Annual Service Charge (here after described as the 'Service Charge – Garbage Collection (residential)' be declared for the period commencing on 1 July 2012 and concluding on 30 June

2013.

- The Service Charge - Garbage Collection (residential) be declared for the collection, removal and disposal of domestic refuse and rubbish.
- The Service Charge - Garbage Collection (residential) be the sum of \$117 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.
- All residential and mixed use land within the designated collection areas upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Garbage Collection (residential).
- An Annual Service Charge (hereafter known as the 'Service Charge - Garbage Collection commercial') be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.

The Service Charge - Garbage Collection (commercial) be declared for the collection, removal and disposal of commercial refuse and rubbish.

The Service Charge - Garbage Collection (commercial) be the sum of \$262 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

All land other than residential or mixed use land within the designated collection areas upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Garbage Collection upon request for the service.

- An Annual Service Charge (hereafter known as the 'Service Charge - Recycling Collection') be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.

The Service Charge - Recycling Collection be declared for the

collection, removal and disposal of approved recyclable materials.

The Service Charge - Recycling Collection be the sum of \$93 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

All residential land and mixed use within the designated collection areas upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Recycling Collection.

All other land within the designated collector areas upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Recycling Collection upon request for the service.

- Where this declaration levies an Annual Service Charge on a per unit basis, a unit is defined as follows:
 - Service Charge - Garbage Collection (residential) means one only 120 litre mobile garbage bin.
 - Service Charge - Garbage Collection (commercial) means one only 240 litre mobile garbage bin
 - Service Charge - Recycling Collection means one only 240 litre mobile garbage bin.

10.2.5 That interest be charged on all overdue rates in accordance with section 172(2) of the Local Government Act 1989.

10.2.6 That pursuant to section 167(1) of the Local Government Act 1989, Council resolves that all rates and charges levied as a result of this declaration must be paid by four instalments payable on the dates fixed by the Minister under section 167(2).

10.2.7 That persons who have made submissions be responded to thanking them for their comments and advising them of the outcomes.

MOTION

That having complied with the procedures described within the Local Government Act 1989 and Local Government Regulations 2004 regarding the method of preparation and content of the budget for the 2012-2013 financial year:

10.2.1. The Hepburn Shire Council hereby determines that the budget for the 2012-2013 year, as presented to this meeting and incorporating the changes detailed in the report and motion, be adopted.

10.2.2. The Strategic Resource Plan for the year 2012-2013 to 2015-2016 included in the budget document incorporating the changes detailed in the report and motion, be adopted.

10.2.3. That the following details are provided in relation to the 2012-2013 Hepburn Shire Council budget, which commences on 1 July 2013. As at 30 June 2012, the total amount borrowed by Council will be \$4.2 million.

- There will be no new borrowings during the 2012-2013 financial year.*
- The total amount of borrowings projected to be repaid during the year will be \$549 thousand.*
- The total amount of borrowings at 30 June 2013 is projected to be \$3.6 million.*
- The expected cost of servicing the borrowings during the financial year is \$270 thousand.*

10.2.4. Declare that rates and charges be in accordance with the following statement.

DECLARATION OF RATES AND CHARGES

Whereas the Council is required by Section 158 of the Local Government Act 1989 to at least once in each financial year by 31 August, to declare the amount it intends to raise by general rates, municipal charges, service rates and charges and whether such declaration will be of uniform or differential rates, the Council now resolves:

- An amount of \$15,719,000 be declared as the amount which Council intends to raise by general rates and annual service*

charges (all later described in this resolution) which amount is calculated as follows:

General Rates \$13,212,000

Supplementary Rates \$150,000

Less Pensioner Rebate (\$34,000)

Annual Service Charge - Waste Management \$1,330,000

Annual Service Charge - Garbage Collection \$594,000

Annual Service Charge - Recycling Collection \$467,000

A general rate be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.

- *It is further declared that the general rate be raised by the application of differential rates.*
- *It be recorded that Council considers a differential rate will contribute to the equitable and efficient carrying out of Council functions.*
- *The differential rate be applied by multiplying the capital improved value of the rateable land by the percentages indicated on the following table:*

<i>Category</i>	<i>Rate Cents in \$</i>
<i>Residential (General)</i>	<i>0.4090</i>
<i>Farmland</i>	<i>0.2658</i>
<i>Commercial</i>	<i>0.4744</i>
<i>Mixed Use</i>	<i>0.4744</i>
<i>Industrial</i>	<i>0.4744</i>
<i>Vacant Land- township</i>	<i>0.5112</i>
<i>Vacant Land – other</i>	<i>0.4090</i>
<i>Recreational</i>	<i>0.2045</i>
<i>Trust for Nature</i>	<i>0.2045</i>

ANNUAL SERVICE CHARGES

- *An Annual Service Charge (here after described as the 'Service Charge – Waste Management (improved)') be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.*

The Service Charge - Waste Management (improved) be declared for the management of waste disposal and the environment.

The Service Charge - Waste Management (improved) be the sum of \$131 for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

All land within the municipality upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Waste Management (improved).

- *An Annual Service Charge (here after described as the 'Service Charge – Waste Management (vacant)') be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.*

The Service Charge - Waste Management (vacant) be declared for the management of waste disposal and the environment.

The Service Charge - Waste Management (vacant) be the sum of \$131 for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

All land within the municipality which is vacant land or is land upon which is erected a building which is not occupied or not obviously adapted to be occupied for residential, commercial or industrial purposes will be liable for the Service Charge - Waste Management (vacant) with the exception of farmland where multiple assessments exist and which is worked as a single farming enterprise, only one charge will be levied.

- *An Annual Service Charge (here after described as the 'Service Charge – Garbage Collection (residential)') be declared for the period commencing on 1 July 2012 and concluding on 30 June*

2013.

The Service Charge - Garbage Collection (residential) be declared for the collection, removal and disposal of domestic refuse and rubbish.

The Service Charge - Garbage Collection (residential) be the sum of \$117 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

- *An Annual Service Charge (hereafter known as the 'Service Charge - Garbage Collection (commercial)') be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.*

The Service Charge - Garbage Collection (commercial) be declared for the collection, removal and disposal of commercial refuse and rubbish.

The Service Charge - Garbage Collection (commercial) be the sum of \$262 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

All land other than residential or mixed use land within the designated collection areas upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Garbage Collection upon request for the service.

- *An Annual Service Charge (hereafter known as the 'Service Charge – (Recycling Collection)') be declared for the period commencing on 1 July 2012 and concluding on 30 June 2013.*

The Service Charge - Recycling Collection be declared for the collection, removal and disposal of approved recyclable materials.

The Service Charge - Recycling Collection be the sum of \$93 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be

levied.

All residential land and mixed use within the designated collection areas upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Recycling Collection.

All other land within the designated collector areas upon which are erected buildings which are occupied or obviously adapted to be occupied will be liable for the Service Charge - Recycling Collection upon request for the service.

- *Where this declaration levies an Annual Service Charge on a per unit basis, a unit is defined as follows:*
 - *Service Charge - Garbage Collection (residential) means one only 120 litre mobile garbage bin.*
 - *Service Charge - Garbage Collection (commercial) means one only 240 litre mobile garbage bin*
 - *Service Charge - Recycling Collection means one only 240 litre mobile garbage bin.*

10.2.5. *That interest be charged on all overdue rates in accordance with section 172(2) of the Local Government Act 1989.*

10.2.6. *That pursuant to section 167(1) of the Local Government Act 1989, Council resolves that all rates and charges levied as a result of this declaration must be paid by four instalments payable on the dates fixed by the Minister under section 167(2).*

10.2.7. *That persons who have made submissions be responded to thanking them for their comments and advising them of the outcomes.*

10.2.8. *That \$50,000 previously allocated to Emergency Management in the prepared budget be allocated: \$10,000 to the construction of a ramp and risk mitigation works at the Smeaton Bowling Club and \$40,000 be paid off Council's outstanding loans.*

10.2.9. That content formatting changes be made to the final budget document to enhance readability.

10.2.10. The adoption of the proposed sustainability rebate is subject to Council adopting an assessment process in due course.

Moved: Councillor Jonathan Barrell

Seconded: Councillor Rod May

Carried.

**ATTACHMENT 1 - PREPARED BUDGET 2012-2013
(Issued under Separate Cover)**

10.3. ELECTION PERIOD 2012 CARETAKER POLICY GENERAL MANAGER CORPORATE SERVICES

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

PURPOSE

The purpose of this report is to update the current Election Period Caretaker Procedures – 2008 General Election for the upcoming 2012 General Election

The Election Period 2012 Caretaker Policy is put in place to ensure that the ordinary business of local Government at Hepburn Shire Council continues throughout the election period in a responsible and transparent manner, in accordance with statutory requirements and established “caretaker” conventions.

BACKGROUND

Councils must comply with special arrangements during Council elections to ensure the probity of the election process and to safeguard the authority of the incoming Council.

These include statutory requirements relating to decision making and Council publications

It is recommended that Councils consider adopting caretaker policies that include arrangements for the use of Council resources during elections

The 2008 Election Period Caretaker Procedures have been reviewed and amended to ensure compliance with *the Local Government Act 1989*.

ISSUE / DISCUSSION

The Hepburn Shire Council is committed to good governance and to fair and democratic elections and therefore adopts and endorses the following caretaker policy to apply during the **2012** election period.

The attached caretaker policy commits Council to:

- avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

The *Local Government Act 1989* Section 3(1) defines the election period to be the 32 day period that:

- starts on the last day on which nominations for that election can be received; and
- ends at 6 pm on election day.

For the 2012 Council elections, this means that the mandatory election period will be:

- **from midnight Tuesday 25 September 2012**
- **until 6pm on Saturday 27 October 2012.**

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The adoption of a caretaker policy is not a legislative requirement but considered best practice. The policy provides guidance to both Councillors and Officers in meeting their obligations under the *Local Government Act 1989* during the Caretaker Period.

FINANCIAL IMPLICATIONS

None noted

RISK IMPLICATIONS

The adoption of the Election Period 2012 Caretaker Policy will reduce the risk of Councillors and Officers contravening the *Local Government Act 1989* during the Caretaker Period.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The Election Period 2012 Caretaker Policy will provide assurance to the Community that Council is committed to good governance and to fair and democratic elections.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As per the Hepburn Shire Community Engagement Framework, Level 1 Community engagement will be undertaken. This information will be made available to the public via the minutes published on the Council's website. Further, the Policy once approved will be available for inspection of the Council's website.

CONCLUSION

That Council adopt the Election Period 2012 Caretaker Policy

OFFICER'S RECOMMENDATION

That Council:

- 10.3.1 Adopts the Election Period 2012 Caretaker Policy
- 10.3.2 Places the policy on the Hepburn Shire Council website for public information.

MOTION

That Council:

- 10.3.1. Adopts the Election Period 2012 Caretaker Policy.*
- 10.3.2. Places the policy on the Hepburn Shire Council website for public information.*

Moved: Councillor Rod May
Seconded: Councillor Janine Booth
Carried.

ATTACHMENT 2 - ELECTION PERIOD 2012 CARETAKER POLICY



POLICY No

**ELECTION PERIOD 2012 CARETAKER
POLICY**

DATE AMENDED: June 2012

DATE OF NEXT REVIEW: June 2016

DATE ADOPTED: June 2012

RESPONSIBLE OFFICER: General Manager Corporate Services

REFERENCES: *Local Government Act 1989*

Best Value Principles

Hepburn Shire Council has the responsibility to provide its ratepayers with best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting best value principles in their normal day to day actions to ensure services are recognised by the community as delivering best value.

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1. Introduction

The Hepburn Shire Council is committed to good governance and to fair and democratic elections and therefore adopts and endorses the following caretaker policy to apply during the **2012** election period.

The purpose of Council's caretaker policy is to ensure that the ordinary business of local Government at Hepburn Shire Council continues throughout the election period in a responsible and transparent manner, in accordance with statutory requirements and established "caretaker" conventions. The following caretaker policy commits Council to:

- avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

2. Election Period

The *Local Government Act 1989* ("the Act") Section 3(1) defines the election period to be the 32 day period that:

- starts on the last day on which nominations for that election can be received; and
- ends at 6 pm on election day

For the 2012 Council elections, this means that the mandatory election period will be:

- **from midnight Tuesday 25 September 2012**
- **until 6pm on Saturday 27 October 2012**

3. Council Decision Making

It is an established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period. The Council therefore commits to the principle that it will make every endeavor to avoid making significant decisions that bind an incoming Council. This includes a commitment to comply with the requirements of section 93A of the Act relating to "major policy decisions".

3.1 Major Policy Decisions

Section 93A of the Act defines certain decisions as “major policy decisions” that must not be made during an election period. These are decisions about:

- The employment or remuneration of the Chief Executive Officer (CEO)
- Contracts exceeding specified values
- Entrepreneurial ventures exceeding specified values

This prohibition also applies to delegated decisions by committees or Council staff.

Section 93A of the Act prohibits the Council, a Special Committee or a person acting under delegation from the making of major policy decisions during an election period for a general election.

‘Major Policy Decisions’ are defined in the Act to be decisions:

- (a) relating to the employment or remuneration of a Chief Executive Officer under section 94 of the Act, other than a decision to appoint an acting Chief Executive Officer.
- (b) to terminate the appointment of a Chief Executive Officer under section 94 of the Act;
- (c) to enter into a contract the total value of which exceeds whichever is the greater of:
 - i. \$150,000 for goods and services contracts, \$200,000 for works contracts or such higher amount as may be fixed by Order in Council under section 186(1); or
 - ii. 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year
- (d) to exercise any power under section 193 of the Act if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$150,000 for goods and services contracts, \$200,000 for works contracts or 1% of the Council's revenue from rates and charges in the preceding financial year.

For the purposes of the 2012 election period, 1% of rates and charges revenue is the sum of \$135,073 therefore the greater value is \$150,000.

If the Council considers that there are extraordinary circumstances where the municipality or the local community would be significantly disadvantaged by the Council not making a particular major policy decision, the Council will, by resolution, request an exemption from the Minister for Local Government, in accordance with section 93A(2) of the Act.

3.2 Significant Decisions

In addition to major policy decisions as defined, other decisions may be controversial. The Chief Executive Officer will present advice on these matters in the context of:

- Council obligations under relevant legislation
- Existing Council policies and strategies
- Good professional practice.

The Council will however avoid making decisions during an election period that are of a significant nature and which would unnecessarily bind an incoming Council, unless the matter under consideration is urgent and cannot be deferred without having a negative impact on the Council, the municipality or the local community.

4. Electoral Matter

The Council will ensure that it complies with section 55D of the Act which requires that a Council does not print, publish or distribute or cause, permit or authorise to be printed, published or distributed an electoral advertisement, handbill, pamphlet or notice during an election period unless it only contains information about the election process.

4.1 Definitions

The following definitions from the Act are noted.

Section 3(1) **'Electoral advertisement, handbill, pamphlet or notice'** means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.

Section 3(1) **'Publish'** means publish by any means including by publication on the Internet.

Section 3(1A) **'Electoral matter'** means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election.

Section 3 (1B) Without limiting the generality of the definition of **'electoral matter'**, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on—

- (a) the election; or
- (b) a candidate in the election; or
- (c) an issue submitted to, or otherwise before, the voters in connection with the election.

4.2 Council Publications

Section 55D of the Act imposes limitations on Council publications during the election period. This is to ensure that the Council does not publish material with public funds that may influence, or be seen to influence people's voting decisions. (see table 1 for a list of publications effected)

5. Certification Process

Relevant Council publications (newsletters, pamphlets, advertisements/advertorials, website and media releases) must be certified by the CEO before they may be printed, published or distributed during the election period, whether by the Council or by anyone acting for the Council.

The Council website will be checked at the commencement of the caretaker period to ensure that information displayed could not be regarded as electoral material. This check will be undertaken by the Communications Coordinator and offending material removed.

This may require certification before the election period for some material to be issued in the election period. A CEO must not certify a publication that contains electoral matter, unless that material is only about the election process. It is an offence for the CEO to intentionally or recklessly contravene this requirement.

The CEO's certification must be in writing and cannot be delegated to anyone else.

The following words will be used over the CEO's signature:

"Certified by the Chief Executive Officer in accordance with section 55D of *the Local Government Act 1989*"

Note that the certification does not need to be printed on published copies of a document. Copies of all certifications and certified documents must be retained on Council records.

To achieve this objective during an election period, all publications including newsletters, pamphlets, advertisements/advertorials, website and media releases will be reviewed and scrutinised to ensure they do not contain electoral material. Any publications which the Chief Executive Officer considers contain electoral material, will be modified, suspended, or withdrawn from display and/or distribution during the election period.

6. Councillors

The *Election Period Caretaker Policy* does not restrict the ability of Councillors to issue media releases or make media comment in their own name and using their own resources.

There are however a number of prohibitions in relation to how a candidate conducts himself/herself during an election campaign and penalties apply. The majority of these are covered in sections 52 to 62B of the *Local Government Act 1989*.

7. Council Resources

It is an established democratic principle that public resources must not be used in a way that would influence the way people vote in elections, except in regard to supporting the actual election process. The Council therefore commits to the principle that it will ensure that Council resources are not used inappropriately during an election period. (see table 1 for a list of resources effected)

Any staff member who considers that a particular use of Council resources may influence voting in the election must obtain approval as outlined in this policy before authorising, using or allocating the resource.

