



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

***TUESDAY 21 FEBRUARY 2012***

**TRENTHAM MECHANICS INSTITUTE  
HIGH STREET  
TRENTHAM  
5:30PM**

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**Hepburn Shire Council  
Ordinary Meeting of  
Council**



# **MINUTES**

**TUESDAY 21 FEBRUARY 2012**

**Trentham Mechanics Institute  
High Street, Trentham  
Commencing 5:30PM**

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**PETER REEVE**  
INTERIM CHIEF EXECUTIVE OFFICER  
21 FEBRUARY 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.

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## 2. OPENING OF MEETING

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

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

### STATEMENT OF COMMITMENT

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

**3. APOLOGIES**

**Nil.**

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**4. DECLARATIONS OF CONFLICTS OF INTEREST**

**Nil.**

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**5. CONFIRMATION OF MINUTES**

**RECOMMENDATION**

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

**MOTION**

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

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Janine Booth

**Carried.**

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## 6. NOTICES OF MOTION

### 6.1. PROTECTION OF SURFACE AND GROUND WATER ASSETS

Date: 31 January 2012

#### Preamble

Community members allege that the water authorities have failed to adequately manage and protect surface and ground water assets within Hepburn Shire. It is alleged that associated branding, provenance and royalty opportunities have been forfeited. Goulburn-Murray Water have foreshadowed the establishment of a Central Victorian Mineral Springs Area Protection Recharge Zone but have not yet assured Council of real community involvement in the management of same.

#### MOTION

*That Council:*

6.1.1. *Resolve that it is determined to use all methods possible*

- to protect its precious surface water and agriculture and its associated iconic lakes and waterways.*
- to protect our precious ground water including mineral water and associated branding, provenance and copyright opportunities. This will include achieving a better understanding of the opportunities to treat groundwater extraction for sale as a form of mining and, if approved, the ability for the region to retain a royalty payment for same.*
- to ensure the establishment of a Central Victorian Mineral Springs Area Protection Recharge Zone, and proper administration of same with real and purposeful Council and Community involvement.*

6.1.2. *Write to the Victorian Water Minister and the Victorian Environment Minister seeking their advice on specific strategies to support the above objectives.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Rod May

**Carried.**

**Councillor Name:** Jonathan Barrell

**Councillor Signature:**

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

**Acting CEO Signature**

A handwritten signature in black ink, appearing to read "Evan K.". The signature is written in a cursive style.



## 6.2. ROAD SAFETY

Date: 7 February 2012

### Preamble

A number of residents, ratepayers and visitors have raised road safety concerns with me.

Specifically they seek roundabouts at

- cnr Daylesford Newstead Road, Hepburn Newstead Road and Flemings Road, Franklinford and
- cnr East Knox Raglan Streets and Midland Highway Daylesford (outside the Daylesford Farmers Arms Hotel).

In addition they seek a general lowering of speed limits within town boundaries to 50kph or less. A specific area of concern is Hepburn Road Daylesford, in the region of Hepburn House, 1 Hepburn Rd, Daylesford (a 60 bed Aged Care Facility) where the road to the north and south has limit 50kph, but the section outside the Residential Aged Care Facility has limit 60kph.

### MOTION

*That Council:*

- 6.2.1. *Formally requests VicRoads to install roundabouts at*
- *cnr Daylesford Newstead Road, Hepburn Newstead Road and Flemings Road, Franklinford and*
  - *cnr East, Knox and Raglan Streets and Midland Highway (outside the Daylesford Farmers Arms Hotel).*
- 6.2.2. *Formally requests VicRoads to review speed limits within the town boundaries of Hepburn Shire.*
- 6.2.3. *Formally requests VicRoads to lower speed limit between Daylesford Post Office and Hepburn Post Office to 50kph throughout.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Neil Newitt

**Carried.**

**Councillor Name:** Jonathan Barrell

**Councillor Signature:**

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

**Acting CEO Signature**

A handwritten signature in black ink, appearing to read "Evan K.". The signature is written in a cursive style.

### 6.3. ITEM OF URGENT BUSINESS

#### CRESWICK FLOOD MITIGATION & URBAN DRAINAGE PLAN

##### PROCEDURAL MOTION

6.3.1. *That Council considers an item of Urgent Business regarding the Creswick Flood Mitigation and Urban Drainage Plan.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Rod May

**Carried.**

##### MOTION

6.3.2. *That Council endorses the Creswick Flood Mitigation and Urban Drainage Plan Final Report dated February 2012.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Rod May

**Carried.**

## 7. PRESENTATION OF COUNCILLOR REPORTS

### MAYOR'S REPORT

#### **Councillor Sebastian Klein, Cameron Ward**

Another busy month has seen me in my role as mayor attending a range of events.

Many have been concerned with the position of local government to adapt and change with challenges:

From the essential mayors weekend where we were looking at upcoming elections and the implications of being mayor's in an election year and also making the most of chances to network with mayor's in more and less similar situations as us here at Hepburn.

To the South Central MAV regional meeting at the flash new Surf Coast council offices where they produce 2% of their energy needs from a state of the art building at the cutting edge of ESD along with a glorious sporting complex suited for a town set to nearly double their population in the next ten years. A place where they are clearly looking to meet the challenges of climate change, resource depletion and population growth.

Central Victorian Solar Cities briefed a meeting in the city of Bendigo on two proposed local government consortia to enable application for the LIEEP and CEEP program's from the Clean Energy Fund. The former is designed to help low socio-economic and disadvantaged access energy efficient modifications to their homes, where these cost effective and lifestyle enhancing measures are out needed, the latter is targeted to assist retrofitting of public facilities with energy efficiency measures worth over \$50 000. The hope is that by forming a consortia many smaller otherwise ineligible facilities may be able to benefit.

Daylesford Business and Tourism Association, Daylesford Child and Family Services, Councillors and others met to discuss the changing demographics and needs of our community in regards to housing, particularly affordable and appropriate housing for those members of our community who are younger, disadvantaged or play a part in our key sectors.

Steve Edwards, editor from the weekly paper in Mata Piako, our sister town in New Zealand paid me a visit and quizzed me about changing approaches to tourism, especially our significant support for the Daylesford Macedon Ranges Tourism .inc.

The MAV FOLG committee continues to discuss how local governments can shape their future, making change rather than having change forced upon them. The Local Government Index, demographics, economics, peak oil are all parts of the increasingly tight economic circumstances for local government that will increasingly impact un ratepayers and potentially on services. What this means for our shire, similar to other rural shires is that we have to work really hard to figure out how we will deliver services in these increasingly restricted circumstances.

We saw our community grow and change a little for the better at the Australia Day Eve Civic ceremony and saw the growth of celebration once more in all of the towns of the shire. Congratulations particularly to Trentham's own James Caldwell for choosing to take that important step to become a citizen.

We continue the process of seeking a new CEO- with over 50 applicants interested in this role so important to our communities. We continue to scrutinise these applicants for the best fit for our communities and with Hepburn's specific needs in mind. I will continue to update community through these reports and my weekly mayoral column in the Advocate.

I have met with numerous community groups who want to take control of their garbage. It is encouraging that our communities are taking in interest in cleaning up our mess as garbage disposal costs increase as Ballarat and Bendigo landfills reach capacity.

I attended the 8<sup>th</sup> Anniversary Service of the Australian Ex-Prisoners of War (POWs) Memorial in Ballarat.

Also high tea at Fiddlers Lane Bullarto became luncheon at the Hepburn Golf Club, which saved it from becoming a wet tea. This was in aid of women's natal care in Timor Leste.

I presented an award to Mt Franklin Organics at the Lake House for their exemplary efforts in sustainability at the forefront of the changing face of agriculture and tourism.

At the Central Highlands Regional Mayors and CEOs Forum we discussed how the state government is making it easier for vulnerable communities in fireprone areas to construct phone towers. I also moved a motion that the regional plan implementation should have an agriculture and natural resource management working group.

I attended a meeting of the Environmental Sustainability Advisory Committee working group for the Community Resilience Strategy. This is of course an important part of how we here at Hepburn are preparing for an energy constrained future in uncertain economic and climatic times.

This preparedness was underlined by the world-renowned economist and polymath, Nicole Foss who presented at the Daylesford Town Hall last week. She particularly underlined the similarity of this last economic crash to the beginning of more serious economic crashes in the 1600s, 1930s and 1960s.

And finally I saw the birth of a new artistic star in Daylesford with Ivor Bowen's launch into visual arts. This is yet another transition from our communities celebrated film maker into the visual arts.

## **COUNCILLOR REPORTS**

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

**Wombat Hill Botanical Gardens Advisory Committee (WHBGAC)** met this morning.

- a. Options to utilise the Alf Headland Conservatory during the months when the Begonias are not on display will come to Council later tonight
- b. An Outdoor Furniture Policy was recommended for adoption
- c. The FOWHBG plan to meet with GMI Lucas in the next week or so to pursue the development of a the draft MOU, and to elaborate on the proposed works program for the restoration of the Fern Gully & Rustic Cascade in time for the Gardens Sequicentenary (150<sup>th</sup> birthday) in 2013, with the proposed assistance of a significant financial contribution from the FOWHBG
- d. Next meeting plans to review the Prioritised Activities List for the WHBG.