7.1 Events, Activities and Support Services

In applying this principle, the following will be normal practice during an election period for a general election:

- Public events will only be organised and run by the Council Administration if they are part of the normal services or operation of the Council and the scheduling of the event during the election period is deemed to be appropriate.
- Speeches for Councillors will only be prepared by Council staff in relation to events that are part of the normal services or operation of the Council and such speeches will not be circulated or available for publication.
- Media services, including media releases, will not be provided for individual Councillors by the Council Administration during the election period.
- Individual Councillor Newsletters will not be resourced by the Council in any way during the election period.
- Council Management will ensure that action on requests for service will continue to be based on established methods of setting priorities and from existing budget allocations.

These practices will be modified as appropriate for an election period or a by election.

7.2 Equipment, Stationery and Facilities

In accordance with current Council policy and practice, Council resources, including office and hospitality facilities, support staff, equipment/services, merchandise and stationery are provided or made available to Councillors for normal Council business and are therefore not to be used in connection with any electoral activities.

Council logos or letterheads, Hepburn Shire Council branding or Council provided photographs will not be used by Councillors in any way that relates to an election. Similarly, Council funded telephone (mobile or landline) numbers and email addresses are not to be used by Councillors as contact points in their election campaign material.

Council supplied computers, Ipads and internet connections will not be used for campaign related purposes.

Mobile phone costs associated with electioneering will not be paid for by Council. Councillors will be required to use another mobile phone for electioneering.

Reimbursement of Councillors' out-of-pocket expenses during an election period will only apply to costs that have been incurred in the performance of *official council duties* and not for expenses that could be perceived as supporting or connected with a candidate's election campaign.

7.3 Council Business

As Councillors must continue to perform their elected role during an election period, they will, as a matter of course, receive all necessary information for them to fulfill that role. Information to be provided to Councillors will include:

- Information that is publicly and freely available – Council Plans, Annual Reports, strategies, policies and the like.
- Information and advice provided by Council's Management, as part of Council Meeting agendas. This information is, of course, publicly and freely available.
- Briefing Papers in relation to matters to be decided upon at forthcoming Council Meetings. It is likely that the briefing information provided to Councillors during an election period will be of a more routine nature than normal, given the approach to decision making during the election period.

7.4 Requests for Information

All requests received by Council staff for information about Council projects, programs or services, will be responded to in a 'business as normal' manner.

This means up to date responses will be provided about progress on Council projects or services to Councillors, candidates and citizens

Council staff will be particularly careful and conscious of the need to provide accurate and complete information. However a 'business as normal' approach does not include extensive research or analysis involving significant Council resources or providing a level of information which would not normally be available.

Requests for information which require significant resources to be devoted to making a response or which might be perceived to support an election campaign will be referred to the Chief Executive Officer or his delegate for consideration.

All election related enquiries from candidates or prospective candidates will be referred to the Returning Officer appointed to conduct the election.

Applications for information under Freedom of Information legislation will be dealt with in the normal manner.

8. Implementation and Review

The *Election Period Caretaker Policy* will be formally reviewed prior to each Hepburn Shire general election.

Prior to an election period, the Chief Executive Officer will ensure that Councillors and Council staff are advised in regard to the application of the *Election Period Caretaker Policy*.

The *Election Period Caretaker Policy* will be updated and published on Council's website in the lead up to each Hepburn Shire Council election.

**TABLE 1
COUNCIL PUBLICATIONS AND RESOURCES**

	<p style="text-align: center;">Publications</p> <p><i>Council advertisements, handbills, pamphlets and notices must be certified by the CEO during an election period. Penalties apply to the certification, printing, publishing or distribution of such documents containing electoral matter.</i></p>	<p style="text-align: center;">Resources</p> <p><i>Councils should ensure that council resources, including staff, are not used for electoral campaigning purposes during elections. In some cases misuse of Council resources may be a criminal offence that can be prosecuted in court.</i></p>
<p>Annual report</p>	<p>The annual report is required by law and would not normally be considered an “advertisement, handbill, pamphlet or notice”. It does <u>not require certification</u>.</p> <p>However, the annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.</p> <p>In addition, if a Council will be printing or distributing a greater number of copies of the annual report than usual, it may be regarded as a pamphlet and should be subject to certification by the CEO.</p>	<p>Section 131(6) of the Act requires the Council to normally submit its annual report to the Minister no later than 30 September each year.</p> <p>This is a proper use of Council resources.</p>
<p>Annual report summary</p>	<p>Any publication of an extract or summary of the annual report is regarded as a pamphlet and must be <u>subject to the certification process</u>.</p>	<p>Council resources should not be used to produce or distribute any summary of an annual report during the election that would be regarded as electoral material.</p>

<p>Council meetings</p>	<p>Agenda papers and minutes of meetings are not considered advertisements, handbills, pamphlets or notices and <u>do not require certification</u>.</p> <p>However, if Council meeting papers are printed or published for a wider distribution than normal, they will be treated as pamphlets and be subject to the certification process.</p>	<p>The conduct of Council meetings, as well as the preparation of agenda papers and minutes, is part of normal Council business. It is expected that they would continue to be resourced by the Council administration during an election period.</p>
<p>Advertisements & notices</p>	<p>All Council advertisements and notices must be subject to the certification process during an election period. This includes job advertisements and various notices, such as, Council meetings and road closures.</p> <p>Newspaper notices of meetings are not regarded as electoral matter under section 3(1) of the Act and <u>do not require certification</u>.</p>	<p>-</p>
<p>Web site – new material</p>	<p>Any new material published on the Council’s web site during the election period that may be considered an advertisement, handbill, pamphlet or notice <u>must be subject to the certification process</u>.</p> <p>As noted above, Council agendas, minutes of meetings and full annual reports do not require certification if published in the usual way.</p>	<p>Councils web sites will not be used to convey information that could be regarded as electoral material unless it is only about the election process.</p>

<p>Web site – existing material</p>	<p>It is not necessary to certify material that was published on the Council’s web site well before the election period.</p> <p>The Council web sites will be checked at the start of the election period by the Communications Coordinator (see : Section 5 certification process)</p> <ul style="list-style-type: none"> • Profiles of Councillors who are candidates will be removed from the web site, but not contact details. • Information prominently displayed on the web site that might be regarded as likely to influence how people vote will be removed. 	<p>Councils web sites should not be used to convey information that could be regarded as electoral material unless it is only about the election process.</p>
<p>Social media</p>	<p>Any publication on social media sites like facebook or twitter, which are auspiced by the Council, <u>will require certification by the CEO.</u></p> <p>Similar requirements apply to Council blog sites.</p>	<p>Council auspiced social media must not be used for election campaigning.</p> <p>Council will limit access to their social media sites during the election period and undertake constant monitoring to ensure no electoral matter is posted.</p>
<p>Email</p>	<p>Emails that are part of the normal conduct of Council business will not require certification.</p> <p>However, any emails with multiple addressees, used for broad communication with the community, will be subject to the certification process.</p>	<p>Council email services must not be used for electioneering purposes.</p> <p>If necessary, Councillors should be referred to one or more of the free email providers for private email addresses.</p>
<p>Correspondence</p>	<p>Mass mail outs or identical letters send to a large number of people by or on behalf of Council will be <u>subject to the certification process.</u></p>	<p>Council staff will not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.</p>

Mobile phones	-	<p>Mobile phone costs associated with electioneering will not be paid for by the Council.</p> <p>Councillors will be required to:</p> <ul style="list-style-type: none"> • use another mobile phone for electioneering
Council offices and libraries	<p>Existing documents available to the public at Council offices and libraries do not normally require CEO certification.</p> <p>However, any increase in the availability of a publication should be subject to certification.</p> <p>Staff will check material in libraries and offices to make sure that publications including electoral matter are not prominently displayed.</p>	<p>Electoral material, including pamphlets, posters and notices should not be visible or available at any Council premises during an election.</p> <p>The only exception to this is material issued by the returning officer for the purpose of conducting the election.</p>
Media releases	<p>Media releases will be regarded as documents that <u>require certification by the CEO.</u></p>	<p>Council staff must not prepare, or assist in the preparation of, media releases that contain electoral material.</p> <p>Councillors should be advised that media releases dealing with their election campaign should only be issued privately.</p>

Events	Material printed or disseminated during the election period to publicise a function or event must be <u>subject to the certification process</u> .	<p>Functions or events for the purpose of electioneering must not be resourced or publicised by the Council.</p> <p>Normal Council events are not prohibited in the election period. These will be kept to a minimum.</p> <p>Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.</p>
Speeches	Any publication or distribution of Councillors' speeches by the Council must be <u>subject to the certification process</u> .	Council staff and resources will not be used to prepare or publish speeches that contain electoral matter.
Title of "Councillor"	-	<p>Councillors may use the title "Councillor" in their election material, as they continue to hold their positions in the period.</p> <p>To avoid confusion, Councillors must ensure that any election publication using the title "Councillor" clearly indicates that it is their own material and does not represent Council.</p>
Returning officer	<p>The election returning officer is a statutory position and does not perform his or her duties on behalf of the Council. Therefore, publications by a VEC returning officer do not need certification.</p> <p>However, if the returning officer is a member of Council staff, section 55D(4) may apply and the Council should seek advice.</p>	-

While this document provides general guidance, the definitive statement of legal obligations is the law itself – particularly the relevant provisions of the *Local Government Act 1989*.

**10.4. ALBERT STREET DAYLESFORD - FROM WEST STREET TO PERRINS STREET - SPECIAL CHARGE SCHEME
GENERAL MANAGER INFRASTRUCTURE**

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

PURPOSE

To consider the construction of a footpath in Albert St, Daylesford, from West Street to Perrins Street, to be funded by a Special Charge Scheme and Council budget allocation.

BACKGROUND

The construction of a footpath along Albert Street Daylesford between West Street and Perrins Street has been requested by residents living in the area with a frontage to the southern side of Albert Street from West to Perrins Streets. The terrain in this area is steep and the existing track is very basic and does not provide adequate pedestrian access.

A Special Charge Scheme for the footpath construction has been formulated in accordance with Councils adopted policy. There are 11 adjoining property owners with frontage to the pathway that would contribute to this scheme on the basis of estimated pedestrian usage by each property. Council will meet the cost of the derived community and public benefit on the basis of the estimated pedestrian use of the footpath by other properties in the area called the "community and public benefit". There is a current Council budget allocation to meet community and public benefit amount.

The length of proposed footpath is 220m from West Street to Perrins Street.

ISSUE / DISCUSSION

Discussions on this proposed footpath construction commenced in 2010. To progress this scheme all landowners were sent a survey by post. Eight (8) survey forms were returned and one telephone response was received from the 11 surveys sent to all the landowners in May 2012. The following table provides a summary of responses from the survey.

In summary the support for the footpath scheme from the returned surveys is 67% which equates to 55% support of the adjoining landowners.

	Summary of returns from of posted survey	Total by Percentage of Returned Surveys	Total by Percentage of Landowners
In Support of a special charge scheme	6	67%	55%
Opposed to Special Charge Scheme	3	33%	27%
Total Returns from Survey	9	-	-
Non Returns from Survey	2	-	18%

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Any special Charge Scheme must be undertaken in compliance with section 163 of the Local Government Act and Council's policy 61 *Special Rates and Charges*.

Council to undertake a Special Charge Scheme under Section 163 of the Local Government Act needs to complete the following steps as a minimum in the legal process to implement a special charge scheme. The process is complicated and subject to review by VCAT or other courts:

- Following project design, estimation of costs and ratepayer consultation for the project,
- Council resolves to place a "Public Notice" to undertake a special charge scheme
- Notice of by letter to landowners liable to pay (including the amount the landowner is liable to pay and rights of a landowner to object)
- Consideration of any submissions and objections under section 163 of the Local Government Act and a hearing if necessary no less than 28 days after public notice.
- Resolution of Council to declare a Special Charge following any hearings.
- Notice to persons making a submission that Council has declared a Special Charge Scheme
- Notice of levy of the special charge by Notice to Landowners
- Appeal by outside authority, generally to VCAT
- After 30 days of notice of Levy (if no appeal lodged at VCAT), tender works and amend budget.

- Project delivery and completion and Notice of any changes to the amount of special charge due to variations during construction.
- Complete project and report

FINANCIAL IMPLICATIONS

This proposed special charge scheme project will be funded from property owners through a Special Charges Scheme and Council has a budget allocation for Councils contribution for this project. The proposed project cost is estimated at \$34,500 with the adjoining landowner contributions estimated at \$7,500 or \$680 per property with Council contribution of \$27,000 included in 2011-2012 Budget.

RISK IMPLICATIONS

There are no risk implications.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The number of properties with direct frontage is 11 and the estimated total properties that could use the footpath is 56.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Since this proposed footpath construction scheme started in 2010 there have been a number of letters to residents. To ascertain if there is significant support for the footpath, a formal survey of residents was conducted in May 2012. The returned surveys indicated a majority support of 55% for the proposed scheme, refer to table above.

CONCLUSION

Council has received requests from residents to construct a footpath in Albert Street between West Street and Perrins Street to provide a footpath suitable for pedestrians and motorised pedestrian transport.

Council has recently completed a survey to gauge the level of support for the proposed footpath construction under a special charge scheme. Nine responses were received from eleven surveys sent out.

The results from the returned survey indicate there is majority support of 55% of all landowners for a special charge scheme.

OFFICER'S RECOMMENDATION

- 10.4.1 That Council agrees to the implementation of a Special Charge Scheme for the Construction of a footpath in Albert Street from West Street to Perrins Street by publishing a public notice of Council's intention to Declare a Special Charge Scheme under Section 163 (1, 1A, 1B & 1C) of the *Local Government Act 1989*.

MOTION

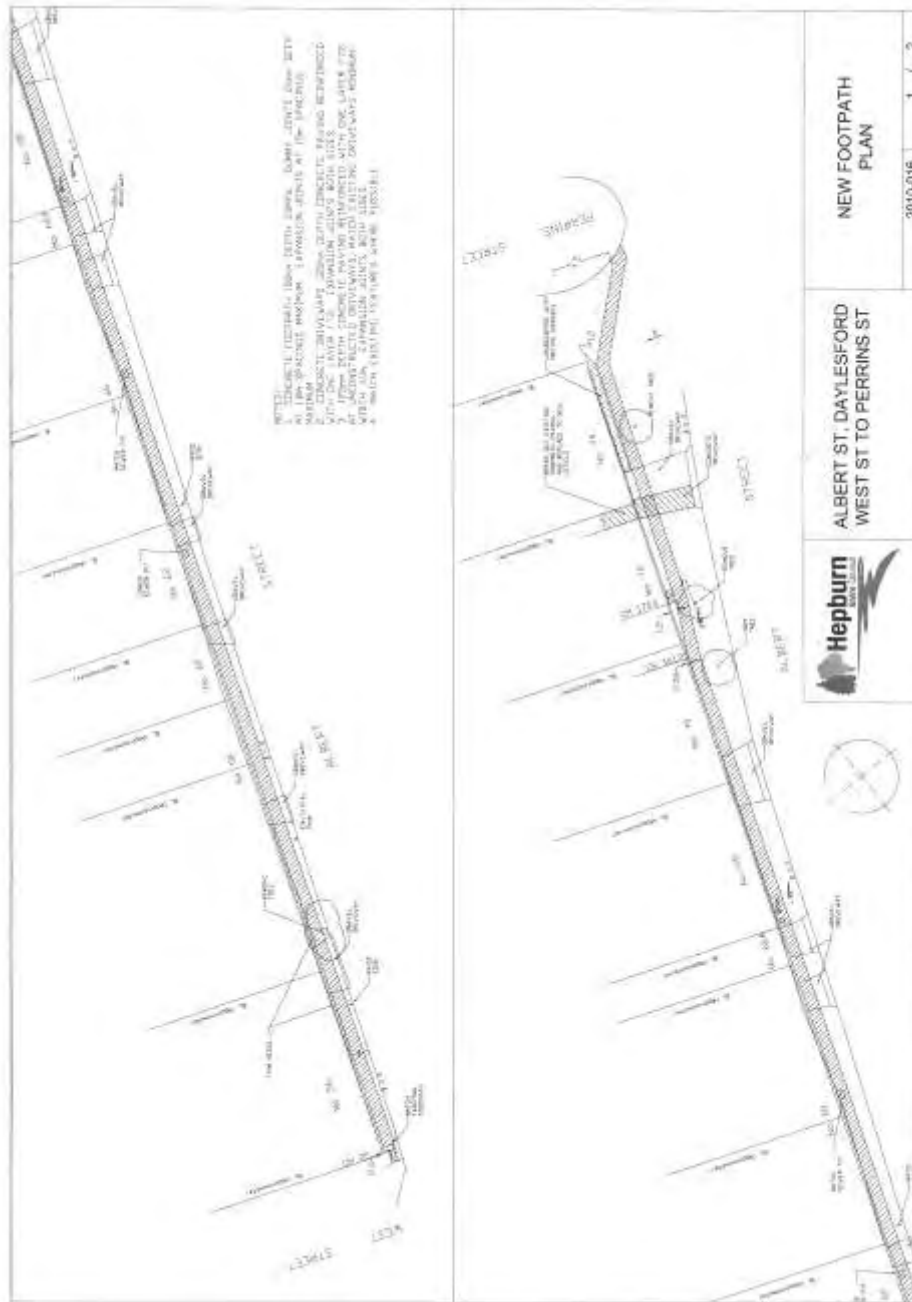
- 10.4.1. That Council agrees to the implementation of a Special Charge Scheme for the Construction of a footpath in Albert Street from West Street to Perrins Street by publishing a public notice of Council's intention to Declare a Special Charge Scheme under Section 163 (1, 1A, 1B & 1C) of the Local Government Act 1989.*

Moved: Councillor Rod May
Seconded: Councillor Neil Newitt
Carried.

ATTACHMENT 3 - LOCATION PLAN



ATTACHMENT 4 - PLAN OF PROPOSED FOOTPATH



10.5. REVIEW POLICY 19 – SIGNS AND GOODS ON ROAD RESERVATIONS (TABLES & CHAIRS, GOODS FOR DISPLAY, TEMPORARY SIGNAGE) GENERAL MANAGER SUSTAINABLE DEVELOPMENT

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

PURPOSE

Councils Policy 19 - Signs and Goods on Road Reservations lapsed on 28 February 2012. To provide a reviewed Policy for Council's consideration.

BACKGROUND

Council's General Local Law No. 2, Parts 12 and 13 regulate the placement of tables and chairs, goods for sale and temporary signage on public land for trading purposes.

Policy 19 complements the Local Law and provides guidance to officers when considering applications.

Policy 19 was first adopted by Council in 1996 and minor amendments have been made as required. This policy has proved to be invaluable, identifying a consistent approach for business proprietors and authorised officers.

Very few breaches of the policy have taken place which is a credit to the clarity of the policy and its ability to consider all affected parties and find an acceptable balance within the confines of Federal and State legislation.

ISSUE / DISCUSSION

The policy has expired and requires review to allow permits to be considered.

The review has identified that Policy 19 generally complies with relevant legislation, however some minor improvements were identified.

Key amendments:

1. Part 3 (Restrictions) – 3.1: All permitted items must be removed from public land at the termination of trade each day.
2. Part 3 (Restrictions) – 3.5: No permitted items may be placed in such a way as to restrict vehicle access into or from a parking bay.
3. Part 3 (Restrictions) – 3.7: Items or goods may only be placed outside the frontage of a business operated by the applicant or outside the frontage of another premises by agreement and under the provisions of this policy.
4. Part 3 (Restrictions) – 3.8: The "trading zone" (signs, tables & chairs, goods for sale) can only be placed kerbside of any footpath. A 0.4m clear space must be provided from the edge of the kerb or guttering to the

trading zone or a 0.7m clear space where there is either a parking bay for people with disabilities or a taxi parking bay.

5. Part 3 (Restrictions) – 3.9: A 1.5 metre (footpath width of less than 3.6 metres) or a 1.8 meter (footpath width of 3.6 metres or wider) pedestrian clear space free of any encroachments such as steps, ramps or landscaping must be provided at all times from the property line, (see policy diagrams 1 and 2).
6. Part 6 (Security/Fixing) – 6.2: Fixings to public land such as in-ground safe sockets must be approved by Council's Compliance Unit. Approval will only be granted for commercially produced fittings that are installed in accordance with the manufacturer's instructions and must not create a tripping hazard when furniture is removed.
7. Part 7 (Duration of permit) – 7.1: Permits will operate from 1 July to 30 June. New permits will be processed on a pro-rata basis.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989

Disability Discrimination Act 1993

Road Management Act 2004

General Local Law No 2 - Community Amenity and Municipal Places

Good Governance (22 & 25) Council Plan

A More Prosperous Economy (29 & 34) Council Plan

Healthy, Safe and Vibrant Communities (51) Council Plan

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Best practice policy that conforms with the requirements of Federal and State legislation will greatly address Council's risk implications in the area.

Being aware of government changes and making the appropriate amendments when necessary is imperative.

Guidance from Council's insurance provider will assist Council to amend and review this policy.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

This policy not only considers risk, liability and access but recognises the vibrant nature of Hepburn Shire and how the business community contribute to this.

A strong focus on quality food exists in Hepburn Shire which is recognised by tourists and tourism providers. On this basis it is important that the business precincts tactfully evolve and continue to be vibrant within the boundaries of legislation.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Several discussions have taken place with business proprietors, members of the public and rural access to establish concerns, identify needs and highlight the relevant legislation that is non negotiable.

CONCLUSION

Good policy is reflected through thorough testing, consultation, consistency and vision. This policy delivers on the expectations of all stakeholders, complements and supports State and Federal legislation and acknowledges the importance of business and tourism in Hepburn Shire.

OFFICER'S RECOMMENDATION

That Council:

- 10.5.1 Adopts the revised Policy 1 – Signs and Goods on Road Reservations.
- 10.5.2 Places the policy on the Hepburn Shire Council website for public information.

MOTION OF DEFERRAL

That Council defer this item:

10.5.1. *Pending adoption of the Daylesford Streetscape Revitalisation Project.*

10.5.2. *To provide an opportunity for community members to comment on the proposed policy.*

Moved: Councillor Jonathan Barrell

Seconded: Councillor Rod May

Lost.

MOTION

That Council:

10.5.1. *Adopts the revised Policy 19 - Signs and Goods on Road Reservations.*

10.5.2. *Places the policy on the Hepburn Shire Council website for public information.*

Moved: Councillor Don Henderson

Seconded: Councillor Bill McClenaghan

AMENDMENT

That Council:

10.5.3. *Amends Policy 19, Clause 3.1 to read:*

*‘ All permitted items must **be able to** be removed from public land at the termination of trade each day’.*

Moved: Councillor Jonathan Barrell

Seconded: Councillor Rod May

Lapsed.

AMENDMENT

That Council:

10.5.4. *Amends Policy 19 Clause 1.2 to read:*

*'An application outside the requirements of this policy may be considered by Council **or the relevant delegated officer.**'*

Moved: Councillor Jonathan Barrell

Seconded: Councillor Janine Booth

Carried.

AMENDMENT

That Council:

10.5.5. *Amends Policy 19 Clause 3.2 to read:*

*'No permitted items may be affixed to any fixture controlled or owned by Council (Council fixture) **without the written consent of officers.**'*

Moved: Councillor Jonathan Barrell

Seconded: Councillor Janine Booth

Carried.

MOTION

That Council:

10.5.1. *Adopts the revised Policy 19 - Signs and Goods on Road Reservations.*

10.5.2. *Amends Policy 19 Clause 1.2 to read:*

*'An application outside the requirements of this policy may be considered by Council **or the relevant delegated officer.**'*

10.5.3. *Amends Policy 19 Clause 3.2 to read:*

*'No permitted items may be affixed to any fixture controlled or owned by Council (Council fixture) **without the written consent of officers.**'*

10.5.4. *Places the policy on the Hepburn Shire Council website for public information.*

Moved: Councillor Don Henderson

Seconded: Councillor Bill McClenaghan

Carried.

Councillor Rod May called for a division.

Councillors that voted in favour of the motion: Councillor Sebastian Klein, Councillor Janine Booth, Councillor Don Henderson, Councillor Bill McClenaghan, Councillor Neil Newitt.

Councillors that voted against the motion: Councillor Rod May, Councillor Jonathan Barrell.

**ATTACHMENT 5 - POLICY 19 - SIGNS AND GOODS ON ROAD
RESERVATIONS - REVISED**



POLICY NUMBER: 19 (C) TEMPORARY SIGNS, TABLES AND CHAIRS AND GOODS FOR SALE ON ROAD RESERVATIONS

DATE AMENDED: 22 May 2012

DATE OF NEXT REVIEW: 30 September 2013

DATE ADOPTED:

RESPONSIBLE OFFICER: Compliance Coordinator

REFERENCES: General Local Law No 2 – Community Amenity and Municipal Places
Disability Discrimination Act 1993
Road Management Act 2004

Best Value Principles

Hepburn Shire Council has the responsibility to provide its ratepayers with best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting best value principles in their normal day to day actions to ensure services are recognised by the community as delivering best value.

Introduction

This policy has been formulated to complement General Local Law No.2. In particular, the policy addresses the temporary placement of signs, goods, tables and chairs on road reservations.

The Policy has been developed to accommodate the general needs and concerns of the Hepburn Shire Community and acknowledges the need for business vibrancy. The Hepburn Community Access Group has also been engaged and has provided feedback which has been included where appropriate.

A consistent approach is the focus of this policy as public liability, visual clutter, obstructions and business needs are challenging.

Permanent fixtures on public land may require planning approval under the provisions of the Hepburn Planning Scheme.

Scope

Stakeholders include customers and Hepburn Shire staff administering General Local Law No.2.

This policy applies to the temporary placement of signs, goods, tables and chairs on footpaths managed by Hepburn Shire Council.

Purpose

- To regulate the temporary placement of signs, goods, tables and chairs on public land (General Local Law No.2).
- To minimise: public risk, obstruction to the public and visual clutter.
- To complement streetscape strategies and encourage thoughtful use of items in a way that adds to the character of the area.
- To comply with the Disability Discrimination Act 1992 and any relevant guidelines.
- This policy guides Officers in the process of assessing applications for business operators to temporarily utilize public land under the provisions of a permit.

Definitions

Advertising Sign

Includes any board, notice, banner or other similar device used for the purpose of soliciting sales or services or notifying people of the presence of a property where goods or services may be obtained, and includes “wind barriers”

Council fixture

Council seating, signage poles, waste receptacles and utility boxes are all considered to be Council fixtures for the purpose of this policy.

Footpath

Means any path that is provided for the use of pedestrians only or that is regularly used by pedestrians and not vehicles or that is a segregated footway or shared footway. It includes a footway as defined in the Road Safety (Traffic) Regulations 1988.

Road

Has the same meaning as “Road” in the Local Government Act 1989, and includes a footpath/footway.

Street

Has the same meaning as Road.

Policy

INDEX

BEST VALUE PRINCIPALS

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- 5. COMBINATIONS**

6. SECURITY - FIXING
7. DURATION OF PERMIT
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10. REVIEW

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DIAGRAM 2 POLICY DIAGRAM - STREET FURNITURE

APPENDIX 1 GUIDELINES FOR CONSTRUCTION OF MOVEABLE ADVERTISING SIGNS

1. APPLICATION

- 1.1 Subject to this policy and Parts 12 and 13 of Local Law No.2 a permit to place any advertising sign, display of goods for sale or any item of street furniture on public land is required.
- 1.2 An application outside the requirements of this policy may be considered by Council or the relevant delegated officer. The applicant would need to demonstrate special or different circumstances. A probationary period will be applicable to approved applications.

2. PRESCRIBED SIZES

- 2.1 Notwithstanding any other provision of the Policy, signs shall be no greater than one square metre (1000mm²) and with no dimension greater than 1200 mm.

3. RESTRICTIONS

- 3.1 All permitted items must be removed from public land at the termination of trade each day.
- 3.2 No permitted items may be affixed to any fixture controlled or owned by Council (Council fixture) without the written consent of officers.
- 3.3 No permitted items may be placed in such a way as to interfere with or otherwise obstruct the use of any Council fixture.

- 3.4 No permitted items may be placed on any carriageway, driveway or emergency vehicle access way.
- 3.5 No permitted items may be placed in such a way as to restrict vehicle access into or from a parking bay
- 3.6 No permitted items may be located within 1 metre of an intersection, pedestrian crossover or driveway.
- 3.7 Items or goods may be placed outside the frontage of a business operated by the applicant or outside the frontage of another premises by agreement and under the provisions of this policy.
- 3.8 The “trading zone” (signs, tables & chairs, goods for sale) can only be placed kerbside of any footpath. A 0.4m clear space must be provided from the edge of the kerb or guttering to the trading zone or a 0.7m clear space where there is either a parking bay for people with disabilities or a taxi parking bay.
- 3.9 A 1.5 metre (footpath width of less than 3.6 metres) or a 1.8 metre (footpath width of 3.6 metres or wider) pedestrian clear space free of any encroachments such as steps, ramps or landscaping must be provided at all times from the property line, (see policy diagrams 1 and 2).
- 3.10 Umbrellas will have a minimum height of 2.0 metres from the ground to the lowest point of the canopy.
- 3.11 Any signs, furniture or other approved items must be maintained in good order and appearance. Authorised Council officers may otherwise direct removal.

4. QUANTITY

- 4.1 Unless an applicant can demonstrate special or different circumstances (eg; corner establishment, widened footways, double frontages).
- 4.2 No more than one **(1)** advertising sign will be permitted within the frontage of a business.
- 4.3 No quantity restrictions are placed on any other items however placement must comply with Part 3 of this policy.

5. COMBINATIONS

- 5.1 A single permit may be issued where approved applications are lodged for combinations of items and goods.

6. SECURITY / FIXING

- 6.1 Signs and umbrellas shall be fixed or secured at all times in such a manner so as to prevent their movement due to wind.
- 6.2 Fixings to public land such as in-ground safe sockets must be approved by Council's Compliance Unit. Approval will only be considered for commercially produced fittings that are installed in accordance with the manufacturer's instructions and must not create a tripping hazard when furniture is removed.

7. DURATION OF PERMIT

- 7.1 Permits will operate from 1 July to 30 June. New permits will be processed on a pro-rata basis.
- 7.2 Upon expiry of a permit all items must be removed unless a new permit has been issued.

8. FEES

- 8.1 ***The standard fees as determined by Council for 2012/13 are contained in Council's fees and charges schedule.***
- 8.2 Council may, at its discretion, reduce or waive fees for signs associated with community activities, service clubs or the like.
- 8.3 All fees are due at the time of granting consent and permitted items shall not be placed on public land under Council's management until such fees have been paid and the permit issued.

9. IMPLEMENTATION

This policy will be implemented by Council's authorized officers upon Adoption by Council

10. REVIEW

All Council policies must be reviewed within the first twelve months after an election to ensure that they are consistent with the Council Plan and to allow the new Councillors the opportunity to have input into them, (*Policy 62(O) – Policy Framework*).

DIAGRAM NO. 1

POLICY DIAGRAM - STREET FURNITURE

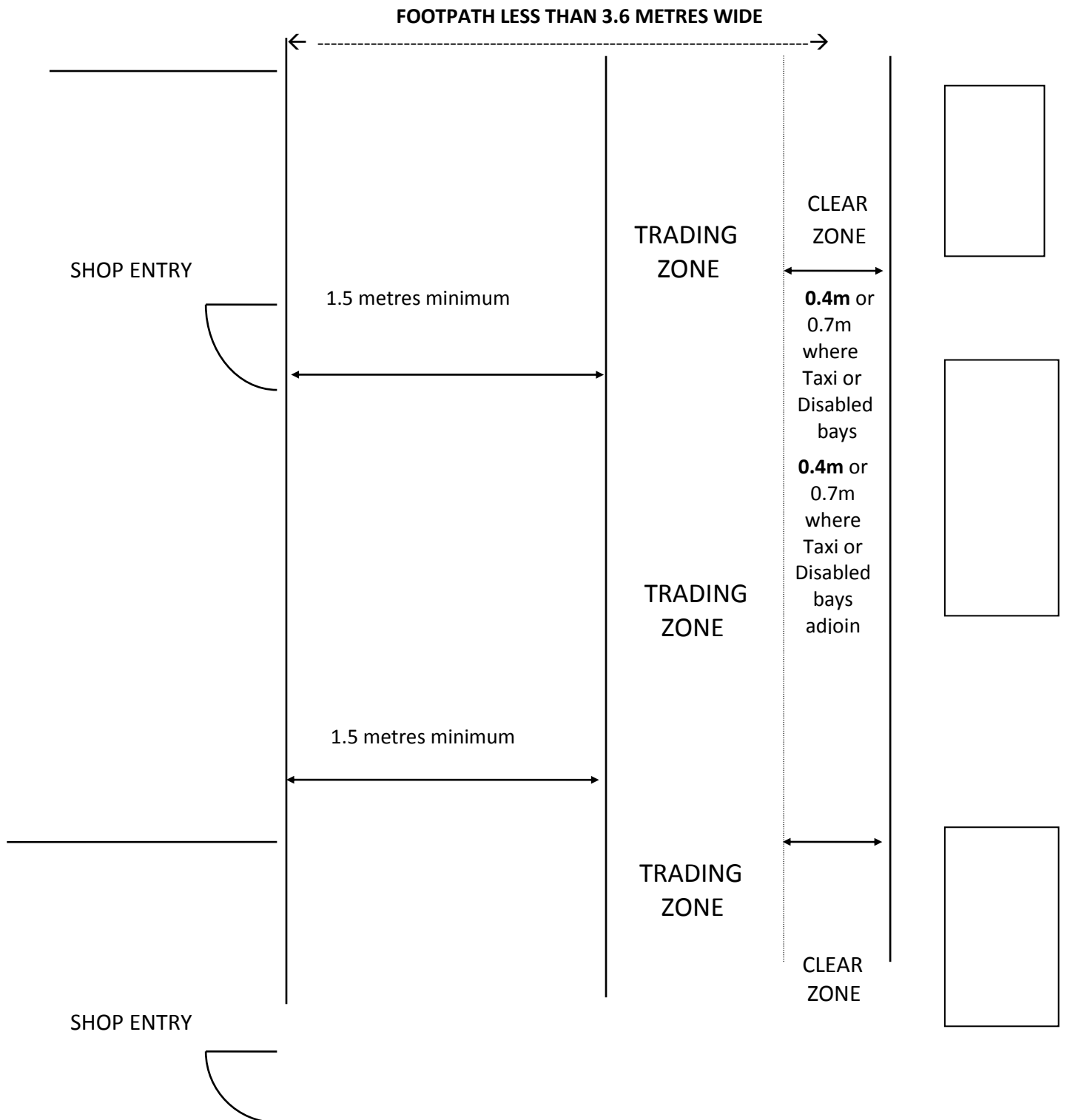
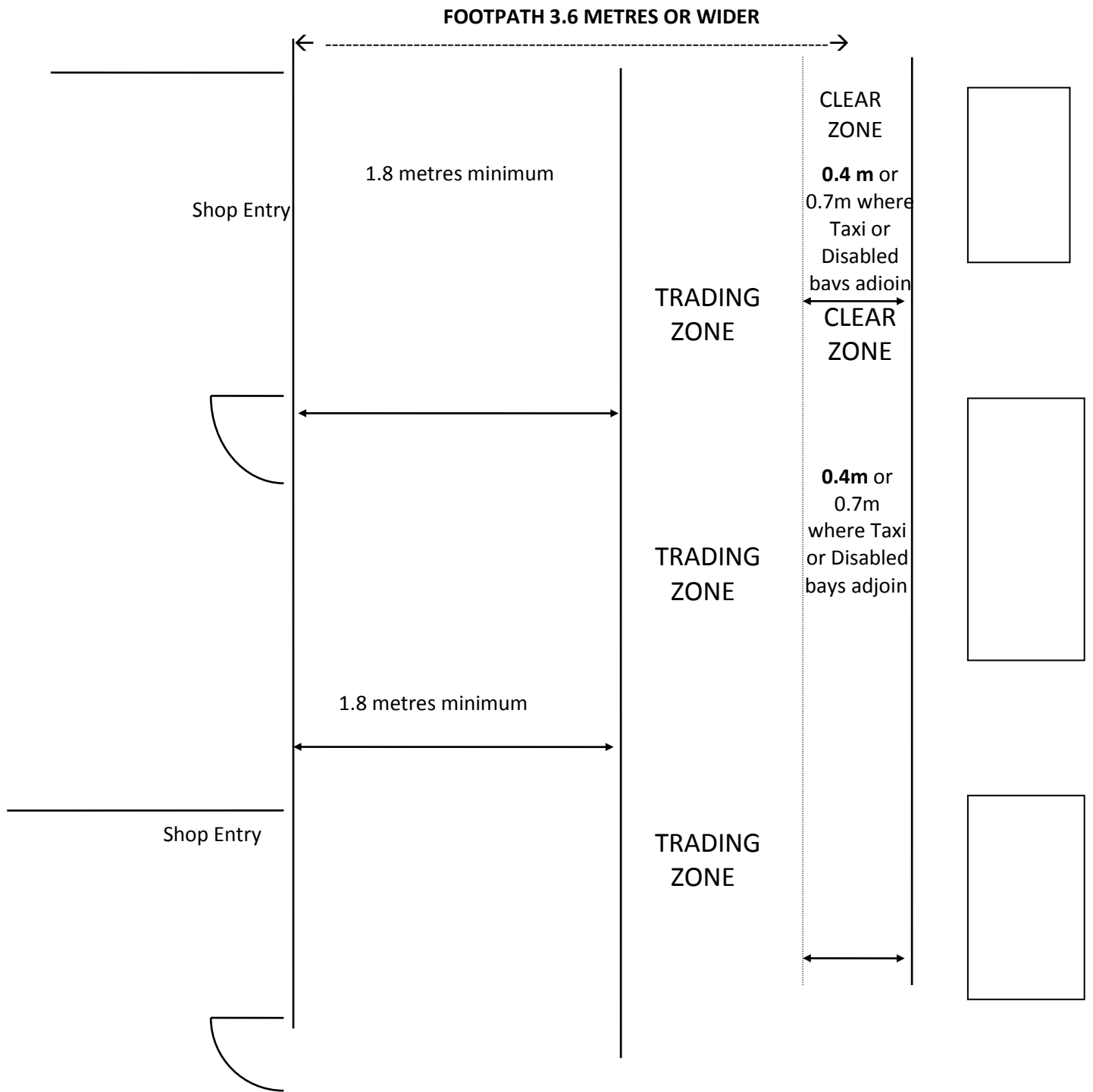