**ARC Advisory Committee** met 06/02/2012 with its new terms of reference and newly appointed committee members.

- a. A recommendation to emphasise the cultural role for the ARC will come to Council tonight
- b. Officers reported that the Centre Managers had achieved increased activity and a break-even financial for the Dec quarter
- c. The committee endorsed an exciting proposal from the Daylesford Neighbourhood Centre Daylesford Enterprising Youth project at the ARC for an interim arrangement for young people to use under-utilised spaces in Daylesford commencing with programmed nights at the ARC using seating area and umpires room. The potential to develop alternative management models was noted. I understand a formal report will come to Council.
- a. Barriers and opportunities to increase community use of the theatre were explored & will be considered further.

- b. The current agreement with the Centre Manager expires 30 June 2012 and a Working Party meeting to consider future ARC arrangements is to be convened with all members of the ARC AC to be invited.
- c. We noted with regret and thanks the resignation of ARC Manager Lissa McIlldowney effective 17 February 2012.

**Daylesford Macedon Ranges Regional Tourism Board met 14/02/2012**

- a. Regrettably I missed most of the meeting due to conflicting Council commitments.
- b. Recruitment is in progress for a Tourism and Industry Development Manager and
- c. Ms Deborah Pascoe, commenced with the organisation 20/02/2012 in the role of Tourism Development Support Officer. In my opinion, these appointments will result in a 5 day week presence in the DMRT office, and vastly enhance the ability of DMRT to deliver on its strategic plan & deliver value on behalf of all stakeholders
- d. The unique pilot tourism iPhone App is still scheduled for soft release for our region by Tourism Victoria in April 2012.

**The Daylesford Streetscape Revitalisation Project** Community Reference Group met on 07/02/2012 and the Steering Committee will meet 29/02/2012 when I hope we will receive a detailed report & recommendations from Village Well.

**The Daylesford Community Plan Community Reference Group** met on 16/02/2012. I believe the draft plan is now finalised with 21 actions and I hope the Community Reference Group, the Consultant and Officers will present same to Council very soon.

**The Victoria Park Multi Purpose Facility Consortium** met 7/2/2012 to review the lack of success of the 2<sup>nd</sup> and latest unsuccessful application for federal funding, and the consortium will meet again next month.

**Councillor Rod May, Birch Ward**

19 January Upper Loddon Water Supply Protection Area (WSPA) Committee meeting which is considering the management of the groundwater resource and the important trigger levels at which restrictions on extraction kick in. We have argued for a conservative level that protects the resource in periods of low

rainfall and protects the groundwater dependent ecosystems as much as possible.

- 23 January Central Highlands Agribusiness Forum (CHAF) Strategic Planning day
- 25 January Australia Day Civic Reception in Daylesford
- 30 January Chinese New Year Reception hosted by Hong Kong Economic & Trade Office, Hong Kong Tourism Board, Hong Kong Trade Development Council, Invest Hong Kong and Hong Kong Australia Business Association – VIC Chapter.
- 31 January Lionel Lindsay exhibition – Creswick Museum
- 7 February Vic Park Consortium
- 9 February Upper Loddon Water Supply (WSPA) Ordinary Meeting
- 13 February CHAF meeting

#### **Central Highlands Agribusiness Forum (CHAF) activities**

- Demo farm
- Caring for country
- Brokering - The Australian Institute of Community Practice and Governance have released their training program for community organisations for the next 6 months.

#### **Awarding of Certificates for Bioenergy Technology course**

Within 80 km radius of Ballarat there is an annual amount of at least 300,000 tonnes of biomass that could be used to produce energy - as heat, electricity or. transport fuels. Presently this biomass is almost entirely unutilised, either going to landfill, burned, or left to decay with production of greenhouse gases.

A group that has just completed a 6 month distance bioenergy technology course provided by a Swedish university has produced nine short reports, and out of these a number of recommendations how this biomass could be cost-effectively utilised within the municipality of Ballarat. The course was auspiced and managed by Central Highlands Agribusiness Forum (CHAF).

The outcomes of implementing the main recommendations would be:

- significantly reduced emissions,
- creation of up to 100 permanent jobs,
- reduction of volumes going to landfill,
- more money remaining in the local economy, and



- positive revenues or cost savings for the farms and businesses that are the source of these wastes and residues.

### **Brokering FarmPlan21 course**

Topics that will be delivered in a FarmPlan21 course include:

- land capabilities, soils, water and biodiversity, and
- farm vision and future planning,
- biosecurity and risk
- and is underpinned by relevant legislation and climate change information.

CHAF has become involved in an education project where several groups comprising 35 grade 6 kids will come up to Ballarat from Melbourne to get some experience of Ballarat and surrounds over 2012-2013. One of the focuses of the program is to introduce the kids to farming and food production.

16 February Nicola Foss lecture and panel consisting of Mayor Klein and David Holmgren. Nicola spoke of the grave risks posed by the imminent bursting of the global financial bubble which, in her opinion will lead to a period of prolonged deflationary pressure.

20 February Birch ward meeting.

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

No report to present this month.

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

No report to present this month.

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

Since last meeting I have attended the Creswick Ward Community Committee.

This committee drives the Community Plan and they were pleased to see Council show in principle support for the four seasons concept for the town.

IWD is on track and this year the guest speaker will be Marilyn Beaumont, former Director of Women's Health.

I also attended a meeting of the Doug Lindsay Reserve and Community Facility Management Advisory Committee where management structures and liquor licensing were discussed.

It is hoped to have things in place for the start of the football season.

The Heritage Advisory Committee met and has discussed the important issue of reinvigorating the heritage loans scheme which is designed to assist with small projects that either enhance or preserve our heritage buildings. Jobs like fences and verandahs or spouting to stop water are such projects.

I also attended the opening of the Lionel Lindsay Exhibition at the Creswick Museum and this is a great opportunity to see works which are not usually on display.

A meeting at the flood office in Creswick was an opportunity to hear and see firsthand the excellent work being carried out. The vast majority of ratepayers have been very appreciative of works carried out.

I had the pleasure along with Cr Barrell and the hard working Cr. McClenaghan who was there in his role of running the market.

Minister Mulder announced that the State Government had tipped in over \$90k and the Railway itself \$75k which is a great deal of money for a community not for profit organisation.

On researching the background I was surprised to find government figures showing that the Spa Country Railway and its market generate directly and indirectly \$14million to the local economy.

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

Yesterday week, on 13<sup>th</sup> February, I attended the MAV Rural South Central Forum hosted by Surf Coast Shire at their new municipal offices in Torquay. Built on former farm land, the total development of new offices, public open space and sporting facilities together with land for up to 3,000 new homes will cost \$44 million.

The new office is a five star design and features energy and water efficiency and an open plan with a quality indoor environment. A central atrium exhausts stale air and there is under floor ventilation that maintains a comfortable temperature. There are internal stairs and an elevator in the central atrium and a ground floor lounge that acts as a break out area for staff to meet or relax. Staffing silos are broken down by intermingling engineers with planners and records staff all in together. The western wall is of rammed earth to absorb afternoon sun and shaded windows face north beside numerous large

timber pillars that are recycled bridge beams from a former Queensland bridge wrecked in last year's floods. It is a large version of the entrance to our Duke Street office where there are several smaller vertical timbers. Three and a half kilowatts of renewable energy are produced by a combination of solar panels on a huge surfboard like structure out front (2.5 kw) and a vertical axis wind turbine on the roof (1 kw) that is not of the noisy 3 blade design.

Such an environmentally friendly office would be great for Hepburn Shire if we could afford it. This one cost \$14 million but Surf Coast Shire has an annual budget of \$58 million compared to our \$26 million and rate revenue of \$33 million compared to our \$13 million.

One of the matters discussed at the Forum was Councillor conduct with two member Councils having issues with individual Councillors. One of these individuals was reported to have punched a parking officer sixteen times whilst hurling profane abuse in public. The Councillor refused mediation and received only a slap on the wrist with one month's suspension and an order to apologise.

City of Ballarat reported that the cost of garbage disposal in the regional landfill will rise from \$40/tonne to \$44/tonne because of an increased EPA levy and a \$1.3 million blowout in constructing a new landfill cell. About 60,000 tonnes/year go to this landfill with half from the commercial and industrial sector and the other half municipal waste. By contrast, Geelong and the Barwon region sends 300,000 tonnes of garbage per year to landfill and are exploring AWTs being Alternative Waste Treatment plants. If that isn't all bad enough, a Carbon Tax could increase the cost of putting garbage into landfill by an extra \$23 - \$30/tonne.

Recognition of Local Government in the Australian Constitution is also not looking good and probably won't be going to any referendum at the next Federal poll. A \$10 million fund will be required for national advertising and most states and voters need to agree. Currently the Victorian Government is against the idea but will not actively oppose it. Governments in N.S.W. & W.A. are also opposed. The first two referenda on this issue have failed and any third attempt must succeed if constitutional recognition is ever to happen. Now is probably not the best time for a third try.