DIAGRAM NO. 2

POLICY DIAGRAM - STREET FURNITURE

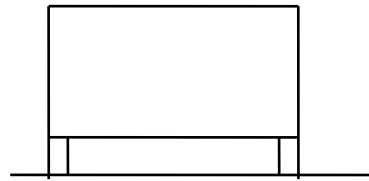
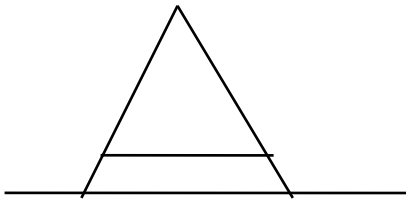


APPENDIX 1 GUIDELINES FOR MOVEABLE ADVERTISING SIGNS

GENERAL

- All signs must be suitably weighted down against uplift or overturning.
- All exposed sharp edges are to be suitably protected to prevent any type of injury to persons or property.
- The maximum height and width of signs are shown in Clause 2 of this policy.
- All signs are to be tied at their base to prevent spreading.
- Signs must be well maintained and not detract from the local environment, otherwise Authorised Council Officers may direct they be removed.

***Maximum sign Area
1 square metre per face***



Timber

- All timber framed signs shall be constructed from 50 mm x 25 mm hardwood or similar timber material.
- All joints to be glued and screw fixed including sign panels to timber frame.
- Where possible all material shall be suitably treated to prevent unsightly deterioration or structural failure.

Steel

- All steel frame signs to be constructed from 25 mm x 25 mm x 1.5 mm Rectangular Hollow Section (RHS).
- All joints are to be welded, riveted or bolted.

10.6. DRAFT NORTH CENTRAL REGIONAL CATCHMENT STRATEGY GENERAL MANAGER SUSTAINABLE DEVELOPMENT

In providing this advice to Council as the Natural Resource Management Officer, I, Dale Tonkinson have no interests to disclose in this report.

PURPOSE

The purpose of this report is to provide a recommended response to the Regional Catchment Strategy, currently on exhibition, for Council's consideration.

BACKGROUND

A Regional Catchment Strategy (RCS) is a requirement of the Catchment and Land Protection Act 1994. The majority of the Hepburn Shire lies within the North Central Catchment Management Authority (NCCMA) area with small sections on the southern boundary of the Shire in the Port Phillip and Westernport CMA and the Glenelg-Hopkins CMA areas.

The RCS integrates regional priorities with relevant state and federal legislation and policies regarding natural resource management. The previous strategy has expired, submissions close Friday 15 June 2012.

ISSUE / DISCUSSION

Key points in the response relate to:

- a lack of clarity as to how subsidiary strategies relate to each other
- the proposed Carbon Action Plan
- a lack of engagement with Council and unreasonable timeframes for this response. An interim response has been provided with advice that a formal response will be provided following the Council Meeting of 19 June 2012
- some comments on the assets-based approach used in the strategy
- the increased focus on soils is applauded but a new trend to working with single-issue community groups rather than Landcare groups is questioned
- the omission of irrigation from groundwater sources is pointed out and the overlooking of lowered groundwater tables as a threat is identified.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The RCS is a reference document in the Hepburn Planning Scheme.

FINANCIAL IMPLICATIONS

None, although potential implications from a future Carbon Action Plan are highlighted.

RISK IMPLICATIONS

Not applicable.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Potential implications of a future Carbon Action Plan, including wildfire planning are discussed.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Not applicable.

CONCLUSION

There is little of immediate concern from a Hepburn Shire Council perspective in the Draft RCS and much to commend in the evolution of this high level strategic document. The proof is in the detail and the implementation – and in this case – in the subsidiary plans/strategies.

OFFICER'S RECOMMENDATION

That Council:

10.6.1 Endorses the submission attached to this report.

10.6.2 Provides a copy of the endorsed submission to North Central Catchment Management Authority.

MOTION

That Council:

10.6.1. Endorses the submission attached to this report.

10.6.2. Provides a copy of the endorsed submission to North Central Catchment Management Authority.

Moved: Councillor Rod May

Seconded: Councillor Don Henderson

Carried.

**ATTACHMENT 6 - HEPBURN SHIRE COUNCIL SUBMISSION IN
RESPONSE TO THE DRAFT NORTH CENTRAL REGIONAL CATCHMENT
STRATEGY**

As the overarching strategy for sustainable natural resource management (land, water and biodiversity) in the region, it achieves its aim to be a concise, high level, strategic document. However the relationship between the RCS and subsidiary Plans and Strategies is not considered prominent enough, being hidden on page 13. For most stakeholders it is the subsidiary documents that contain most of the detail relevant to their strategic planning and day-to-day activities.

The interaction of these strategies should presumably be mediated by the RCS – the lack of detail in the RCS around the relationship between native vegetation, weeds and other land use issues (including sustainable agricultural production and heritage landscapes) may be problematic in reconciling what may come out of, for example, the North Central Native Vegetation Plan, the North Central Dryland Management Plan (or their successors) and the new Regional Soil Health Plan.

The proposed new Carbon Action Plan is a worthy initiative however we would urge that local government be heavily involved in the process. The identification of priority areas may identify opportunities for landholders in Hepburn Shire (high rainfall and often better soils resulting in reasonable growth rates) to engage in carbon sequestration activities. With implications for municipal planning and land use strategies, wildfire planning and could even put downward pressure on rates for such land.

The greater emphasis on partnerships engagement and consultation identified in the *Review of the previous strategy* was not particularly evident in the approach to developing this strategy. The recent community forums and the timeframe for response to the draft RCS (less than a month) – responses being due by June 15, have made a detailed response difficult within Council's meeting timetable. As a consequence an interim submission was provided until a formal response is endorsed by Council. The comment on page 15 that "The NCCMA will work with relevant local governments to ensure better alignment of RCS objectives with local government planning" will be viewed with some scepticism due to these timeframes.

The asset-based approach to identifying and prioritising potential actions used in conjunction with a sophisticated decision support tool is intended to provide a robust transparent basis for assessing the feasibility of projects and prioritising them in an unbiased manner. However supporting documents seem to illustrate that such an approach can also hide potentially biased decisions deep in the process, by choosing whether or not to apply the decision support tool to an asset at any point in time.

Asset identification has resulted in spatially discrete assets - great for displaying on a map, but a serious over-simplification of the complex world within the catchment. It is not clear if this will limit access to funding for groups/agencies proposing to work on issues within one asset where the benefit will accrue in another asset.

The assets identified in Hepburn Shire (around 40% of the shire), i.e. Upper Loddon River, Coliban River, Daylesford-Wombat Zone, Maryborough - Paddys Range Zone partially in the Shire around Dunach and the Moolort Plains Wetlands Central Goldfields Shire east of Dunach, are generally supported whilst noting the concern expressed above about spatially discrete assets.

Most wetlands in the Shire are highly modified, although some ephemeral grassy wetlands may now be subject to Environment Protection and Biodiversity Conservation Act controls. These types of wetlands seem to receive little attention from the RCS and State Government processes in general.

Soils as a critical natural resource have an increased focus in this iteration of the RCS – to be much applauded! A Regional Soil Health Plan is to be produced. An associated move to working with community-based soil protection groups (single issue groups) raises questions around the future direction of community engagement models. The role of the Landcare movement as community-based multi-disciplinary land management groups may be considered under threat.

The RCS must take a broad overview of land use and associated issues; however the neglect of irrigated horticulture in the upper catchments from groundwater sources cannot be supported. This omission has led to threats to groundwater dependent ecosystems, particularly declining groundwater tables being overlooked despite these threats more generally being recognised at State Government level for some time.

As one of the most vegetated parts of the NCCMA region Hepburn Shire has much to offer the downstream areas of our catchments and potentially provides low hanging fruit in achieving biodiversity and water quality outcomes – these have received little recognition within the RCS

In summary, there is little of immediate concern from a Hepburn Shire Council perspective in the RCS and much to be commended in the evolution of this high level document. The proof is in the detail and the implementation – and in this case – in the subsidiary plans/strategies (which in the past have not engaged with as broad a range of stakeholders as the RCS itself).

10.7. APPOINTMENT OF MUNICIPAL EMERGENCY RESOURCE OFFICER (MERO)

CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is to appoint a Municipal Emergency Response Officer (MERO) for the Hepburn Shire Council.

BACKGROUND

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

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

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

ISSUE / DISCUSSION

At present the role of MERO sits within the Position Description of Manager Assets and Engineering Services, Richard Russell, which was an interim arrangement, put in place by Council on 20 December 2011 whilst Council undertook a recruitment process for the General Manager Infrastructure.

Previous staff vacancies have now been filled and it is recommended that the current General Manager Infrastructure, Bruce Lucas be appointed as MERO and Manager Assets and Engineering Services, Richard Russell, be appointed as deputy MERO.

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

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

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

1. To be responsible for the co-ordination of Municipal resources in responding to emergencies.
2. To establish and maintain an effective infrastructure of personnel whereby Municipal resources can be accessed on a 24 hour basis.
3. To establish and maintain effective liaison with agencies within or servicing the Municipal district and the Municipal Recovery Manager (MRM).
4. To maintain the Municipal Emergency Co-ordination Centre(s) (MECC's) at a level of preparedness to ensure prompt activation when necessary.
5. To facilitate the arrangement of a post emergency debrief as requested by the Municipal Emergency Response Coordinator (MERC).
6. To ensure procedures and systems are in place to monitor and record all expenditure by the Municipality in relation to emergencies.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

The appointment of a MERO will address any legislative risk implications.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Not applicable

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Not applicable

CONCLUSION

Under the *Emergency Management Act 1986* a municipal council must appoint a person or persons to be the Municipal Emergency Resource Officer (MERO) or Municipal Emergency Resource Officers', to coordinate the use of municipal resources for emergency response and recovery.

The existing interim arrangement is now able to be replaced with the appointment of General Manager Infrastructure as MERO which will provide the organisation and community with the continued readiness for emergencies and meet its legislative responsibilities.

OFFICER'S RECOMMENDATION

That Council:

- 10.7.1 Appoints Bruce Lucas as the Municipal Emergency Resource Officer (MERO).
- 10.7.2 Appoints Richard Russell as Deputy Municipal Emergency Resource Officer (Deputy MERO).
- 10.7.3 Updates the contact directory of Council's Municipal Emergency Management Planning Committee and other relevant emergency management documentation

MOTION

That Council:

- 10.7.1. Appoints Bruce Lucas as the Municipal Emergency Resource Officer (MERO).*
- 10.7.2. Appoints Richard Russell as Deputy Municipal Emergency Resource Officer (Deputy MERO).*
- 10.7.3. Updates the contact directory of Council's Municipal Emergency Management Planning Committee and other relevant emergency management documentation.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Don Henderson

Carried.

10.8. HEPBURN SHIRE LIBRARY SERVICES – SERVICE LEVEL AGREEMENT WITH CITY OF BALLARAT

GENERAL MANAGER COMMUNITY SERVICES

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

PURPOSE

The purpose of this report is to recommend that Council authorise the Chief Executive Officer to enter into a new three year Service Level Agreement with the City of Ballarat for the procurement of library services following approval from the Minister for Local Government.

BACKGROUND

In June 2011 the former Central Highland Regional Library Corporation Board resolved to cease the provision of library services to member Councils as at 30 June 2011. The Board also endorsed a transition plan to achieve dissolution of the Corporation by 30 September 2011.

From 1 July 2011, library staff at Clunes, Creswick and Daylesford Libraries became employees of Hepburn Shire Council.

The City of Ballarat drew up a Library Service Level Agreement 2011 - 2012, by which all co-operative services previously provided to Hepburn Shire by the Regional Library Corporation are provided by the City of Ballarat. These services include Management and Planning, Collection, Information Technology, Programs / Events and the Mobile Library Service

At its Ordinary Meeting on 19 July 2011 Council authorised the CEO to:

- Seek an exemption from the Minister under Section 186 of the Local Government Act to procure library services from the City of Ballarat for the 2011-2012 financial year;
- Procure temporary library services from the City of Ballarat prior to receiving the Minister's approval;
- Sign the Service Level Agreement 2011 to 2012 City of Ballarat and Hepburn Shire Council 1 July 2011 – 30 June 2012 once the Ministerial exemption is received.

ISSUE/DISCUSSION

A new three year Service Level Agreement (SLA) has been developed by City of Ballarat following a workshop with staff from Councils purchasing services

from City of Ballarat. The Agreement clearly sets out principles, roles and responsibilities of City of Ballarat and participating Councils. The SLA establishes a Reference Group of Councils participating in the Central Highland Libraries group to set the strategic direction for library services, review service provision and monitor performance.

The Agreement sets out minimum core service provision levels along with relevant performance indicators and operates under a user pays arrangement.

Services to be provided are:

- Information Services - Physical & remote access;
- Community Learning Programs - Children's and Youth Programs, book launches, events etc;
- Libraries Administration & Collection Services - including library specific Information Technology and Library Management System;
- Training - specific to library staff.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

"We will create healthier, safer, more vibrant communities"

Commitment 46 – Providing citizens with the information and linkages they need to make community connections through our leisure programs, libraries and neighbourhood houses".

Council must request an exemption under Section 186 of the Local Government Act from the Minister of Local Government prior to entering into the Library Service Level Agreement with City of Ballarat as it is anticipated that the annual cost of services will exceed \$150,000.

FINANCIAL IMPLICATIONS

The City of Ballarat's cost estimates for provision of services is based on 2011-2012 actual costs and is within the recurrent budget amount incorporated in the Council's 2012-2013 Prepared Budget.

RISK IMPLICATIONS

Risk in relation to service quality and potential budget creep due to increased use of services will be managed through quarterly reporting and monitoring.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Residents of Hepburn Shire value and utilise their libraries extensively. Loans per capita in Hepburn (2010-11) were 9.16 compared with a state average of

9 loans per capita. In 2010-2011 visits to libraries in Hepburn were 89,453 which is 6.17 visits per capita compared to a State average of 5.2. 34% of people in Hepburn Shire were active members of libraries.

Libraries assist in ensuring greater equity of access to information for residents and have a strong role in strengthening communities.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The new Service Level Agreement has been developed in conjunction with Councils participating in the Central Highland Libraries group.

CONCLUSION

Providing library services co-operatively results in the best outcomes for residents in small Councils.

OFFICER'S RECOMMENDATION

That Council:

- 10.8.1 Authorises the Chief Executive Officer to seek an exemption from the Minister under Section 186 of the Local Government Act to procure library services from the City of Ballarat for 2012 - 2015.
- 10.8.2. Authorises the Chief Executive Officer to continue procuring temporary library services from the City of Ballarat prior to receiving the Minister's approval.
- 10.8.3 Authorises the Chief Executive Officer to sign the Service Level Agreement 2012-2015 for Provision of Library Services by City of Ballarat to Hepburn Shire Council once the Ministerial exemption is received.

MOTION

That Council:

- 10.8.1. Authorises the Chief Executive Officer to seek an exemption from the Minister under Section 186 of the Local Government Act to procure library services from the City of Ballarat for 2012 - 2015.*
- 10.8.2. Authorises the Chief Executive Officer to continue procuring temporary library services from the City of Ballarat prior to receiving the Minister's approval.*
- 10.8.3. Authorises the Chief Executive Officer to sign the Service Level Agreement 2012-2015 for Provision of Library Services by City of Ballarat to Hepburn Shire Council once the Ministerial exemption is received.*

Moved: Councillor Rod May

Seconded: Councillor Neil Newitt

Carried.

10.9. EXCHANGE OF LAND - 67 FRASER STREET, CLUNES GENERAL MANAGER INFRASTRUCTURE

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

PURPOSE

To consider the exchange of land that will provide a correct matching of property title to the building footprint of an established building at 67 Fraser Street Clunes.

BACKGROUND

The owners of 67 (Lot 20) Fraser Street, Clunes are intending to sell their property and have a prospective buyer. However, the pre sale investigations have revealed the building has not been constructed within the title boundaries but was constructed across the title boundaries into the road reserve of Fraser and Service Streets (refer to Attachments 6 and 7).

ISSUE / DISCUSSION

The surveyor's plan in Attachment 6 describes the building footprint outline in comparison to the title boundaries. The plan shows the front of the building has been constructed between 4 and 6 centimetres over the boundary and the side of the building has been constructed 7.33 metres over the title boundary.

The land area proposed to be converted from road reserve to private title is 57.5 sq metres (coloured green) and the private title area proposed to be converted to road reserve is 51.5 sq metres (coloured yellow). This exchange is in effect giving proper title to the existing situation and also will allow further development of additional car parking to the north of the monument and East of the building if required. This land exchange will not affect any future streetscape works in the vicinity of the monument.

The proposed land exchange as shown on Attachment 6 be agreed to by Council. All costs for the proposed land exchange shall be at the landowner's expense. Discussions with Department of Sustainability and Environment (DSE) officers have occurred to ascertain the best method of rectifying the boundary alignment of 67 Fraser Street. This is through a land exchange with titles prepared by the landowner's surveyor to Surveyor General's standard and format, and the plan lodged by Council with the Titles Office. This process does not require a formal road closure of the road reserve to be exchanged.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989 - Schedule 10 - Powers of Council over Roads

The Council Plan 2009-2013

“We will deliver good governance to the Hepburn Shire”

FINANCIAL IMPLICATIONS

There are no costs to Council and all costs for the proposed land exchange shall be at the landowner's expense.

RISK IMPLICATIONS

Nil Identified

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

No social or environmental implications identified

COMMUNITY AND STAKEHOLDER ENGAGEMENT

This land exchange is at the request of the landowner and will not require community engagement. Discussions and advice have been received from DSE who are in agreement with this land exchange.

CONCLUSION

A request for a land exchange from the landowners of 67 Fraser Street Clunes has been received by Council. If Council agrees to this land exchange the land exchange will provide a correct matching of property title to the existing fencing and building footprint. The land exchange occurs through titles prepared by the landowner's surveyor to Surveyor General's standard being lodged by Council with the Titles Office. This land exchange will not affect any future streetscape works in the vicinity of the monument.

OFFICER'S RECOMMENDATION

10.9.1 That Council agrees to the exchange of the land at 67 Fraser Street Clunes as per attachment 6 and advises the landowners and the Department of Sustainability and Environment in writing of Council's decision with all costs including any Council costs to be at the landowner's expense.

MOTION

10.9.1. That Council agrees to the exchange of the land at 67 Fraser Street Clunes as per attachment 6 and advises the landowners and the Department of Sustainability and Environment in writing of Council's decision with all costs including any Council costs to be at the landowner's expense.

Moved: Councillor Jonathan Barrell

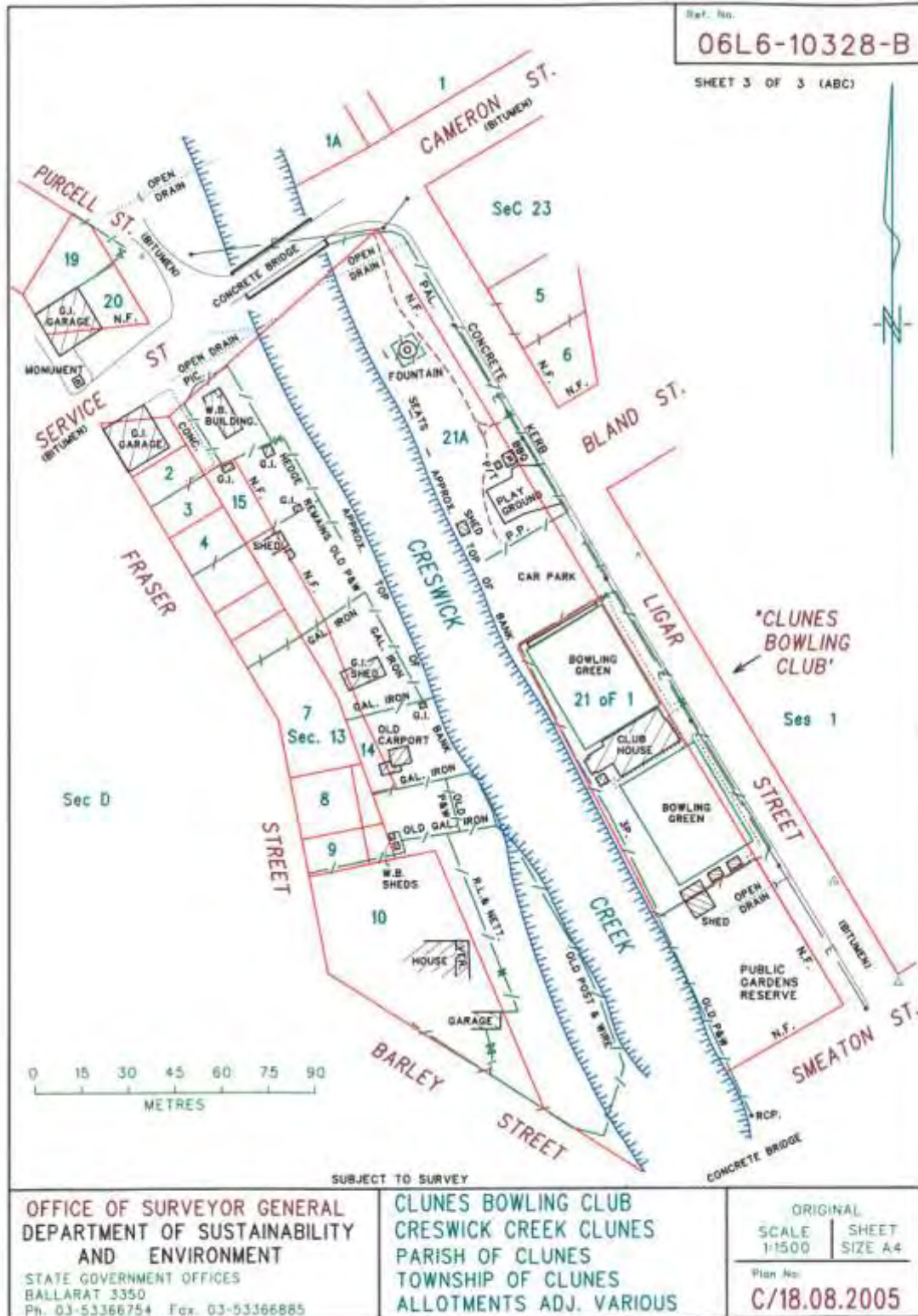
Seconded: Councillor Neil Newitt

Carried.

ATTACHMENT 7 - SURVEYORS PLAN OF BUILDING FOOTPRINT



**ATTACHMENT 8 - DEPARTMENT OF SUSTAINABILITY AND
ENVIRONMENT - 2005 SURVEY OF CREEK AND PROPERTY
BOUNDARIES**



10.10. B-DOUBLE CONSENT APPLICATION – VENMOORE PTY LTD – BASALT ROAD FROM MIDLAND HIGHWAY TO AND INCLUDING WERONA ROAD, LEONARDS HILL - SOUTH BULLARTO ROAD, TELEGRAPH ROAD AND BELLS REEF ROAD

GENERAL MANAGER INFRASTRUCTURE

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

PURPOSE

To consider the consent for B-Double use to be issued to Venmoore Pty Ltd to operate B-Double trucks on the following Roads within the Shire:

- Basalt Road from Midland Highway to and including Werona Road;
- Leonards Hill – South Bullarto Road;
- Telegraph Road;
- Bells Reef Road.

BACKGROUND

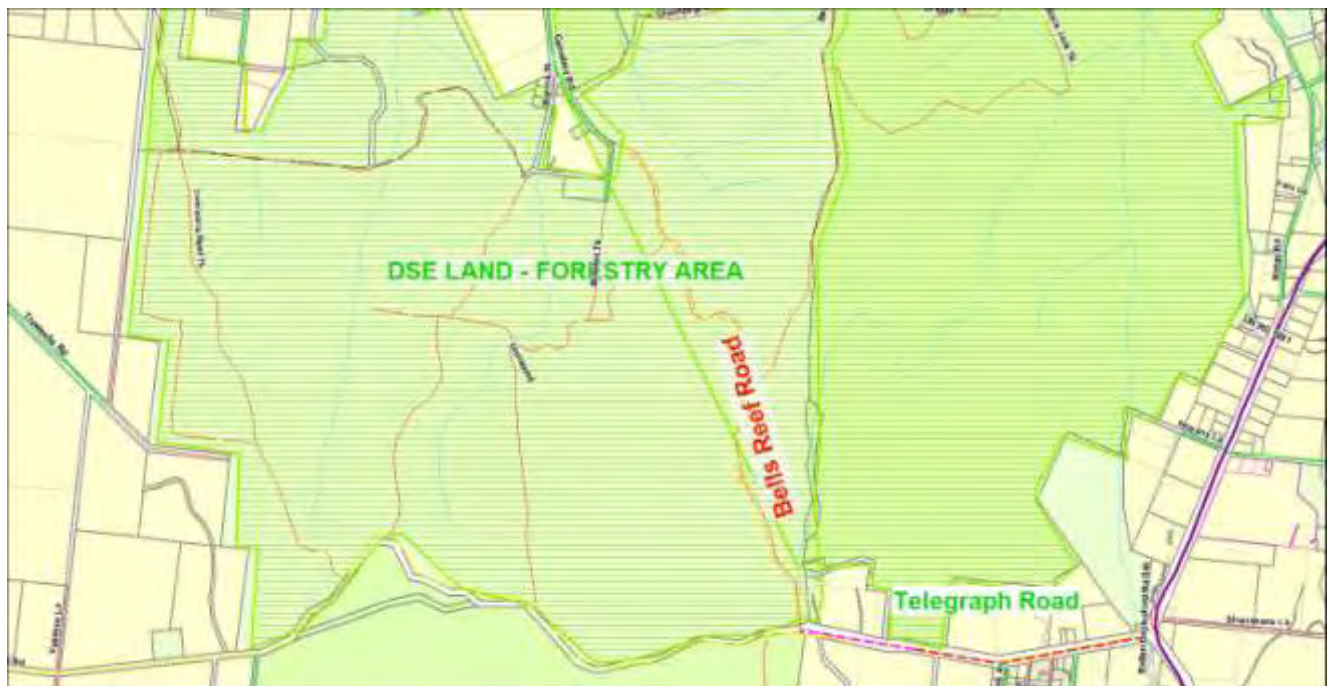
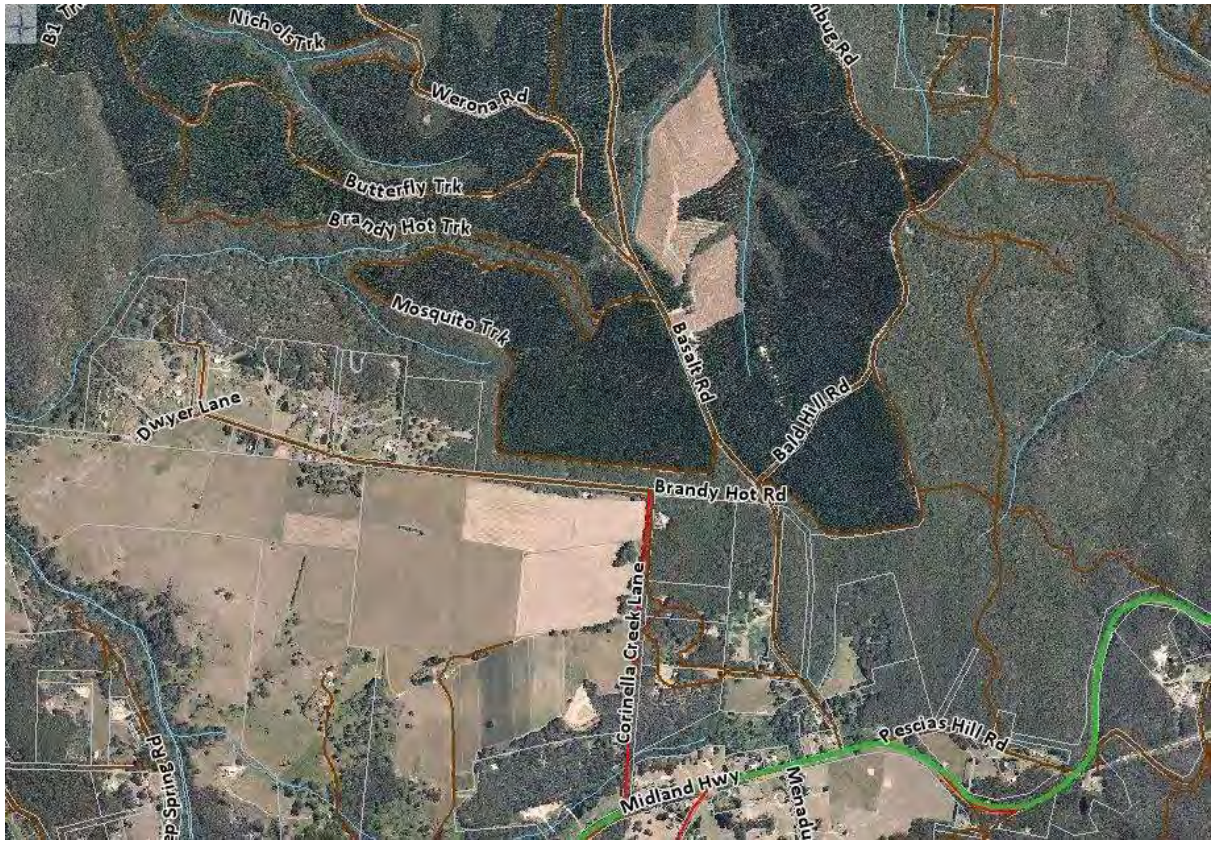
The use of B-Doubles on local roads is prohibited unless consent is issued by the Local Government Authority who is in control of the local roads. B-Double trucks do not need permission to operate on main roads which are managed by VicRoads.

The timber plantations are managed by Hancocks (HVP) and this application is to allow the trucking operator to cart logs from the plantation to Geelong and Melbourne.

ISSUE / DISCUSSION

Council has previously issued B-Double consent for logging trucks to access plantations that use Council's local roads and these roads are included in the list above. The contractor is seeking B-Double access on these roads to transport logs from HVP Plantations to Geelong and Melbourne.

The consent is for a 12 month period from 20 June 2012 to 19 June 2013. It is not for continuous ongoing use and the requirement for future log transport has yet to be decided by the plantation operator, Hancock's timber.



COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

Due to the minimal duration and traffic volumes expected on these roads, the additional traffic from the plantation should have minimal impact on the road. Venmoore Pty Ltd are allowed by State Law to use standard semi trailers on local roads to cart logs but by using B-Doubles the number of truck traffic movements is halved.

The use of higher mass limits should not be agreed to as any consent granted should be consistent with loads that the operator may legally carry using semi trailers standard registration under Victorian State Law complying to the General Mass Limits.

RISK IMPLICATIONS

The sections of road concerned are not bus routes and the road alignment is such that trucks would use this road with due regard for local traffic. Trucks and semi trailers can legally use this road. The use of B-Doubles would halve the traffic volume from logging activities.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

It is economically beneficial to the logging company to be able to use this route. The load of a B-Double truck is similar in volume/mass to the loads of 2 semi trailers resulting in considerable saving in fuel and reduction in emissions as a result of use of B-Doubles.