Finally, Mr Mayor, although it is my usual practice to head off the night before to attend out of area forums like this one and book into starlight motel for budget accommodation, fortunately I didn't this time. According to new big red and yellow signs, I would surely have run foul of Surf Coast compliance officers as that sort of thing is prohibited under local laws.

## RECOMMENDATION

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

## MOTION

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

**Moved:** Councillor Rod May  
**Seconded:** Councillor Don Henderson  
**Carried.**

## 8. PUBLIC PARTICIPATION TIME

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

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

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

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

### 8.1. PETITIONS

Nil

### 8.2. QUESTIONS

Questions will be presented at the meeting.

**Question 1: From Mr Michael Cheshire JP, Clunes**

**What progress has the Council made to encourage the Minister for Health to reopen the nurse on call service in Clunes?**

**Answered by Mayor Councillor Sebastian Klein**

The Director Health and Aged Care Grampians Region Tom Niederle and the Director Performance Acute Programs and Rural Health Simon Corin briefed Council on the 14 February regarding the closure of the Nurse on Call service at Clunes. During this briefing it was made clear that there is no additional funding for this service. The only funding that has been made available was additional recruitment funding which proved to be ineffective. Mr Corin committed to conveying this message in writing.

**Question 2: From Mr Jack Cooper, Glenlyon**

**My question is about Road Closures. Were Councillors aware of Council staff's decision to help Longest Lunch organizers to get VicRoads approval to close Barkly St, Glenlyon, a main arterial road and not take into account the concerns of the ratepayers who would be affected by a detour around roads not suitable to carry the large volume of traffic and not let us know which route or even survey us?**

**In 2003 they overstayed their time by 1½ hours till Council staff had to remove them to open the road.**

**I have no objection to the fund raising, but the location should have been the Recreation Reserve. It is very shady and off road like all other venues in the past 8 years.**

**Answered by Mayor Councillor Sebastian Klein**

The Glenlyon Longest Lunch event organisers approached Council in October 2011 and event planning has been conducted in line with Council's event policy and procedures. This has included an initial event meeting held in November 2011, followed by a meeting with Council waste, compliance, risk, environmental health and maintenance in January 2011. A further meeting with event organisers will take place in the week of 27 February 2012.

As the event proposal requested a road closure a Traffic Management Plan was required and received on 19 December 2011. Event organisers were required to complete a letter box drop of all residents in Barkly Street, Glenlyon which was completed on 22 January 2012.

Manager Community Development endorsed the TMP and provided to VicRoads who amended and then approved the plan, including the road closure.

Amendments made were to:

- reduce the speed on the approach from
- Daylesford to 60 kmh prior to the McMahons Rd intersection;
- and that the lunch be conducted in a position that if a large B Double Truck is unable to use the detour route it can be escorted through via the Main Road.

The road closure will be in place from 10am to 5pm and the event running from 12pm till 4pm.

**Question 3: From Mr Jack Cooper, Glenlyon**

**How many winery signs are Council officers going to allow at ratepayers expense on Council roadsides per any winery? As the one on approach to Glenlyon from Daylesford you would think you were entering the settlement of Ellender not Glenlyon.**

**Locals who wish to advertise their cattle studs or other enterprises have to erect signs on their own property as a certain distance back from the road. Why does this not apply to wineries or do they do as they like and are allowed to?**

**Answered by Mayor Councillors Sebastian Klein**

Council, like many other Local Government authorities make use of the Vic Roads guidelines for the design and placement of tourist signage on roads under Councils control.

In this case, the Daylesford-Glenlyon Road is a Declared Arterial road under the control of Vic Roads. The referenced winery signs are classified as tourist signs under the state guidelines, providing a benefit to the travelling public.

Vic Roads assessed the signage request and have granted consent for the sign installation and also advised that other signage was removed as part of the process.

Council was consulted during the evaluation phase and did not have any objection as it meets the requirements as a tourist facility.

These signs are paid for by the applicant at no cost to Council.

**Question 4: From Trentham Community Groups FORUM  
Mr Ian MacBean on behalf of Ms Georgie Patterson**

**COMMUNITY FACILITIES**

The FORUM on behalf of the Trentham community has asked a number of questions of Council to test the strong perception in this community that Trentham doesn't get a fair go from Council.

Some of those questions are still to be answered however we acknowledge the cooperation of senior officers, particularly the Interim CEO and General Manager Corporate Services, in assisting us with information and in gaining a better understanding of Council processes.

We have recently been told that “*Trentham is behind the eight ball in not having asset management plans in place*”. We have also been told that Council will soon have an inventory of all community facilities, whether these are owned and managed by Council or not and that this listing will then provide the basis for drawing up service level agreements such that community facilities and services provided and supported by Council will be comparable across the municipality. This process apparently may take some time although we have not been told the reasons why.

The FORUM believes that the establishment of equitable service levels should go a long way to resolving the concerns we have been expressing over past months and is therefore keen to see these in place as soon as possible.

Our question therefore is (in 2 parts):

- a. When does Council expect to complete its inventory of all community assets and facilities?**
- b. When does Council expect to complete asset management plans and service level agreements for all major community facilities across the municipality?**

We would also seek an open, transparent and collaborative approach to these processes consistent with Council’s commitment to ‘localism’ and the FORUM’s offer to Management of a cooperative working relationship. We acknowledge the many pressures on a small rural municipality and submit that it will only be through a respectful and good working relationship that we – Council and community – can prosper together.

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

User group agreements or licences do exist for Council managed facilities.

In addition, Council has completed the Inventory of assets for buildings and open space reserves. Council has adopted a Roads and Bridges Asset Management Plan (AMP) in 2011 which will be made available on Council’s website. Currently, the buildings and open space reserves asset management plans are under development and expected to be completed in the last quarter of 2012.

Following the adoption of the AMP for Community Assets and Facilities, Council will better appreciate the costs involved in maintaining that asset including the various ownership and management arrangements.

The next stage is to undertake a review of levels of service which would take approximately 12 months which will include a public consultation phase.



Following the establishment of levels of service, it may be appropriate to establish service level agreements between Council and other stake holders. Experience from other Councils in creating service level agreements may take several years.

**Question 5: From Trentham Community Groups FORUM  
Mr Andy Robertson**

**OPEN SPACE LEVY**

On behalf of the FORUM, I asked a question regarding the Open Space Levy at the November meeting of Council. The FORUM followed up Council's response with some further questions to the CEO, regarding how these funds are allocated, to which he has replied. We are grateful for the advice provided by Council to date and now seek further clarifications.

[In asking these questions I note that I have a particular interest in the Open Space Levy which is currently collected by HSC on all subdivisional development where more than two allotments are created.

My interest is both from the further development and improvement of existing open space in the Shire, and particularly Trentham, and also as someone who is involved with a small scale development and will be required to pay the levy.

I am a member of the Trentham Reserves Committee of Management and previously the Stoney Creek Reserve and the Old Trentham Racecourse committees which have merged to form the new combined committee, which now has responsibility for the Bath St Reserve previously managed by Council. I have also developed the concept of the Wombat Trail in Trentham, which is a proposal to link the major reserves as a walking/cycling trail, and currently heavily involved in the proposed Daylesford to Macedon Ranges Rail Trail.

These involvements have all made me acutely aware as to how much needs to be done, how little financial support there is to undertake this work and how difficult it is to obtain financial support.]

The FORUM believes that the potential of the Open Space Levy needs further exploration.

Our understanding of this levy is that the Subdivision Act 1988 enables Councils to obtain a contribution for open space from subdivision proponents. The contribution amount is to be up to 5% [of land or value of land or

combination of both] if it can be justified, based on an assessment of need. Two lot subdivisions are generally exempt.

**Section 18** of the Act says in part that the Council may only make a public open space requirement if it considers that, as a result of the subdivision, there will be a need for more open space, having regard to:

- the existing and proposed use or development of the land
- any likelihood that existing open space will be more intensively used after than before the subdivision
- any existing or likely population density in the area of the subdivision and the effect of the subdivision on this
- whether there are existing places of public recreation or public resort in the neighbourhood of the subdivision, and the adequacy of these
- any policies of the Council concerning the provision of place of public recreation.

**Section 20** of the Act deals with what Council must do with public open space and says, in part, that Council must use any payment towards public open space that it receives under this Act to

- buy land for use for public recreation or public resort, as parklands or for a similar purposes
- improve land already set aside, zoned or reserved [by the Council, the Crown, a planning scheme or otherwise] for use for public recreation or public resort, as parklands or for similar purposes.

Council's response to the FORUM's question about what funds have been collected and spent over the past five years advised that a total of \$1,039,532 has been collected across the Shire and of that \$141,150 has been collected in Trentham.

In relation to expenditure of these funds we were advised that there has been \$154,625 spent across the Shire and \$11,900 within Trentham.

This means that across the Shire only 14.9 % of the funds have been spent and within Trentham it is less at 8.4 %.

We understand that all of the expenditure in Trentham has been at the Bath Street Reserve where there is not a lot to show by way of improvements.

It also means that nearly \$885,000 has not been spent across the Shire and almost \$130,000 within Trentham. As advised, we understand that this money sits in consolidated revenue and is considered as being part of the overall Council budget.