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, as cartage of logs can legally be undertaken by semi trailers at General Mass Limits.

CONCLUSION

Council has been requested to issue consent for low frequency B-Double access on Basalt Rd, Werona Road, Leonards Hill – South Bullarto Road, Telegraph Road and Bells Reef Road to transport logs from HVP Plantations to Geelong and Melbourne.

OFFICER'S RECOMMENDATION

- 10.10.1 That Council consents to Venmoore Pty Ltd being able to operate a B-Double at General Mass Limits in Basalt Rd, Werona Road, Leonards Hill – South Bullarto Road, Telegraph Road and Bells Reef Road for 1 year from 20 June 2012.

MOTION

- 10.10.1. *That Council consents to Venmoore Pty Ltd being able to operate a B-Double at General Mass Limits in Basalt Rd, Werona Road, Leonards Hill – South Bullarto Road, Telegraph Road and Bells Reef Road for 1 year from 20 June 2012.*
- 10.10.2. *That Council's consent is conditional upon the operator agreeing to fully fund all road repairs required that are attributed to the additional heavy vehicle use arising from this consent.*

Moved: Councillor Don Henderson
Seconded: Councillor Janine Booth
Carried.

**10.11. B-DOUBLE CONSENT APPLICATION – CLEARWATER LOGGING AND TRANSPORT – BALD HILLS ROAD, BALD HILLS FROM HANCOCK’S PLANTATION TO GILLIES ROAD
GENERAL MANAGER INFRASTRUCTURE**

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

PURPOSE

To consider an application for a 12 month consent for the use of higher mass 25 metre B-Doubles for 2 kilometres along Bald Hills Road, from Gillies Road to Hancock’s Plantation to transport timber.

BACKGROUND

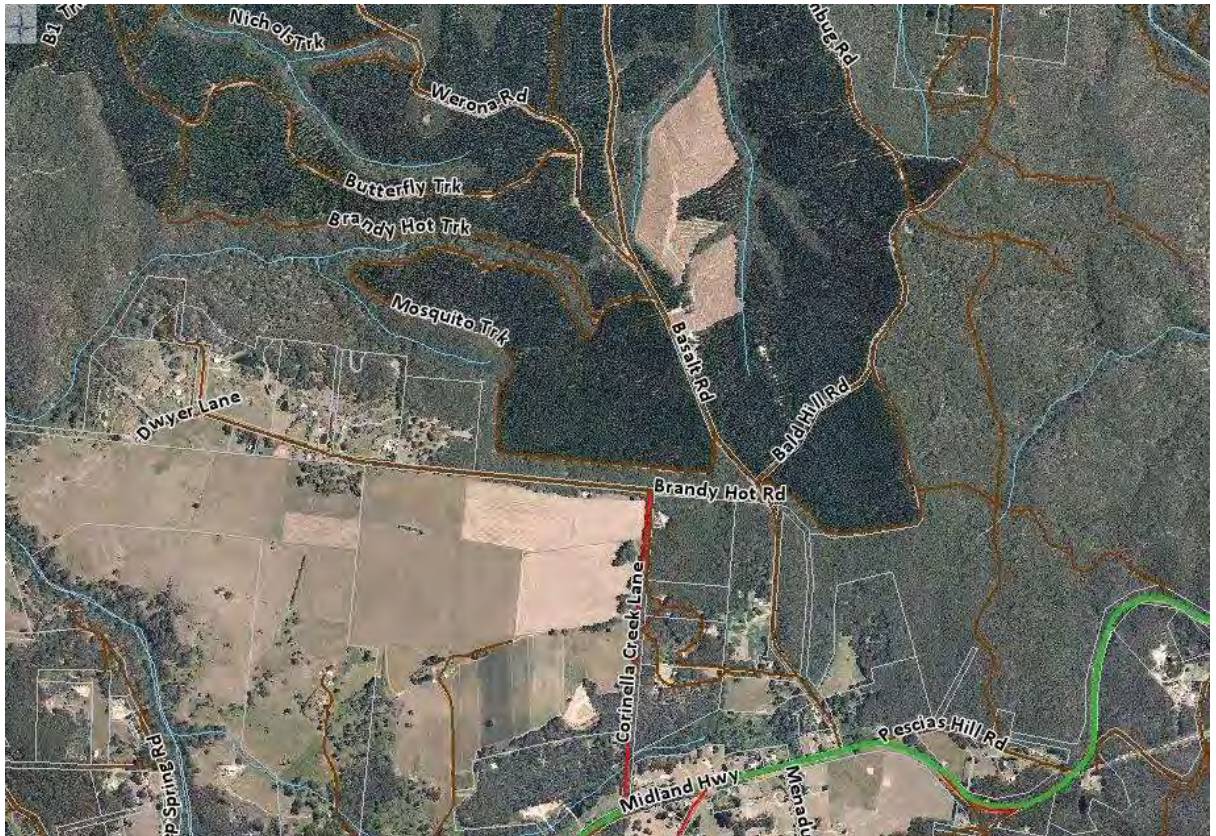
The use of B-doubles on local roads is prohibited unless consent is issued by the Local Government Authority who is in control of the local roads. B Double trucks do not need a permission to operate on main roads which are managed by VicRoads.

The timber plantations off Bald Hills Road have been extensively harvested and this application by Clearwater Logging and Transport is to allow them to continue to cart timber logs for Hancock’s Plantations.

ISSUE / DISCUSSION

Clearwater Logging and Transport have applied for permission to use 25 metre B-Doubles at higher mass limits for a 2 kilometre stretch along Bald Hills Road, Bald Hills, between Gillies Road and Hancock’s Plantation to transport timber from the plantation.

The consent is for a 12 month period from 20 June 2012 to 19 June 2013. It is not for continuous ongoing use and the requirement for log transport has yet to be decided by the plantation operator, Hancock’s timber.



COUNCIL PLAN / LEGISLATIVE COMPLIANCE

One of the four fundamental commitments of the Hepburn Shire Council Plan 2009-2013 is that *“We will help improve economic prosperity”*. This request is considered under this commitment.

FINANCIAL IMPLICATIONS

Due to the minimal duration and traffic volumes expected on these roads as described by Clearwater Logging and Transport, the additional traffic from the plantation should have minimal impact on the road. Clearwater Logging are allowed by State Law to use standard semi trailers to cart logs but by using B double the number of truck traffic movements is halved (information supplied by the Clearwater Logging).

The use of higher mass limits should not be agreed to as any consent granted should be consistent with loads that the operator may legally carry using semi trailers standard registration under Victorian State Law complying to the General Mass Limits

RISK IMPLICATIONS

The road concerned is a two lane sealed road and the road alignment is such that trucks would use this road with due regard for local traffic. Trucks and semi trailers can legally use this road and the use of B Doubles would halve the traffic volume from logging activities.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

It is economically beneficial to the logging company to be able to use this route. The load of a B-Double truck is similar in volume/mass to the loads of 2 semi trailers; there is thus considerable saving in fuel and reduction in emissions as a result.

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, as cartage of logs can legally be undertaken by semi trailers at General Mass Limits.

CONCLUSION

The consent is for temporary use and will not have ongoing implications for the community.

OFFICER'S RECOMMENDATION

- 10.11.1 That Council consents to Clearwater Logging and Transport being able to operate B-Doubles at General Mass Limits on Bald Hills Road, from Gillies Road to the Hancock's Plantation for transportation of timber during plantation harvesting, for 1 year from 20 June 2012.

MOTION

- 10.11.1. *That Council consents to Clearwater Logging and Transport being able to operate B-Doubles at General Mass Limits on Bald Hills Road, from Gillies Road to the Hancock's Plantation for transportation of timber during plantation harvesting for 1 year from 20 June 2012.*
- 10.11.2. *That Council's consent is conditional upon the operator agreeing to fully fund all road repairs required that are attributed to the additional heavy vehicle use arising from this consent.*

Moved: Councillor Don Henderson

Seconded: Councillor Janine Booth

Carried.

10.12. RECORD OF ASSEMBLIES OF COUNCILLORS – APRIL - MAY 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 and May 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;

Assemblies of Councillors		
Date	Location	Committee Name
24 April 2012	Council Chamber, Daylesford	Wombat Hill Botanic Gardens Advisory Committee
8 May 2012	Daylesford Town Hall	Freight Strategy Steering Committee
8 May 2012	Council Chamber	Councillor Briefing
10 May 2012	Daylesford Senior Citizens' Room	Daylesford Streetscape Revitalisation Project Steering Committee
15 May 2012	Hepburn Health Service, Clunes	Councillor/CEO Meeting
15 May 2012	Hepburn Health Service, Clunes	Pre Council Meeting
21 May 2012	Creswick Medical Centre	Creswick Ward Community Committee

23 May 2012	Council Chamber, Daylesford	Recreation Advisory Committee
29 May 2012	Daylesford Senior Citizens' Room	Councillor Briefing – Budget 2012-2013
29 May 2012	Daylesford Senior Citizens' Room	Councillor/CEO Briefing

ISSUE / DISCUSSION

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

FINANCIAL IMPLICATIONS

Nil.

RISK IMPLICATIONS

There are implications with regards to Council's compliance with the *Local Government Act 1989* (as amended) if written records of Councillor Assemblies are not reported to Council.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The inclusion of the attached record of Councillor 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

10.12.1 That the information be received.

OFFICER'S RECOMMENDATION

10.12.1. That the information be received.

Moved: Councillor Janine Booth

Seconded: Councillor Neil Newitt

Carried.

**ATTACHMENT 9 - RECORD OF ASSEMBLIES OF COUNCILLORS –
APRIL – MAY 2012
(Issued under Separate Cover)**

11. COUNCIL SPECIAL COMMITTEES (SECTION 86)

11.1. MINUTES OF 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 07/05/2012.
- Minutes from the Lee Medlyn Home of Bottles Special Committee General Meeting 02/05/2012
- Minutes from the Clunes Museum Special Committee General Meeting 12/04/2012
- Minutes from the Drummond Hall Special Committee General Meeting 25/05/2012
- Minutes from the Clunes Town Hall Special Committee General Meeting 29/03/2012

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 new 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.

Moved: Councillor Rod May

Seconded: Councillor Janine Booth

Carried.

12. COUNCIL 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:

- Audit and Risk Advisory Committee Meeting 21/05/2012
- Creswick Ward Community Committee 21/05/2012
- Hepburn Mineral Springs Reserve Advisory Committee 24/05/2012
- Wombat Hill Botanic Gardens Advisory Committee 24/04/2012.

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 Bill McClenaghan

Seconded: Councillor Neil Newitt

Carried.

12.2. ADVICE FROM THE AUDIT AND RISK ADVISORY COMMITTEE GENERAL MANAGER CORPORATE SERVICES

This recommendation to Council is based on a resolution by the Audit and Risk Advisory Committee from a meeting on 21 May 2012.

PURPOSE

The purpose of this report is to provide Council with advice from the Audit and Risk Advisory Committee on Special Committees (Section 86 Committees) and the Clunes Municipal Purposes Reserve Special Committee.

BACKGROUND

Two reports were presented at the 21 May 2012 Audit and Risk Advisory Committee relating to Special Committees. The first report related to the general adherence by Special Committees to their governance responsibilities and the second report related specifically to the Clunes Municipal Purposes Reserve Special Committee. Copies of the reports presented to the Audit and Risk Committee are attached. The motion from the Audit and Risk Advisory Committee was:

That the Audit and Risk Advisory Committee:

- 10.1.1 notes the attached schedule of minutes provided to Council by special committees.*
- 10.1.2 recommends for Council to send a letter to each Special Committees that are not meeting their governance obligations setting a deadline for these obligations to be met.*
- 10.1.3 recommends as a priority that officers investigate the operations of the Clunes Municipal Purposes Reserve Special Committee and report back to Council and the Audit and Risk Advisory Committee.*

ADVISORY COMMITTEE'S RECOMMENDATION

That Council:

- 12.2.1 Sends a letter to each Special Committee that is not meeting their governance obligations setting a deadline for these obligations to be met.
- 12.2.2 As a priority, requests officers to investigate the operations of the Clunes Municipal Purposes Reserve Special Committee and report back to Council and the *Audit and Risk Advisory Committee*.

MOTION

That Council:

- 12.2.1. Sends a letter to each Special Committee that is not meeting their governance obligations setting a deadline for these obligations to be met.*
- 12.2.2. Requests officers in conjunction with the Ward Councillor and the Committee to urgently review the operations of the Clunes Municipal Purposes Reserve Special Committee and report back to Council and the Audit and Risk Advisory Committee.*

Moved: Councillor Janine Booth

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 Sebastian Klein, Councillor Rod May, Councillor Neil Newitt.

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

**ATTACHMENT 10 - EXTRACT FROM MINUTES OF AUDIT & RISK
ADVISORY COMMITTEE – 21 MAY 2012
SECTION 86 SPECIAL COMMITTEES**

10. SECTION 86 SPECIAL COMMITTEES

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Audit and Risk Advisory Committee as the General Manager Corporate Services, I Evan King, have no interests to disclose in this report.

PURPOSE

The purpose of this report is to discuss the potential for rationalisation of Section 86 Special Committees

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.

Hepburn Shire Council currently has 11 active Special Committees. These committees require significant resources from both the Council and the Community. There may be the potential to combine or close some of these committees to reduce the burden on Council and the Community.

ISSUE/DISCUSSION

Currently seven of the twelve special committees are consistently sending through their minutes however the remaining five committees have provided no minutes for the past 2 years.

Other issues identified are:

- Administrative burden of managing 12 Special Committees
- Difficulty filling membership – 3 committees have insufficient membership numbers as per their instrument of delegation
- Stringent Governance requirements for Special Committees and their ability to conform
- Potential to combine like Advisory Committees

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

A schedule of minutes provided to Council by special committees has been provided for noting.

OFFICER'S RECOMMENDATION:

- 10.1.1 That the Audit and Risk Committee note the attached schedule of minutes provided to Council by special committees.

MOTION:

That the Audit and Risk Advisory Committee:

10.1.1 note the attached schedule of minutes provided to Council by special committees.

10.1.2 recommend for Council to send a letter to each Special Committees that are not meeting their governance obligations setting a deadline for these obligations to be met.

10.1.3 recommends as a priority that officers investigate the operations of the Clunes Municipal Purposes Reserve Special Committee and report back to Council and the Audit and Risk Advisory Committee.

Moved: Cr McClenaghan

Seconded: C Pagnon

CARRIED

Section 86 Committee Schedule of Minutes Received

Clunes Community Housing Special Committee (Cameron Court)

No minutes received for last 2 years

Clunes Museum Special Committee

Ordinary Meetings			
Meeting Schedule Frequency:	2nd Monday every 2nd month @ 8.00pm	Meeting Location:	Clunes Museum
Meeting Date (blue = AGM)	Date Minutes Received	Outstanding Minutes	Date of Report to Council
14/02/2011	6/02/2012	-	21/02/2012
11/04/2011	6/02/2012	-	21/02/2012
24/05/2011	6/02/2012	-	21/02/2012
8/08/2011	9/02/2012	-	21/02/2012
12/10/2011	9/02/2012	-	21/02/2012
14/11/2011	9/02/2012	-	21/02/2012
12/12/2011	9/02/2012	-	21/02/2012
13/02/2012	3/05/2012	-	15/05/2012

Creswick Museum Special Committee

Ordinary Meetings			
Meeting Schedule Frequency:	4.30pm, 1st Monday each month	Meeting Location:	Creswick RSL
Meeting Date (blue = AGM)	Date Minutes Received	Outstanding Minutes	Date of Report to Council
7/02/2011	5/12/2012	-	17/01/2012
7/03/2011	21/03/2011	-	19/04/2011
4/04/2011	29/04/2011	-	17/05/2011
2/05/2011	3/06/2011	-	21/06/2011
6/06/2011	13/07/2011	-	19/07/2011
4/07/2011	14/07/2011	-	19/07/2011
1/08/2011	11/08/2011	-	20/09/2011
5/09/2011	19/10/2011	-	15/11/2011
3/10/2011	17/10/2011	-	15/11/2011
7/11/2011	14/11/2011	-	20/12/2011
5/12/2011	16/02/2011	-	20/03/2011
6/02/2012	9/02/2012	-	21/02/2012
5/03/2012	26/03/2012	-	17/04/2012
2/04/2012	23/04/2012	-	15/05/2012

Lyonville Hall Special Committee

Ordinary Meetings			
Meeting Schedule Frequency:	7pm, Last Wednesday of the Month	Meeting Location:	Lyonville Hall
Meeting Date (blue = AGM)	Date Minutes Received	Outstanding Minutes	Date of Report to Council
26/01/2011	11/05/2011	-	17/05/2011
23/02/2011	11/05/2011	-	17/05/2011
30/03/2011	5/04/2011	-	17/05/2011
27/04/2011	11/05/2011	-	17/05/2011
25/05/2011	25/07/2011	-	16/08/2011
29/06/2011	no meeting held	-	NA
2/08/2011	6/09/2011	-	20/09/2011
27/09/2011	24/10/2011	-	15/11/2011
27/09/2011	24/10/2011	-	15/11/2011
26/10/2011	22/11/2011	-	20/12/2011
30/11/2011	13/12/2011	-	20/12/2011

Dean Recreation Reserve & Tennis Courts Special Committee

No minutes received for last 2 years

Lee Medlyn Home of Bottles

Ordinary Meetings			
Meeting Schedule Frequency:	1st Wednesday of each month 2:00pm	Meeting Location:	Lee Medlyn Complex
Meeting Date (blue = AGM)	Date Minutes Received	Outstanding Minutes	Date of Report to Council
5/01/2011	No Meeting	-	n/a
2/02/2011	8/03/2011	-	19/04/2011
2/03/2011	8/04/2011	-	19/04/2011
6/04/2011	10/05/2011	-	17/05/2011
4/05/2011	6/06/2011	-	21/06/2011
1/06/2011	24/08/2011	-	20/09/2011
6/07/2011	No Meeting	-	n/a
3/08/2011	13/09/2011	-	20/09/2011
7/09/2011	12/10/2011	-	15/11/2011
5/10/2011	10/11/2011	-	20/12/2011
2/11/2011	10/11/2011	-	20/12/2011
7/12/2011	3/01/2012	-	17/01/2012
4/01/2012	No meeting	-	n/a
1/02/2012	14/02/2012	-	20/03/2012
7/03/2012	27/03/2012	-	17/04/2012
4/04/2012	4/04/2012	-	15/05/2012

Clunes Municipal Purposes Reserve Special Committee

No minutes received since 2010

Glenlyon Recreation Reserve Special Committee

Ordinary Meetings			
Meeting Schedule Frequency:	Minimum of 4 per year	Meeting Location:	
Meeting Date (blue = AGM)	Date Minutes Received	Outstanding Minutes	Date of Report to Council
3/02/2011	15/03/2011	-	15/03/2011
13/09/2011	18/10/2011	-	21/02/2012
4/10/2011	18/10/2011	-	21/02/2012
31/01/2012	14/02/2012	-	20/03/2012
7/03/2012	3/03/2012	-	17/04/2012

Drummond Hall Special Committee

Ordinary Meetings			
Meeting Schedule Frequency:	Last Friday every quarter - 8pm	Meeting Location:	Drummond Hall
Meeting Date (blue = AGM)	Date Minutes Received	Outstanding Minutes	Date of Report to Council
25/02/2011	2/03/2011	-	19/04/2011
27/05/2011	1/06/2011	-	21/06/2011
26/08/2011	1/09/2011	-	20/09/2011
25/11/2011	29/11/2011	-	20/12/2011
24/02/2012	29/02/2012	-	20/03/2012

Doug Lindsay Recreation Reserve Special Committee

Ordinary Meetings			
Meeting Schedule Frequency:	Third Tuesday of each month starting Feb - 8pm	Meeting Location:	Doug Lindsay Recreation Reserve
Meeting Date (blue = AGM)	Date Minutes Received	Outstanding Minutes	Date of Report to Council
25/05/2011	15/06/2011	-	19/07/2011
7/06/2011	13/06/2011	-	19/07/2011
21/09/2011	NA - disbanded		

Clunes Community Centre Special Committee

No formal meetings since 2010 Floods

Campbeltown School Ground Special Committee

No formal meetings held

Delegated Planning Special Committee

All minutes are provided on Council's public website

10.1. CLUNES MUNICIPAL PURPOSES RESERVE SPECIAL COMMITTEE GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Audit and Risk Advisory Committee as the General Manager Corporate Services, I Evan King, have no interests to disclose in this report.

PURPOSE

The purpose of this report is to provide the Audit and Risk Advisory Committee with information related to the Clunes Municipal Purposes Reserve Special (Section 86) Committee including minutes received from this committee.

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.

According to the Clunes Municipal Purposes Reserve Special Committee Instrument of Delegation this committee requires a minimum of 8 members and they are required to hold meeting at intervals of not more than three (3) months. They are also required to forward a copy of the minutes of all meetings and ensure a copy of the financial statements, tabled at the Annual Meeting, are forwarded to the Council within fourteen (14) days of each respective meeting.

ISSUE/DISCUSSION

Please see listed below the minutes and other reports received from the Clunes Municipal Purposes Reserve Special Committee from 01 January 2010:

- General Meeting 11/02/2010.
- General Meeting 15/04/2010.
- General Meeting 28/10/2010.
- Annual General Meeting 28/10/2010.

Below is a list of the current members and their positions held. We are currently advertising for one position on this committee as they have recently has a member resign. This has resulted in there being seven (7) active members with the instrument of delegation requiring eight (8). Our records show that these members were appointed on the 15 September 2009 with no record of their expiry date however the instrument of delegation is due to expire on the 31 July 2013.

2012

Position	Name	Last Reappointed	Appointment Expires
President	Malcolm Hull	15/09/2009	31/07/2013
Secretary	VACANT		31/07/2013
Treasurer	Enid Steart	15/09/2009	31/07/2013
	Michelle Leishman	15/09/2009	31/07/2013
	Jan Turner	15/09/2009	31/07/2013
	Barb Millar	15/09/2009	31/07/2013
	Michelle Tonks	15/09/2009	31/07/2013
	Joyce Roscholler	15/09/2009	31/07/2013

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:

- 10.1.1 That the Audit and Risk Committee note the attached Instrument of Delegation and Minutes for the Clunes Municipal Purposes Reserve Special Committee.

MOTION:

10.1.1 That the Audit and Risk Committee note the attached Instrument of Delegation and Minutes for the Clunes Municipal Purposes Reserve Special Committee.

Moved: R Taylor

Seconded: C Pagnon

CARRIED



INSTRUMENT OF DELEGATION **Special Committee**

Section 86 Local Government Act – 1989

Clunes Municipal Purposes Reserve Committee of Management

Hepburn Shire Council (Council) delegates to the special committee established by resolution of council passed on 15 September 2009 and known as the Clunes Municipal Purposes Reserve Committee(the Committee), the powers and functions set out in the Schedule, and declares that :

1. This instrument of Delegation is authorised by a resolution of Council passed on the 15 September 2009;
2. The delegation:
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 remains in force until Council resolves to vary or revoke it; or until the 31 July 2013; and
 - 2.3 is to be exercised in accordance with the attached Schedule and any guidelines or policies which council from time to time adopts.

3. Exceptions, conditions and limitations.

The Committee is not authorised by this instrument to :

- 3.1 enter into contracts, or incur expenditure, for an amount which exceeds the approved budget; and
- 3.2 exercise the powers which, by force Section 86 of the Act, cannot be delegated.

4. All members of the committee will have voting rights on the Committee.

**The Common Seal of the Hepburn
Shire Council was affixed in the presence of**

.....**Mayor**

.....**Chief Executive Officer**

This.....day of2009

SCHEDULE 1.

Hepburn Shire Council (The Council)

The Hepburn Shire Council as constituted under the Local Government Act 1989 and acting as Committee of Management of Crown Land under the Crown Land Reserves Act 1978.

Name of Committee

The special committee of Council shall be entitled the “ Clunes Municipal Purposes Reserve Committee of Management”

Objectives

To administer, manage and control the property:-
Clunes Municipal Purposes Reserve (formerly Clunes Town Hall)
Inclusive of the Court House and supper room.

Hereinafter referred to as the stated property.

Membership of Committee

1. The Committee shall be comprised of:
 - At least 8 community representatives.
2. The Council may at any time, remove a member from the Committee or disband the committee or appoint a member to the Committee.

Office Bearers

The committee shall at its commencement and then at its Annual Meeting each year elect from its members the following office bearers:

- Chairperson of the committee
- Deputy Chairperson of the committee
- Secretary
- Treasurer

Committee Proceedings

1. The Committee shall at its Annual Meeting each year appoint a time and place for regular meetings. Such meetings shall be held at intervals of not more than three (3) months. Should it be necessary to alter the times or place of a regular appointed meeting all members of the Committee shall be given at least forty-eight (48) hours notice in writing of the new time or place.
2. The quorum of the Committee shall be a majority of the members.
3. Each member shall be entitled to one vote and in the event of equality of votes the Chairperson shall have a casting vote as well as a deliberative vote.
4. The Committee shall hold an Annual Meeting during the month of August each year. The Annual meeting shall be advertised in the local newspaper at least fourteen (14) days prior to the meeting date.
5. The Secretary of the Committee shall, on receipt of a requisition signed by the Chairperson, or three (3) members, stating the object of such meeting, within fourteen (14) days call a Special Meeting. Written notice of such meeting shall be given to each member of the Committee specifying the object of the meeting and the time and place where the meeting shall be held.
6. No business, apart from that which is described in the object of a Special Meeting, can be conducted or acted upon by the Committee at a Special Meeting.
7. All motions/resolutions of the Committee, apart from usual, day to day meeting motions/resolutions; shall be reduced to writing before being voted upon.
8. No motion/resolution has any standing if made at a meeting where a quorum was not present.
9. Any contracts or other such instruments that the Committee enters into will have no legal effect upon Council unless preceding clauses (7) and (8) are followed.

Conflicts of Interest

Committee members must observe the provisions of the Local Government Act 1989 as they relate to a conflict of interest in matters of business handled by the Committee. In general a person has a conflict of interest if they have a direct interest in a matter, including where they are likely to directly gain or lose financially or where their residential amenity is likely to be directly affected.

Meetings

All meetings of the Committee must be advertised to the public and be conducted as open meetings. A meeting may be closed by resolution of the Committee to deal with an item of business of a sensitive or confidential nature.(refer provisions of the Local Government Act 1989)

Duties of Chairperson

The Chairperson shall: -

- i. Ensure the Committee operates in accordance with the Local Government Act 1989, Council's Meeting Procedures Local Law, this delegation and any other relevant laws.
- ii. Shall ensure that the required notice of meetings is provided in accordance with the Local Government Act 1989.
- iii. Shall chair the meetings of the committee.

Duties of Deputy Chairperson

The Deputy Chairperson shall: -

- i. Fulfil the duties of the Chairperson in the absence of the Chairperson.

Duties of Secretary

The Secretary shall: -

- i. Conduct the correspondence of the Committee
- ii. Shall have the custody of all documents belonging to the Committee
- iii. Shall keep correct minutes of all proceedings and records of the Committee
- iv. Shall accurately record all written motions/resolutions in the minutes.
- v. Carry out the directions of the Committee (under motion/resolution)
- vi. Shall forward a copy of the minutes of all meetings and ensure a copy of the Financial statements, tabled at the Annual Meeting, are forwarded to the Council within fourteen (14) days of each respective meeting.
- vii. Immediately call a Special Meeting upon receiving the requisition to do so.

Duties of Treasurer

The Treasurer shall: -

- i. Pay into the Bank all monies received by the Committee within seven (7) days of receipt.
- ii. Keep correct accounts and books showing the financial affairs of the Committee.
- iii. Prepare statements of receipts and expenditure.
- iv. Provide a financial report to each regular meeting.
- v. Provide a full statement of all monies received and expended by the committee for the period ending 30th June each year, to the Annual Meeting.
- vi. Provide a statement of assets and liabilities for the period ending 30th June each year, to the Annual Meeting.
- vii. Ensure the person appointed by Council has duly audited the Annual Meeting statements prior to the meeting taking place.
- viii. Ensure that no later than the 31st of August each year a certified copy of each of those statements prepared for the Annual Meeting are forwarded to Council.
- ix. Receive and manage bequests and trust funds made to the Clunes Municipal Purposes Reserve Committee of Management

Powers and Duties of Committee.

1. The Committee shall: -
 - Ensure they have an understanding of the Instrument of Delegation and they may seek assistance from Council to do this.
 - Ensure any new members have an understanding of the Instrument of Delegation.
 - Ensure all procedures are followed.
 - Set and approve of conditions, fees and charges for use of the stated property.
 - Carry out all minor items of maintenance as defined in the attached Schedule at the Committee's expense.
 - Report to Council on any other items of maintenance.
2. The Committee cannot delegate any of its powers or functions.
3. The Committee may enter into any contract for an amount up to five thousand dollars (\$5,000).
4. The Committee may incur expenditure on any one matter up to ten thousand dollars (\$10,000).
5. The Committee may only borrow money, obtain a bank overdraft or exceed the limits specified in the preceding clauses (3) & (4) upon receiving written approval from Council.
6. The Committee shall ensure that all funds raised by the Committee are only expended on management of and minor maintenance of the stated property.
7. Subject to Clauses 1 – 6 hereof, the Committee may exercise all powers and functions of Council necessary for the control and management of the stated property.
8. The Committee may apply to Council for an advance or contribution of monies for the purpose of improvements on the stated property and if the advance/contribution is approved the Committee shall:
 - Carry out all conditions imposed by Council in making the advance/contribution.
 - Repay out of funds received by it the amount of such advance/contribution in the manner prescribed by Council when making the advance/contribution.
9. The Committee shall ensure a quarterly building inspection is completed with the end of the year inspection being returned to Council engineering by the 31st of December each year.

Finance

1. The Committee shall open a (or maintain the existing) bank account and advise Council of the name of the bank.
2. The Committee shall authorise the manager of its bank to supply the Council with a copy of the Committee's bank account on the written request of the Chief Executive Officer.
3. All expenditure shall be authorised by the Committee and shall be paid by cheque signed by any two (2) of three (3) signatories.
4. The Committee shall ensure that the audit of financial reports presented at the Annual Meeting is made available to Councils' auditor no later than the 1st of August, each year.

Indemnity

Council indemnifies members of the Committee against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Committee, provided they are acting in accordance with this Instrument of Delegation in an honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Committee hereunder.

Commencement of Delegation

This instrument of delegation commences immediately the common seal of Council is affixed to this Instrument of Delegation, and remains in force until Council resolves to vary or revoke it or the 31st July 2013.

Winding Up

In the event of the Committee being wound up or dissolved for any reason:- all monies, after the satisfaction of all debts and liabilities, or property held or held in trust and any other assets will be paid or transferred to Council. No monies or property shall be distributed to or amongst members of the Committee.

Delegation

The Council by resolution and this Instrument delegates to the Committee and subject to the Crown Land (Reserves) Act 1978 its power, duties and functions necessary to meet its purpose and all related matters.

SCHEDULE 2.

Hepburn Shire Council and Clunes Municipal Purposes Reserve Committee of Management.

1. Maintenance has its ordinary meaning and includes cleaning, repairing, painting, polishing or similar activities.
2. Minor Maintenance refers to any activity which has a total cost of \$3,000 or where the Committee has reached the amount of \$5,000 for the financial year in expenditure on maintenance.
3. All legal instruments, being contracts, leases, agreements, licences above the sum of two hundred (\$200) must be executed and attested to in the following manner: -

*"This contract/agreement/licence/lease** is executed by The Clunes Municipal Purposes Reserve Committee of Management for and on behalf of the Hepburn Shire Council in accordance with the terms of its Appointment and Instrument of Delegation"*

Signed _____
Committee member #1

Signed _____
Committee member #2

4. The Committee will set the fees, charges and conditions to hire the stated property.
5. The Committee will pay the following outgoings as appropriate:-
 - Electricity
 - Gas
 - Telephone
 - Water Access and Volume Charges
6. The Committee will be responsible for the minor maintenance of the above property.
7. Council will be responsible for all major maintenance of the property.

END SCHEDULES

Town Hall Meeting – Committee of Management **Thursday February 11th, 2010. 8pm**

Present: Michelle Tonks, Joyce Roscholler, Enid Steart, Barb Millar, Malcolm Hull, Michelle Leishman

Apologies: Jan Turner

Moved: Michelle Tonks

Second: Enid Steart

Minutes of meeting read

Moved Joyce sec Michelle T

Business Arising from minutes:- 1. Ashtray –Michelle Tonks has purchased an ashtray for the front of the Town Hall
2. a meeting was held with Wesley College reps re cleaning of kitchen the following items were agreed upon – the committee members are to monitor the use of the Town Hall and try and inspect the kitchen after use – this is to be done between Malcolm, Michelle and Michelle. Michael Cheshire – booking secretary will email bookings for the year to Malcolm, Michelle and Michelle L.

Ivana Marlo and students to do a thorough clean at the end of each term. Laminate signs to be erected to keep the fridge doors open slightly if turned off.

3. Michelle Tonks has sent an account to Wesley College

4. Backdrop in process of being organized with Bob McKinnon
Heaters - have been repaired and we have a spare for parts.

Use of courthouse

Correspondence: Malcolm has asked committee for correspondence to be dealt with as read

Moved Joyce Roscholler and sec Barb Millar

- **IN:** 14/10/2009 from Hepburn Shire re committee Appointment and Instrument of Delegation – Guidelines and Operation
- 26/10/09 appointment of committee members to committee of Management – asking for reappointment of Les Eastcott to the committee of management
- 5/11/09 from Hepburn Shire Section 86 committees Trasurer's Handbook
- 4/1/2010 from Hepburn Shire requesting a copy of the committees 2010 calendar of meeting dates
- 6/1/2010 from Hepburn Shire procedures for Code Red Catastrophic Fire Danger days
- 2/12/09 email from Heather Osbourne saying Mer Hair was unable to attend meeting in December and to reschedule meeting for 2010

OUT: 16/10/09 Merv Hair, Hepburn Shire Council letter to notify Council that Les Eastcott has not been reappointed to the committee of management and wishes to be.

16/10/09 to Jim Gardner Heritage Vic re removal of registered items from the Courthouse and clarifying that the items were relocated to the Town Hall for safekeeping for Booktown and then returned to the Courthouse.

16/10/09 Helen Hardy, Clunes Agricultural Society ladies Committee apologizing for the inconvenience the society found the cleanliness of our kitchen for a hiring function and reassured them the matter was taken in hand.