Given the state of the various reserves and open space within and around Trentham, and the desperate need for capital improvements generally, it is quite extraordinary that it has not been possible to work with the local communities to establish meaningful projects to which these funds might be put.

Our questions, on behalf of the Trentham community, are as follows:

- 1. Does Council have a stated policy and objectives with regard to open space, both new and existing? If so, what are they and if not, why not and when will these objectives be developed and incorporated into the HSC Planning Scheme?**
- 2. Does Council have any guidelines for expenditure of funds collected through the Open Space Levy or has it incorporated a clause 52.01 Schedule into the HSC Planning Scheme?**
- 3. Does the contribution amount of 5% have any relationship to the needs for open space in the Shire, or is it just that this is the maximum amount which can be collected?**
- 4. Does HSC have a detailed audit of all open space within the Shire? If so, does it indicate location, area, type of space [park, forest, playground etc], extent of use, condition?**
- 5. Does the Shire communicate with the local communities to establish as to how those communities might like the funds spent?**
- 6. Why has the Shire been only able to spend such a small proportion of the funds raised over the past five years?**
- 7. Will the Shire place all funds collected into a specific interest bearing reserve account in accordance with the Local Government Act of 1989?**

**Answered by Mayor Councillor Sebastian Klein:**

1. No – Council does not have a policy in regard to open space new and existing. There will be a funding budget bid for the preparation of a recreation strategy which would cover open space – new and existing.
2. No – funds are allocated during the annual budget process depending on Council's priorities for the coming year. There is no specific reference in Clause 52.01 of the Hepburn Planning Scheme in relation to expenditure of Public Open Space (POS) funds.
3. Yes – it does as any requirement for POS needs to be assessed and justified. 5% is the maximum amount specified in the legislation and the planning scheme.
4. Partly completed.
5. Yes – through management, community plans and strategies and in consideration of the budget.
6. Priorities are set by Council during the budget process and open space levy is utilised as determined by Council.
7. No specific account is required under the Local Government Act but funds are invested as per Council's Investment Policy. Holding reserves is frowned on by the Victorian Auditor-General's Office (VAGO).

**Question 6: From Mr Zachary Casper, Daylesford**

**While attending the previous council meeting held at Glenlyon in January, I learned to my surprise that HSC has not adopted the Proposed 10-Year Financial Plan for 2011-2021, released to the public in May of last year. I would like to ask the council, and if possible the individual councillors, their position regarding this Plan. It seems to me that there are three main possibilities regarding this:**

- a) **To adopt the 10-year plan mostly as it stands, with little or no change;**
- b) **To adopt the plan, but with some major revisions;**
- c) **To tear up the plan and start over from scratch.**

**As mentioned, I would like to hear each councillor, if possible, express their opinion in just a couple of sentences. If this is not possible, of course I wish to hear "the majority opinion" regarding the 10 Year Financial Plan.**

**Answered by Mayor Councillor Sebastian Klein**

In 2010-11 Council undertook an ambitious task of formulating a rating strategy, 10 year financial plan and 2011-12 budget. It was envisaged that the rating strategy would be developed and form the basis for the 10 year financial plan and 2011-12 budget. The rating strategy was developed and adopted by Council. Work commenced on the 2011-12 budget and the 10 year financial plan. Both of these documents were completed and submissions were sought on them. In response to the submissions received changes were made to the 2011-12 budget.

It was determined to put the 10 year financial plan on hold pending further analysis while efforts were concentrated on completing the 2011-12 budget. From the commencement of the 10 year financial plan many variables changed that needed to be factored into Council's modelling. Some of these changes included effect of the floods (significant capital works), additional funding for roads, bridges and infrastructure.

Development of a new 10 year financial plan will commence in 2013.

**Question 7: From Mr Joshua Gilligan, Daylesford**

**Has Council determined whether or not they will commit to providing the proposed funding contribution of \$150,000 to the proposed Daylesford Vic Park Multi Purpose Facility as per discussed at the November 2011 Special Council meeting?**

**Answered by Mayor Councillor Sebastian Klein**

The allocation of \$150,000 to the proposed Daylesford Vic Park Multi Purpose Facility will be considered as part of the 2012-13 budget process.

**Question 8: From Mr Bob Kennedy, Glenlyon**

**GLENLYON RESERVE**

The pavilion at the reserve was changed from horse stables and open shed, about 16 or 189 years ago by people working on the dole scheme, run by the government. Since then the only work carried out to maintain the pavilion, has been done by the "Committee of Management", under Section 86 of the Council. Some of the work done is as follows:

- bought and installed a kitchen

- cemented the verandah
- built a disabled toilet
- leaf gutter guard all round water tank and pump
- electric BBQ
- tiled floors, etc, etc.

These and other improvements to the grounds were carried out by the Committee of Management, so the public can use and enjoy the grounds. When we took over the remainder of the reserve it was almost derelict, no-one put it to full time usability.

If I say so myself, the reserve is now a well used ground and one that people of Glenlyon and others are only too happy to use and be proud of.

The Council has not just got a reserve now, but a well used and run asset.

- 1. The pavilion after all these years needs some work being carried out on it. This work is out of the Committee's allowed spending as well as being way above what we can do. The work I refer to is a septic system put in to replace the sand pit now in use (it cannot handle the waste), this system is only 20 metres from the "Loddon River". Health is the big worry here. What and when will this be addressed?**
- 2. Weather boards need replacing and the whole pavilion needs painting inside and out.**
- 3. With all the work we have carried out on the reserve to improve it, maybe the Council should update their register and insurance on the reserve.**
- 4. The Committee has been sending in to Council a copy of our minutes, but I feel they are not looked at and noted when we mention items we feel the Council should come back to us about. Do they end up in a rubbish bin or what?**

**Answered by Mayor Councillor Sebastian Klein**

1. Council, prior to Christmas, carried out maintenance works to the value of \$150,000 in the Reserve and works were carried out to the toilet system.
2. Council officers will meet with the Committee members and discuss issues 1 and 2 and see if budget bids can be put in to cover these items.

3. Council is in the process of reviewing its insurance for its assets for the next twelve month. During this process values of assets are adjusted according to the valuations.
4. No, they do not end up in a rubbish bin. They are provided to Council as per our requirements under the Local Government Act and Council's Risk Manager has been regularly communicating with Neil Bruce regarding the issues raised in the minutes.

## **9. OFFICERS' REPORTS**

### **9.1. MONTHLY FINANCIAL REPORT – JULY 2011 – JANUARY 2012 GENERAL MANAGER CORPORATE SERVICES**

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

#### **PURPOSE**

The purpose of this report is to report on the Council's financial performance for the 2011/12 financial year up to the 31 January 2012.

#### **BACKGROUND**

This report provides information on Council's operating performance for the period 1 July 2011 to 31 January 2012 based on the Revised Budget adopted at the midyear budget review. The Annual Budget column reflects the changes made at the midyear review.

#### **ISSUE / DISCUSSION**

##### **INCOME STATEMENT**

The year to date operating result is \$7.8 million surplus. This is higher than budget due to additional income. Refer to the Income Statement attached for full details.

The surplus is high at this time of year as rates and charges for the full year (\$14 million) were raised in August when rate notices were issued to ratepayers.

##### **BALANCE SHEET**

Cash at 31 January 2012 totals \$9.2 million.

Refer to the graph of cash and cash equivalents (attached) for the 2010-2011 financial year with comparisons to the 7 months of this year. Refer to the Cash Flow Statement (attached) for comparisons to this time last year.

Cash is significantly higher than this time last year due to the higher level of trade creditors owing and \$1million received from State Govt for roads and bridges remains unspent.

- Rate debtors at the end of January 2012 are \$ 7.2 million, compared to rate debtors at the same time last year of \$6.7 million. \$368,610 in debtors remains from 2010-11 and prior.



- Sundry debtors total \$1.2 million at the end of January compared to the same time last year of \$743,000. Refer to comments in the Balance Sheet for movements in debtors year on year.

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

### **CAPITAL WORKS & PROJECTS**

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

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

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

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

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

None noted.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

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

### **CONCLUSION**

The report on the financial performance of Council for the seven months to 31 January 2012 has been reported.

### **OFFICER'S RECOMMENDATION**

- 9.1.1 That Council receives the Monthly Financial Report for the seven months from 1 July 2011 to 31 January 2012.

**MOTION**

9.1.1. *That Council receives the Monthly Financial Report for the seven months from 1 July 2011 to 31 January 2012.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried.**

**ATTACHMENT 1 - MONTHLY FINANCIAL REPORTS – PERIOD ENDING  
31 JANUARY 2012**

**Income Statement**  
For the period ending 31 January 2012

	Annual Budget 2011/12 \$'000	YTD Budget 2011/12 \$'001	YTD Actual 2011/12 \$'000	Variance YTD Budget to YTD Actual \$'000	
<b>Revenues from ordinary activities</b>					
Rates charges	14,629	14,619	14,613	(6)	0%
Statutory fees and fines	299	164	159	(5)	-3%
User fees	923	485	512	28	6%
Grants - Operating	5,087	2,432	2,486	55	2%
Grants - Capital	2,847	1,686	2,494	808	48% <sup>1</sup>
Contributions	383	93	96	4	-
Other revenue	16,825	828	1,092	264	32% <sup>2</sup>
<b>Total revenue</b>	<b>40,994</b>	<b>20,306</b>	<b>21,453</b>	<b>1,147</b>	<b>6%</b>
<b>Expenses from ordinary activities</b>					
Employee benefits	10,446	4,855	4,807	(48)	-1%
Materials and services	9,249	5,500	5,617	117	2%
Bad and doubtful debts	20	18	19	0	-
Depreciation/amortisation	5,038	2,519	2,486	(33)	-
Finance costs	282	170	143	(27)	-16% <sup>3</sup>
Other expenses	1,024	788	560	(228)	-29% <sup>4</sup>
<b>Total expenses</b>	<b>26,058</b>	<b>13,851</b>	<b>13,632</b>	<b>(218)</b>	<b>-2%</b>
<b>Surplus (deficit) for the year</b>	<b>14,934</b>	<b>6,455</b>	<b>7,821</b>	<b>1,365</b>	<b>21%</b>

1. Additional funding received for flood projects.

2. Lease and interest income are ahead of Budget and reimbursements are ahead of YTD Budget.

3. Interest on borrowings is below YTD Budget as a result of timing.

4. Previously Council made a contribution to the Central Highlands Regional Library Corporation. Council is now paying employees directly. The actual cost of service provision is being negotiated with City of Ballarat, as part of Service Level Agreement. Costs to date less than budgeted.

## Balance Sheet as at 31 January 2012

	31/01/2011 Actual \$000's	31/01/2012 Actual \$000's	Movement year on year
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	6,177	9,274	50% 1
Trade and other receivables	7,590	8,865	17% 2
Inventories	7	29	313%
<b>Total current assets</b>	<b>13,775</b>	<b>18,168</b>	<b>32%</b>
<b>Non-current assets</b>			
Trade and other receivables	(1)	1	-181%
Financial assets	962	1,083	13%
Investments in associates accounted for using the equity method	443	453	2%
Property, plant and equipment, infrastructure	172,450	163,484	-5%
<b>Total non-current assets</b>	<b>173,855</b>	<b>165,021</b>	<b>-5%</b>
<b>Total assets</b>	<b>187,629</b>	<b>183,189</b>	<b>-2%</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	(520)	(1,214)	133% 3
Trust funds and deposits	(901)	(908)	1%
Provisions	(1,401)	(1,767)	26% 4
Interest-bearing loans and borrowings	(211)	(194)	-8%
<b>Total current liabilities</b>	<b>(3,034)</b>	<b>(4,083)</b>	
<b>Non-current liabilities</b>			
Provisions	(838)	(637)	-24% 4
Interest-bearing loans and borrowings	(3,078)	(4,340)	41% 5
<b>Total non-current liabilities</b>	<b>(3,916)</b>	<b>(4,977)</b>	
<b>Total liabilities</b>	<b>(6,950)</b>	<b>(9,060)</b>	
<b>Net Assets</b>	<b>180,680</b>	<b>174,129</b>	
<b>Equity</b>			
Accumulated surplus	(100,814)	(103,377)	3% 6
Surplus YTD	(6,680)	(3,579)	-46% 8
Reserves	(73,187)	(67,173)	-8% 7
<b>Total Equity</b>	<b>(180,680)</b>	<b>(174,129)</b>	

1. Cash is significantly higher than this time last year due to the higher level of trade creditors owing also \$1 million received from State Govt for roads and bridges remains unspent.

2. Revenue raised from rates and charges has increased in 2011-12 in accordance with the Budget. The third instalment of rates is due 28 February. Balance also includes some flood recovery grants.

3. Due to the level of Flood Recovery works creditors have increased significantly. Also only one creditors payment run in January.

## Balance Sheet as at 31 January 2012

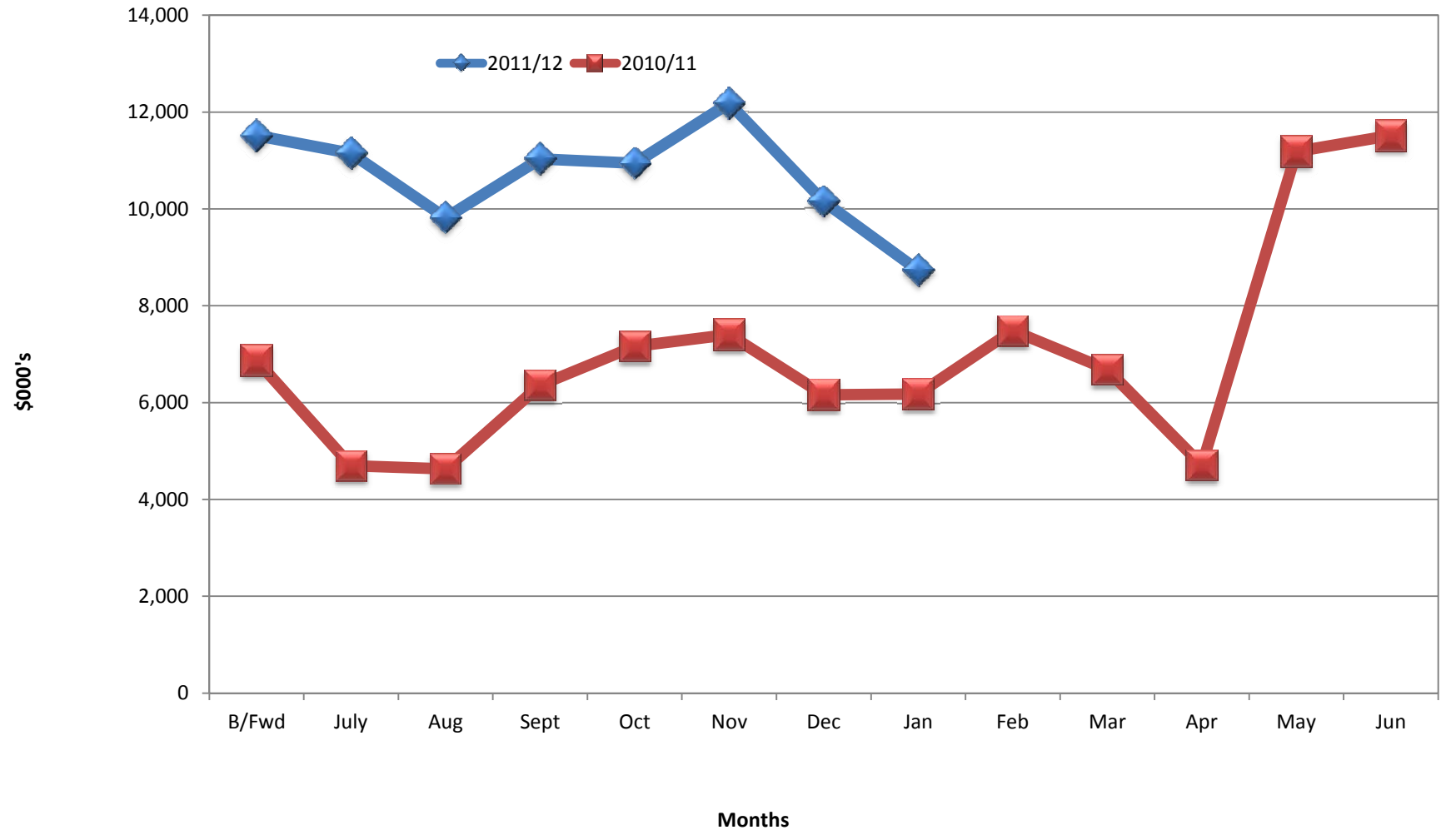
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4. *In the current Enterprise Bargaining Agreement, officers are entitled to their Long Service Leave on a prorata basis after 7 years, a change from 10 years. This has resulted in the current portion of the provision (likely to be paid out in the next 12 months) to increase and the non current portion to decrease,*
5. *\$900,000 in borrowings was taken out in July 2011 to fund Council's payment towards the Defined Benefit Superannuation Fund and purchase of the new corporate System. \$300,000 is still to be borrowed.*
6. *This increase is associated with Council's surplus for the 2010-11 year.*
7. *As a result of the flood events, significant damage to Council's Infrastructure Assets occurred. \$5.9 million in recovery works are still required to repair Council assets to their pre-flood condition. Consequently these assets have been devalued by \$5.9 million, resulting in an overall decrease in total Property, Infrastructure, Plant and Equipment. This also has resulted in a decrease in Council's equity reserves.*
8. *Surplus greater this time last year due in part to early payment of third Grants Commission instalment.*