30/11/09 Email to Heather Osbourne requesting Merv Hair to attend the next committee of management meeting in December

That the inward correspondence be accepted and the outward ratified

Moved Enid Steart sec Tim Hayes

Business Arising from correspondence

1. Cr Tim Hayes has urged us to invite Hepburn Shires rep to the next meeting to discuss the responsibilities and expectations of section 86 committee members. Michelle L to follow up
2. a meeting was held with Wesley college discussing cleaning of kitchen
3. Ballarat University – Use of Courthouse in the Law Department – Michelle L spoke to Rowe Coutts, Ballarat Uni Legal advisor and Rowe said there is no legal dept at the Uni but will look into the request

Treasurers Report:

Michelle Tonks, Treasurer

Michelle Tonks has done an inventory of kitchen crockery and discovered that most of the items are still intact

Michelle Tonks will email inventory

Moved: Michelle Tonks

Seconded: Tim Hayes

General Business: 1. State of Town Hall main Hall floor – Malcolm reported that during a bluelight disco a teenager has put his foot through the floor – during repairs it was decided that the floor was to be polished by Malcolm with 2 coats of oil and repaired

2. Grants for War Memorial applications – Michelle and Malcolm will try and fill it out over the weekend and see if we can submit

3. Malcolm has a quote from Bob McKinnon for supplying material and fabrication of structural steel posts and LSB beams for \$4875 to enable

the curtain to be pulled down and up. It will also enable lighting to be included or hanging artworks for exhibitions. This is a model that was erected in Creswick at the Town Hall

4. Barb has asked if we could service the vacuum cleaner – Les Eastcott has moved that we purchase a new vacuum cleaner sec Tim Hayes. Barb and Michelle T will organize a trip

Meeting closed at 9:10pm

Town Hall Meeting – Committee of Management **Thursday April 15th, 2010. 8pm**

Present: Michelle Tonks, Joyce Roscholler, Enid Steart, Barb Millar, Jan Turner, Les Eastcott, Malcolm Hull, Michelle Leishman

Apologies: Tim Hayes

Special Guests from Hepburn Shire : Lucy Roffey and Barry Small

Minutes of meeting read

Moved – Barb Millar sec Joyce Roscholler

Business Arising from minutes:- None

Correspondence: Malcolm has asked committee for correspondence to be dealt with as read

Moved Joyce Roscholler and sec Barb Millar

- **IN:** 4/3/2010 email from Heather Osbourne, Hepburn Shire, Heather is updating website about the Section 86 committees and asking if secretary would mind if the Shire put her name down as a contact for the Clunes Town Hall Committee of Management
- 30/3/2010 email from Heather Osbourne, Hepburn Shire confirming that reps from Hepburn Shire will be attending the April meeting – Lucy Roffey and Barry Small
- 13/4/2010 email from Michael Cheshire, Wesley College CC to Barry Small, Hepburn Shire with attachment of Town Hall bookings for 2010

OUT: 5/3/2010 Email to Heather Osbourne Hepburn Shire confirming details of Secretary to be added to Shire Section 86 website.

29/3/2010 Email to Heather Osbourne Hepburn Shire requesting that a rep from the Shire attend our April meeting to brief the committee on Section 86 committee responsibilities

That the inward correspondence be accepted and the outward ratified

Moved Michelle Tonks

Sec Barb Millar

Treasurers Report: Balance as at 11/2/2010 - \$3320:51

Income

24/2 Hall Hire \$110

13/3 Clunes Football Club \$300

29/3 Shire Reimbursement \$450

Michelle Tonks, Treasurer

Moved Jan Turner

Sec Les Eastcott

Moved: M.Tonks

Seconded: J. Roscholler

General Business: 1. Disabled Access to the toilets is currently taking place and gas and water services have been disconnected as a fault has been detected. This is causing problems for Hirers and it is uncertain at this stage what the exact problem is and when or how long it is going to take to be rectified. Committee to seek advise and help from the Shire.

2. Clunes Neighbourhood House - Have had a phone call to Malcolm asking if the Clunes Markets in winter could be held at the Town Hall – it was decided that a letter of request needs to be sent to Neighbourhood House and the committee will discuss the request.

3. Guests from Hepburn Shire briefed the committee = **Lucy Roffey** – Governance, Protocols, Minutes – minutes of meeting should be sent to Hepburn Shire after each meeting to be forwarded to council.

Barry Small – in charge of Governance, covering - maintenance, OH&S, Risk Management and Insurance.

- The committee is responsible for minor maintenance up to \$750 up to \$3000 per year. Anything above this figure needs to be sought for approval from the Council by the committee. The committee is covered by the Councils insurance. Public Liability is covered by the council as long as the committee is acting under due care.
- Public Liability for hirers can be offered as an option for an extra fee for \$38 from the Council. This applies mainly to private function hirers. Most organizations have there own cover for public liability.
- Barry Small has generated a new document for hiring the hall for the Shire and will be sending it out shortly
- Maintenance Checklist – to be done quarterly

Michelle L asked Shire reps if two monthly meetings were adequate for the Town Hall Committee. The response is that if they are working then to stay with this.

Meeting closed at 9pm

File:



CLUNES TOWN HALL COMMITTEE

Minutes of Meeting

Held on Thursday, 28 October 2010-12-08

At Clunes Town Hall

1. Meeting opened: 8.30 pm

Welcome and apologies

The Chair opened the meeting noting that it was a continuation from the just completed AGM. He congratulated the Office Bearers on their election. He welcomed all members of the Committee to the "new year" in the work of the Committee, and expressed the hope that the achievements of the last year could be emulated.

Present: (Voting members)

M Hull (Chair)

L Eastcott

B Millar

E Steart

M Leishman

J Roseholler

J Turner

M Tonks

T Hayes

In Attendance: (Non-voting)

Apologies:

Nil

2. Confirmation of minutes of previous meeting

On the motion of M Tonks and seconder M Leishman the minutes of the meeting of 12 August 2010 were approved as circulated.

3. Business arising from the minutes

It was noted that Tim Hayes was not at the previous meeting and it was agreed to adjust the minutes accordingly.

It was noted that contact still had to be made with Shane Pedretti .

Kitchen mats and dishwasher detergent have been purchased.

One heater is still not working. The Chair will investigate this.

4. Correspondence

No correspondence was either received or sent since the last meeting

5. Reports

The Treasurer presented the financial report as attached. It was reported that income since the last report had been \$5100, consisting of \$150 from CFC, \$4400 from Wesley, \$400 from the Australian Electoral Commission and \$150 from CTDA. Expenses to a total of \$1310 were also reported.

The balance as at 12 October 2010 was reported at \$10695.

6. General Business

There is a need to adjust the Clock as a result of a recent power outage. Malcolm is to address this.

The Chair will follow up with Shane Pedretti the cost of cleaning the covered chairs and to conduct a general clean.

There was lengthy discussion re the efficiency of the existing system of refrigerators. An offer by the Show Society to purchase one of the Williams refrigerators was introduced and was discussed in the context of the probity of selling equipment gained through grant income, and in terms of the need for both refrigerators when large functions are conducted. It was agreed to discuss the needs with Jane Clarke and Robin Giltinan prior to any decision being made.

The question of the key for the rear door apparently not facing the right direction was raised as a safety issue as it will only open from the outside. It was reported that it is likely the Shire will be changing its keying system with possible consequences for the dining room, and any decision the Committee might make.

It was advised that the toilets are now accessible by those users with a disability.

It was agreed that there was good reason for the Committee to consider the purchase of a block of twenty covered chairs to at least match in colour and preferably also in style the existing chairs. The Chair is to investigate this and advise the next meeting.

8. Meeting closed: The meeting closed at 8.58pm.

9. Next meeting: The next meeting will be held at the Town Hall at 8pm on 10 February 2011.

ACTION SHEET FOR COUNCIL

- Note:**
1. *Recommendations for action by the Committee are to be typed in italics.*
 2. **Recommendations for council consideration are to be typed in bold and underlined**
 3. Recommendations are to be numbered.
 4. Recommendations must be moved, seconded and carried.

<i>Recommendation for Council</i>	<i>Moved and Carried</i>
Nil	

File:



CLUNES TOWN HALL COMMITTEE

Minutes of Annual General Meeting

Held Thursday, 28 October 2010

At Clunes Town Hall

Meeting opened: 8.00pm

2. **Welcome and apologies** The Chair welcomed members to the Annual General Meeting noting that the meeting had been postponed until this date due to circumstances limiting attendance of members at the previously determined date.

Present: (Voting members)

M Hull
E Steart
T Hayes

M Tonks
J Turner
M Leishman

B Millar
L Eastcott
J Roseholler

In Attendance: (Non-voting)

Nil

Apologies:

There were no apologies

3. **Confirmation of minutes of previous meeting**

Minutes of the previous annual general meeting were approved on the motion of L Eastcott and seconder T Hayes..

4. **Business arising from the minutes**

There was no business arising.

5. **Correspondence**

There was no correspondence

6. **Reports**

The Chair thanked the Committee for its work during the previous year. He expressed his satisfaction with the achievements during the year. He was especially pleased with the progress made in refurbishing the Town Hall, including the renewal of the Kitchen , repair and sealing of the Dance Floor, final installation of the heritage Stage Backdrop, the repair of the Gas Heating to meet compliance standards, and enhanced Access to Toilets for those with a Disability. Several minor repairs were also noted.

It was noted that Secretary Michelle Leishman was retiring after a period of ten years as Secretary. The Chair expressed his pleasure that she would be continuing as a member of the

Committee. He thanked her for her contribution to the work of the Committee and the welfare of the Town Hall and environs.

The Treasurer reported a balance of \$ 7929.50 as at 30 June 2010. Expenditure to a total of \$8350.30 was committed during the financial year consisting of \$4681.05 for maintenance, \$1636.55 for electricity, \$1754.85 for gas, \$100 for deposit refunds and \$177.85 for sundry items.

The Treasurer also reported that the Books had been audited by Ken Gibson and found to be true and correct. The Treasurer also advised that a copy of the audit report had been forwarded to the Shire.

The report was accepted on the motion of E Steart and seconder J Roseholler.

On the motion of M Tonks and seconder E Steart it was agreed that any two of the President, Secretary and Treasurer be authorised to sign cheques on behalf of the Committee.

7. Election of Officers

Tim Hayes was invited to assume the Chair for the purpose of conducting an election of officers for the financial year 2010-2011.

Malcolm Hull on the motion of J Roscholler and seconder E Steart was elected unopposed as Chair.

Les Eastcott on the motion of M Leishman and seconder J Turner was elected unopposed as Secretary.

Michelle Tonks on the motion of E Steart and seconder L Eastcott was elected unopposed as Treasurer.

Chair M Hull then resumed the Chair and thanked Tim Hayes for conducting the election.

8. General Business

It was reported that a vacancy exists for one position on the Committee. On the motion of L Eastcott and seconder J Turner this matter is to be referred to the Council for advice/action as appropriate.

9. Meeting closed:

The meeting closed at 8.20pm

10. Next meeting:

The next AGM will be conducted commencing at 8 pm on 11 August 2011.

ACTION SHEET FOR COUNCIL

- Note:**
1. *Recommendations for action by the Committee are to be typed in italics.*
 2. **Recommendations for council consideration are to be typed in bold and underlined**
 3. Recommendations are to be numbered.
 4. Recommendations must be moved, seconded and carried.

<i>That</i>	<i>Moved and Carried</i>
1. Council be advised that there is a vacancy on the Committee and request advice re appropriate action to fill the vacancy.	L Eastcott and J Turner and Carried unanimously by the Committee

13. CONFIDENTIAL ITEMS

13.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

- (d) Contractual matters; and
- (h) Any other matter which the Council or special committee considers would prejudice the Council or any person.

RECOMMENDATION

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

- 89(2)(d) Contractual matters:

Contract H236-2010/12 – Extension Option – Municipal Valuation Services

Option to Renew Lease for Final Three Years – Daylesford Victoria Caravan Park

Contract for Industrial Special Risk Insurance for year ending 30 June 2013

Contract H311-2012 – Provision of Maternal and Child Health Care Services

Contract CH001 – Bituminous Resealing Program – 2013-14 to 2016-17

Extension of Five Waste Services Contracts:

- Material Recovery Facility (MRF)
- Kerbside Waste Collection Services
- Public Litter Collection Services
- Operation and Management of Creswick, Daylesford and Trentham Recovery Centres
- Supply and Cartage of Hooklift Bins

Contract H279-2011 – Blackmores Road Clunes, Pavement Construction, Bituminous Surfacing, Drainage Construction and Associated works

Contract H302-2012 – Labour, Materials and Plant for Minor Works

Contract H305-2012 – Construction of a Retaining Wall and Landscaping at the Hepburn Mineral Springs Reserve

Contract H306-2012 – Glengower Road, Glengower – Stabilisation and Reconstruction of approximately 8 km of Glengower Road.

13.1.2 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.

PROCEDURAL MOTION

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

- *89(2)(d) Contractual matters:*

Contract H236-2010/12 – Extension Option – Municipal Valuation Services

Option to Renew Lease for Final Three Years – Daylesford Victoria Caravan Park

Contract for Industrial Special Risk Insurance for year ending 30 June 2013

Contract H311-2012 – Provision of Maternal and Child Health Care Services

Contract CH001 – Bituminous Resealing Program – 2013-14 to 2016-17

Extension of Five Waste Services Contracts:

- *Material Recovery Facility (MRF)*
- *Kerbside Waste Collection Services*
- *Public Litter Collection Services*
- *Operation and Management of Creswick, Daylesford and Trentham Recovery Centres*
- *Supply and Cartage of Hooklift Bins*

Contract H279-2011 – Blackmores Road Clunes, Pavement Construction, Bituminous Surfacing, Drainage Construction and Associated works

Contract H302-2012 – Labour, Materials and Plant for Minor Works

Contract H305-2012 – Construction of a Retaining Wall and Landscaping at the Hepburn Mineral Springs Reserve

Contract H306-2012 – Glengower Road, Glengower – Stabilisation and Reconstruction of approximately 8 km of Glengower Road.

13.1.2. *89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.*

Moved: Councillor Rod May

The Meeting closed to Members of the Public at 8:20 pm.

14. RE-OPENING OF MEETING TO PUBLIC AND ANNOUNCEMENT OF SUCCESSFUL TENDERS

RECOMMENDATION

- 14.1 That Council, having considered the confidential items, re-opens the meeting to members of the public.

PROCEDURAL MOTION

14.1.1. That Council, having considered the confidential items, re-opens the meeting to members of the public.

Moved: Councillor Rod May

The Meeting re-opened to the Public at 8:50 pm.

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

MOTION

That Council:

- 14.1.2. *Extends the existing Municipal Rating Service Contract H236 2010/14 with Rating Valuation Services for a further two years to cover the 2014 rating period.*
- 14.1.3. *Approves the exercise of the option to renew the Daylesford Victoria Caravan Park Lease for a final term of three years ending 10 June 2015.*
- 14.1.4. *Awards the Tender for the provision of Industrial Special Risks insurance for the year ending 30 June 2013 for an estimated amount of \$200,500, including GST and stamp duty to JLT Municipal Asset Protection Plan (JMAPP).*
- 14.1.5. *Awards Contract H311-2012 for the Provision of Maternal and Child Care Health Services to Hepburn Health Service for a period of three years at the tendered annual cost for 2012-2013 of \$299,000, plus an amount of up to \$30,000 for relief staff effective from 1 July, 2012.*
- 14.1.6. *Awards Contract CH001 – Bituminous Sealing program for the three year period commencing on 1 July 2013 together with any options subsequently exercised at the Council's discretion to Victorian Surfacing Alliance Pty Ltd trading as Primal Surfacing Pty Ltd and Inroads Pty Ltd.*
- 14.1.7. *Agrees to extend the five (5) existing waste services contracts listed below for an interim period of not more than nine months to allow the completion of the Waste Management Strategy and the implementation of new long term contracts.*
 - *Material Recovery Facility (MRF) - Calder Environmental Services*
 - *Kerbside Waste Collection Services - Transpacific Cleanaway Pty Ltd*
 - *Public Litter Collection Services - Country Environmental Waste*
 - *Operation and Management of Creswick, Daylesford and Trentham Recovery Centres - Zoobins Pty Ltd*
 - *Supply and Cartage of Hooklift Bins - SITA Australia Pty Ltd.*

14.1.8. *Awards the Tender for Contract H279-2011 – Pavement construction, bituminous surfacing, drainage construction and associated works, Blackmores Road, from New North Court to McDonalds Road, Clunes for the lump sum of \$364,177.00 to Fulton Hogan Pty Ltd.*

14.1.9. *Awards the Tender for Contract H302-2012 – Labour, Materials and Plant for Minor Works to the thirteen Tenderers listed below:*

*RECivil Pty Ltd
GDL Excavations
Global Excavations
Roadside Care & Maintenance
Cankat Earthmoving
CDN Contractors
Enoch Civil
Earthform Pty :Ltd
Aceloch Earthmoving
Richstone Novel
Ballarat Excavations & Transport
A & F Pererkin
Butler Excavations.*

Tenderers to be advised that there is no guarantee of work under the contract and that Tenderers will be used on an 'as required' basis.

14.1.10. *Awards the Tender for Contract H305-2012 – Construction of a Retaining Wall and Landscaping at the Entrance to Hepburn Mineral Springs for the lump sum of \$826,630 to Ian Evans Creative Landscapes Pty Ltd.*

14.1.11. *Awards the Tender for Contract H306-2012 - Stabilisation and reconstruction of approximately 8 km of Glengower Road, Glengower for the lump sum of \$1,730,014.00 to RECivil Pty Ltd.*

15. CLOSE OF MEETING

The Meeting closed at 8:50 pm.