**Cashflow Statement**  
For the period ending 31 January 2012

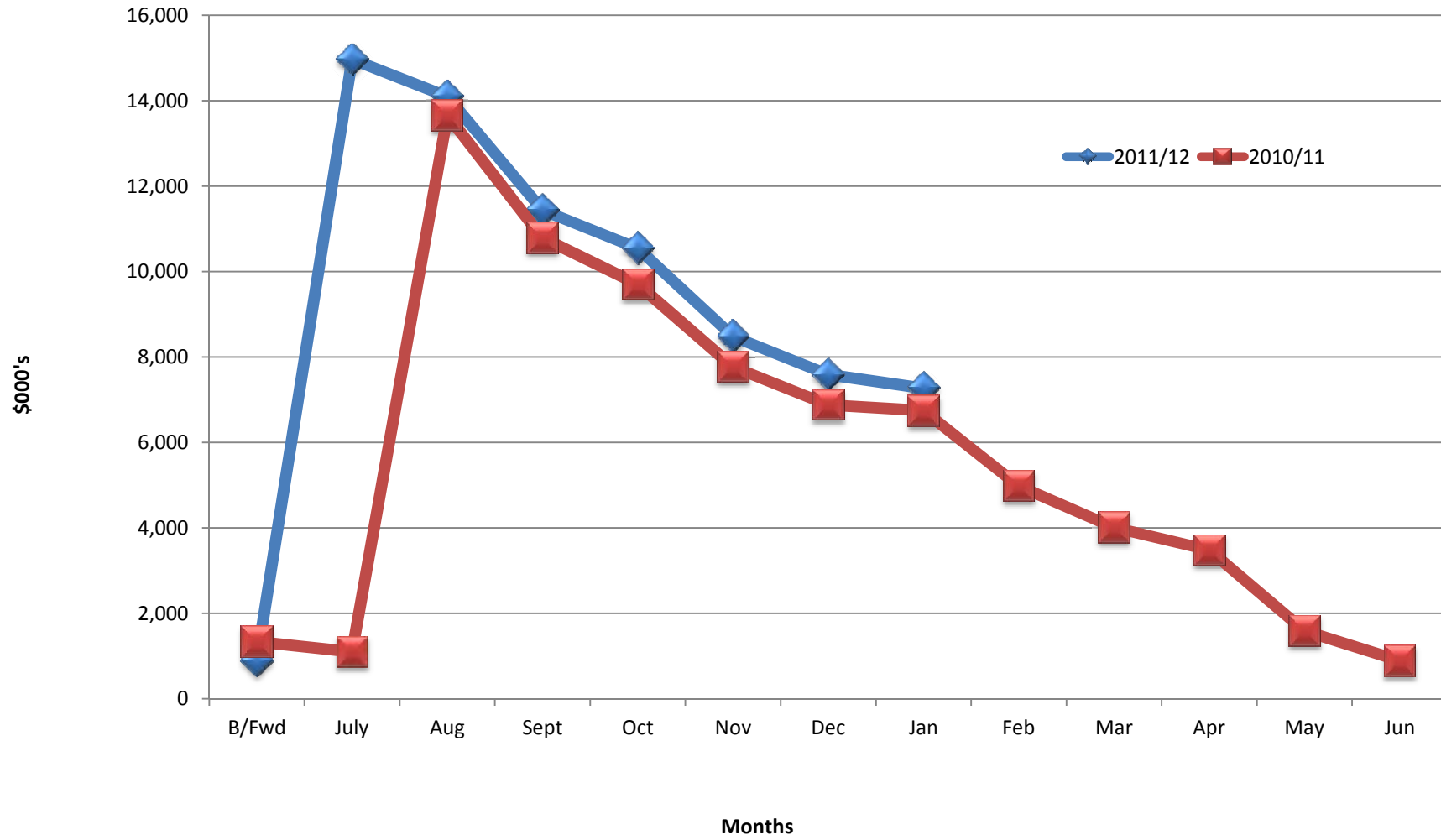
	Annual Budget 30/06/2012	31/01/11 Actual	31/01/12 Actual	Variance Jan '11 to Jan '12	
	\$'000	\$'000	\$'000	\$'000	
<b>Cash flows from operating activities</b>					
<i>Receipts</i>					
Rates charges	14,629	2,206	8,057	5,851	265%
Statutory fees and fines	299	87	211	124	142%
User fees	923	168	512	344	205%
Grants	9,117	467	4,265	3,798	813%
Other revenue	16,525	350	1,010	660	189%
Interest	300	95	384	289	304%
	<b>41,793</b>	<b>3,373</b>	<b>14,439</b>	<b>11,066</b>	<b>328%</b>
<i>Payments</i>					
Employee costs	(10,850)	(1,328)	(4,537)	(3,209)	242%
Materials & consumables	(9,249)	(1,567)	(6,810)	(5,243)	335%
Finance costs	(256)	(81)	(143)	(62)	77%
Other expenses	(1,023)	(413)	(560)	(147)	36%
	<b>(21,378)</b>	<b>(3,389)</b>	<b>(12,051)</b>	<b>(8,662)</b>	<b>256%</b>
Net cash provided by operating activities	<b>20,415</b>	<b>-16</b>	<b>2,388</b>	<b>2,404</b>	<b>-15023%</b>
<b>Cash flows from investing activities</b>					
Proceeds from property, plant and equipment	402	-	31	31	-
Payments for property, plant and equipment	(30,136)	(696)	(5,592)	(4,896)	703%
Net cash used in investing activities	<b>(29,733)</b>	<b>(695)</b>	<b>(5,560)</b>	<b>(4,864)</b>	<b>700%</b>
<b>Cash flows from financing activities</b>					
Proceeds from borrowings	1,200	-	900	900	
Repayment of borrowings	(473)	(129)	(271)	(142)	110%
Net cash provided by (used in) financing activities	<b>727</b>	<b>(129)</b>	<b>629</b>	<b>758</b>	<b>-588%</b>
<b>Net decrease in cash &amp; cash equivalents</b>	<b>(8,591)</b>	<b>(840)</b>	<b>(2,544)</b>	<b>(1,704)</b>	<b>203%</b>
Cash & cash equivalents at beginning of year	8,734	7,200	11,818	4,618	
<b>Cash &amp; cash equivalents at end of period</b>	<b>143</b>	<b>6,360</b>	<b>9,274</b>	<b>2,914</b>	

### Cash and Cash Equivalents Actual 2009/10 Vs 2010/11



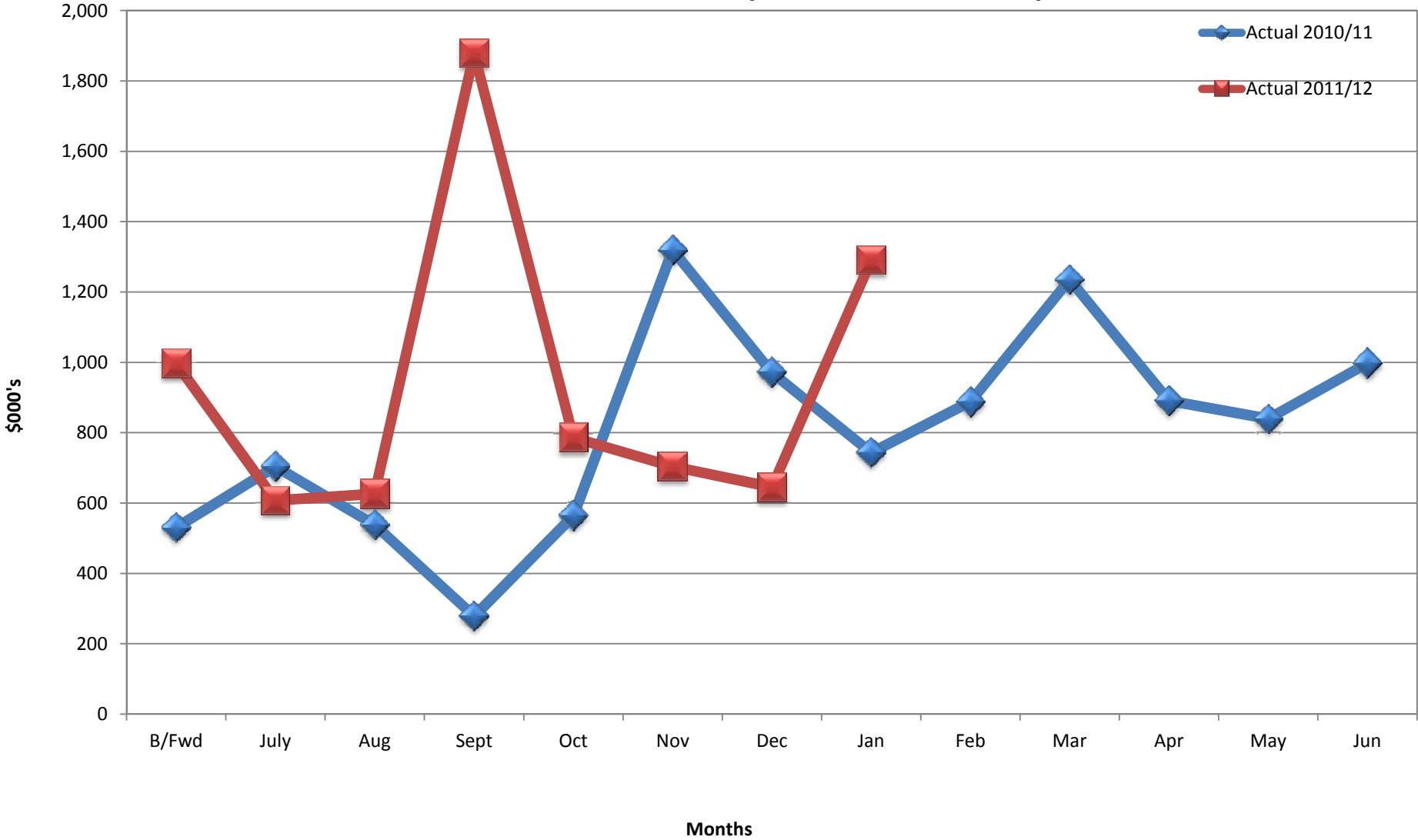


### Rate Debtors Actual 2009/10 Vs 2010/11



# Sundry Debtors

## Actual 2009/10 Vs Actual 2010/11



**Hepburn Shire Council  
Cash and Investments  
As at 31 January 2012**

	Maturing	Rate	Balance
CBA Investment Account		Variable	\$ 3,802,960
FIIG Securities	8/30/2014	Variable	\$ 250,000
Peoples Choice (Savings & Loans) - Floods	3/27/2012	5.46%	\$ 1,000,000
Suncorp Metway	2/6/2012	5.85%	\$ 1,000,000
Police Credit Union SA - Cameron Court Units	3/19/2012	5.13%	\$ 280,000
ING Bank - Roads & Bridges	3/16/2012	5.59%	\$ 1,000,000
			<b>\$ 7,332,960</b>
Doug Lindsay Reserve		Variable	\$ 28
Litherland Bequest	6/22/2012	5.60%	\$ 94,000
Medlyn Bequest	6/22/2012	5.60%	\$ 22,214
F Shaw Bequest		Variable	\$ 10,000
Bendigo Bank		Variable	\$ 987
General CBA Bank Account		Variable	\$ 1,361,534
Cash Floats and Petty Cash			\$ 5,180
			<b>\$ 1,493,942</b>
			<b>\$ 8,826,902</b>
<b>LSL Reserve Funds</b>			
Bendigo Bank Term Deposit	12/15/2012	5.40%	\$ 580,000
CBA Investec	2/27/2014	Floating	\$ 503,300
			<b>\$ 1,083,300</b>
		<b>Total Investments</b>	<b>\$ 9,910,202</b>

**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GMI	2011-12 Revised Budget \$	YTD Actual \$	30/06/2012 Forecast \$	Variance Budget to Forecast \$	Status
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**ROADS & BRIDGES**

**Asset renewal**

Reseals	GMI	1,484,498	2,519	1,484,498	-	Existing contract in place and works scheduled to commence late February and be completed by early April as per program.
Reseal Preparation	GMI	81,120	38,926	81,120	-	This program is approximately 70% complete and will continue ahead of the resealing contract.
Gravel Resheets	GMI	325,486	3,769	325,486	-	Works scheduled to commence on 20 February and will be ongoing until complete.
Shoulder Resheets	GMI	135,000	-	135,000	-	Works currently being reviewed and will follow immediately at the completion of the gravel road resheeting program.
Stabilisation - including reconstruction	GMI	707,834	10,399	707,834	-	Contract awarded and works commenced on roads nominate for resealing. All works are expected to be completed by May 2012.
Shoulder Sealing	GMI	472,552	1,302	472,552	-	Currently reviewing the capacity for internal delivery of this project however at this stage anticipate commencement mid March 2012.
Bridge Replacement Design	GMI	79,200	-	79,200	-	\$48k committed for Monash Bridge. Balance of funds to prepare designs for 2012.
Andersons Mill Bridge Design	GMI	-	-	-	-	This project has been withdrawn based on co contributions from other agencies not being available.
Footpath Improvement & Renewal	GMI	66,600	-	66,600	-	Works scheduled to commence in March and continue through to April 2012.

**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GMI	2011-12 Revised Budget \$	YTD Actual \$	30/06/2012 Forecast \$	Variance Budget to Forecast \$	Status
Mossops Road Re-establishment	GMI	16,000	502	16,000	-	Works delayed due to resourcing shortages however anticipate commencement in March 2012.
Bridge renewal maintenance	GMI	404,125	83,515	404,125	-	Raglan Street Bridge redecking complete. Design & contract documents being prepared for two further bridges and expect these to be tendered for construction early April.
Drainage Works (Clunes, Creswick, Daylesford and Trentham)	GMI	94,391	2,004	94,391	-	Designs anticipated by end of march and work scheduled for April-June 2012.
Roads, Bridges and Culverts Flood Recovery	GMI	16,550,000	3,742,811	16,550,000	-	Ongoing. All works anticipated to be funded via external sources.
Daylesford Clunes Road	GMI	279,812	1,978	279,812	-	\$1m Country Roads & Bridges Initiatives projects.
Ajax Road	GMI	375,812	4,320	375,812	-	
Blackmores Road	GMI	256,812	2,850	256,812	-	
Luttet Street	GMI	70,809	-	70,809	-	Ajax road currently being tendered. Other projects currently having contract documents prepared for individual contracts.
Mullers Lane Bridge Construction	GMI	313,129	313,130	313,130	1	Completed.
<b>Total asset renewal</b>		<b>21,713,180</b>	<b>4,208,026</b>	<b>21,713,181</b>	<b>1</b>	

**Asset expansion/upgrade**

Drainage Works (Clunes, Creswick, Daylesford and Trentham)	GMI	200,582	4,259	200,582	-	see above.
<b>Total asset expansion/upgrade</b>		<b>200,582</b>	<b>4,259</b>	<b>200,582</b>	<b>-</b>	

**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GMI	2011-12 Revised Budget \$	YTD Actual \$	30/06/2012 Forecast \$	Variance Budget to Forecast \$	Status
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**New assets**

User Benefit schemes for roads and footpaths	GMI	98,324	-	98,324	-	Projects currently being reviewed
<b>Total new assets</b>		<b>98,324</b>	<b>-</b>	<b>98,324</b>	<b>-</b>	
<b>TOTAL ROADS</b>		<b>22,012,086</b>	<b>4,212,285</b>	<b>22,012,087</b>	<b>1</b>	

**RECREATION**
**Asset renewal**

Daylesford, Clunes and Trentham Swimming Pools upgrade	GMCD	204,236	77,451	204,236	-	Majority of works now completed. Awaiting approval of variation from DPCD to progress final items. Invoices submitted.
Playground Replacement Equipment Program	GMI	20,000	-	20,000	-	Required as matching contribution for the Queens Park Flood Recovery Project.
Skate Park Improvement program	GMCD	10,000	-	10,000	-	\$10,000 remaining from prior year currently being allocated to install seating and water fountains at Creswick and Clunes skate parks.
Daylesford Community Park	GMCD	161,000	5,307	161,000	-	Toilet, Playground, Bollards, Car parking all completed. Installation of rubbish bins and seating remaining items
Amenities block at Daylesford Community Park	GMCD	68,609	45,795	68,609	-	Project Completed December 2011
Calambeen Park Walking Track	GMCD	100,000	-	100,000	-	Heritage permit approved. Contractor commences on site 13 Feb 2012.
Wombat Hill Botanic Gardens sustainable water and power upgrade	GMI	71,549	1,175	71,549	-	Bore installation complete however further testing and further works required.
Landing providing access to Medlyn Bottle Museum	GMI	15,000	403	15,000	-	Project completed and awaiting issue of Certificate of Occupancy.
Drummond Hall Tennis Court	GMCD	28,000	-	28,000	-	Awaiting updated quotes with increased sub base for tennis court.

**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GM	2011-12 Revised Budget \$	YTD Actual \$	30/06/2012 Forecast \$	Variance Budget to Forecast \$	Status
Clunes Football/Netball Club redevelopment	GMCD	5,000	5,000	5,000	-	Complete
Calambeen Park - Dive Tower	GMI	108,572	-	108,572	-	Proposed works / treatment is subject to further discussions with other agencies.
CDDA Magic Pudding Playground	GMCD	59,500	66,865	66,865	(7,365)	Swing to be installed ASAP. All other works now completed
Carbon Negative Initiatives	GMSD	104,500	4,283	104,500	-	Clunes & Newlyn solar/hot water projects commenced in August. Grant funding was received in prior years for this project. Quotes for work received. Awaiting approval from SV to proceed with work.
Wombat Hill Gardens tree replacement plan	GMI	11,599	4,066	11,599	-	Ongoing.
Leitches Creek and Woolnoughs Crossing Mineral Springs Works	GMI	3,510	-	3,510	-	Complete
<b>Total asset renewal</b>		<b>971,075</b>	<b>210,344</b>	<b>978,440</b>	<b>(7,365)</b>	

**Asset upgrade**

Smeaton Bowling Club upgrade	GMCD	200,000	61,503	200,000	-	Contractor appointed to complete works and all funding approved. Process of amending planning use of the new site currently underway.
Clunes Community Interpretive Centre	GMCD	300,000	19,278	300,000	-	Funding agreement milestones are being negotiated with RDA , draft Project Execution Plan and Community Engagement Plan developed. Planning permit advertising period closed, permit going to Feb 14th Council meeting. Draft Tender document for architect completed and is under review.
<b>Total asset expansion/upgrade</b>		<b>500,000</b>	<b>80,782</b>	<b>500,000</b>	<b>-</b>	
<b>TOTAL RECREATION</b>		<b>1,471,075</b>	<b>291,126</b>	<b>1,478,440</b>	<b>(7,365)</b>	

**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GM	2011-12 Revised Budget \$	YTD Actual \$	30/06/2012 Forecast \$	Variance Budget to Forecast \$	Status
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**LAND & BUILDINGS**

**Asset renewal**

Building Renewal Program	GMI	195,900	18,247	195,900	-	Some minor works completed however major works still to be delivered and these are likely to commence in March and be ongoing to June 2012.
Creswick Depot OH&S works	GMI	100,000	-	100,000	-	Prefabrication of building commenced and project expected to be completed in April.
Commercial Precinct Litter & Recycling Bins	GMI	57,113	3,000	57,113	-	This project temporarily delayed due to staff vacancies. A strategy for delivery is currently being pursued.
Buildings Flood Recovery	GMI	2,200,000	261,525	2,200,000	-	
Daylesford Streetscape	GMI	199,015	25,204	199,015	-	Village Well has been engaged and a Community Reference Group has been established. Stage 1 is currently underway. \$20,000 was identified as remaining funds to be carried forward as part of the Budget process. However, \$58,000 remains from the prior year allocation of \$60,000 and these funds will be utilised in 2011-12.



**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GMI	2011-12 Revised Budget \$	YTD Actual \$	30/06/2012 Forecast \$	Variance Budget to Forecast \$	Status
Yandoit Tennis Court Restoration	GMI	63,000	-	63,000	-	\$553,000 Local Government Infrastructure Program, less \$8,378 to fund Senior Projects Engineer.
Provisions of Female Facilities at Daylesford (Victoria Park) Netball	GMI	75,000	-	75,000	-	
Footpath Works from the Clunes Primary School to Fraser Street	GMI	40,000	-	40,000	-	
Completing Peace Mile Link with Bridge – Stage 1	GMI	20,000	-	20,000	-	
Doug Lindsay Reserve, Lighting and Fencing	GMI	245,000	6,871	245,000	-	
Doug Lindsay Reserve, Soccer Pitches	GMI	50,000	-	50,000	-	
Construction of Footpath in Cosmo Road	GMI	35,811	-	35,811	-	
Glenlyon Recreation Reserve	GMI	15,811	-	15,811	-	
Drainage Works	GMI	89,050	-	89,050	-	Works to be completed opposite the Farmers Arms and a contract has been awarded. Some minor delays currently due to relocation of existing services.
Bathroom Supplementary Bore	GMI	51,648	2,948	51,648	-	Bore installed and headworks to be completed.
Transfer Station Facility Upgrade	GMI	16,180	16,180	16,180	-	Completed.
Sealing of access way to Municipal Recycle Facility	GMI	9,077	9,077	9,077	-	Completed.
Lyonville Community Hall	GMCD	8,960	8,960	8,960	-	Completed.
Creswick Office Refit	GMCD	7,544	7,544	7,544	-	Completed.
<b>Total asset renewal</b>		<b>3,479,109</b>	<b>359,557</b>	<b>3,479,109</b>	-	

**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GMI	2011-12 Revised Budget \$	YTD Actual \$	30/06/2012 Forecast \$	Variance Budget to Forecast \$	Status
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**Asset expansion/upgrade**

Daylesford Streetscape	GMI	199,015	25,204	199,015	-	see comment above.
<b>Total asset expansion/upgrade</b>		<b>199,015</b>	<b>25,204</b>	<b>199,015</b>	<b>-</b>	
<b>New assets</b>						
Doug Lindsay Recreation Reserve Multi Purpose Facility	GMI	171,776	183,506	183,506	(11,730)	
Cameron Court Units, Clunes	GMI	586,336	3,500	586,336	-	
<b>Total new assets</b>		<b>758,112</b>	<b>187,006</b>	<b>769,842</b>	<b>(11,730)</b>	
<b>TOTAL BUILDINGS</b>		<b>4,436,236</b>	<b>571,767</b>	<b>4,447,966</b>	<b>(11,730)</b>	

**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GM	2011-12 Revised Budget \$	YTD Actual \$	30/06/2012 Forecast \$	Variance Budget to Forecast \$	Status
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**PLANT, EQUIPMENT and OTHER**

**Asset renewal**

Works Plant And Equipment	GMI	1,090,000	148,350	1,090,000	-	A number of major items are on order and awaiting delivery. Considering current committals this program is approximately 70% complete.
Passenger And Commercial Fleet	GMI	220,000	71,397	220,000	-	To be purchased throughout the year in accordance with planned replacement schedule.
Annual Computer equipment renewal	GMCS	106,000	6,427	106,000	-	Computer equipment will be leased going forward shifting the capital expenditure to operational lease costs
Mineral Springs Reserves Projects	GMI	136,250	13,441	136,250	-	Refer comments above.
<b>Total asset renewal</b>		<b>1,552,250</b>	<b>239,615</b>	<b>1,552,250</b>	<b>-</b>	

**CAPITAL WORKS 2011-12**

Capital Works Area	Responsible GM	2011-12 Revised Budget	YTD Actual	30/06/2012 Forecast	Variance Budget to Forecast	Status
		\$	\$	\$	\$	

**Asset upgrade**

Corporate Information System	GMCS	649,616	274,586	649,616	-	User acceptance testing has commenced for Financials, supply chain, contracts, enterprise budgeting and payroll. Go live for these modules is planned for 22 Feb 2012
<b>Total asset expansion/upgrade</b>		<b>649,616</b>	<b>274,586</b>	<b>649,616</b>	<b>-</b>	
<b>New assets</b>						
Mineral Springs Reserves Projects	GMI	68,091	2,800	68,091	-	
<b>Total new assets</b>		<b>68,091</b>	<b>2,800</b>	<b>68,091</b>	<b>-</b>	
<b>TOTAL PLANT, EQUIPMENT and OTHER</b>		<b>2,269,957</b>	<b>517,002</b>	<b>2,269,957</b>	<b>-</b>	

<b>TOTAL CAPITAL WORKS 2011-12</b>		<b>30,189,354</b>	<b>5,592,180</b>	<b>30,208,450</b>	<b>(19,094)</b>	
Asset renewal		27,715,614	5,017,543	27,722,980	(7,364)	
New assets		924,527	189,806	936,257	(11,730)	
Asset expansion/upgrade		1,549,213	384,831	1,549,213	-	

## **9.2. JUBILEE LAKE HOLIDAY PARK – APPROVAL OF REVISED SUBSIDIARY AGREEMENTS**

### **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 recommends the renewal and execution of Licence agreements which are subsidiary to the Lease assigned to Jubilee Lake Co-operative Ltd (Co-op) for the operation of the Jubilee Lake Holiday Park.

### **BACKGROUND**

The Lease of the Jubilee Lake Holiday Park makes provision for separate Licence agreements for

Outside Camping at Jubilee Lake Recreation Reserve (Limited and seasonal)

Boat Hire – Jubilee Lake Recreation Reserve

Caretaker – Jubilee lake Recreation Reserve

The Co-op has expressed a desire to renew these Licences/Agreements from the commencement of its term as lessee.

### **ISSUE/DISCUSSION**

Between the times the previous tenancy was in the process of termination and the takeover by the Co-op these subsidiary agreements terminated. The opportunity has been taken to review them with the Co-op and introduce some minor changes.

Camping – this Licence provides for up to 60 days use of the Reserve outside the caravan park defined area for up to 32 camp sites to be used over 3 defined areas. The use is limited to 26 December – 31 January, March long weekend and Easter/school holidays. A fee of \$55 (CPI adjustable) is applicable to each day an individual approved area is occupied. One area has been reduced so that the land generally from the public conveniences toward the main entry is not available. This area contains large trees and was previously the site of soil erosion, resulting in exposed tree roots.

Boat Hire – three changes have occurred – the Licence fee was increased to \$2,720pa; the licence is now directly with the onsite managers Tony and Richelle Gamble trading as Shelton Management Pty Ltd; and as a consequence direct connection to the Lease is no longer recognised. The change to Shelton Management was at the request of the Co-op.

Caretaker – caretaking at the Reserve has been undertaken by caravan park lessees for many years an overall maintenance saving to Council. A review of the fee paid to the Co-op was made and will increase in stages from \$16,800pa this financial year to begin 2013-14 at \$22,500pa. Rubbish disposal from the Reserve is a responsibility of the Co-op. The area subject to caretaking now excludes the mineral spring and some 'natural bush' areas which are not readily accessible.

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

The grant of written licence agreements meets Good Governance standards.

These arrangements are made to meet provisions in the Lease granted under Council's powers in S190 of the Local Government Act 1989.

Policy # 9 - Council Owner & Controlled Property - requires that appropriate written arrangements be in place for occupancy arrangements.

### **FINANCIAL IMPLICATIONS**

Council will receive fees for camping and use of the Lake for boat hire.

A comparative exercise was undertaken regarding Council maintenance of the Reserve V's the cost of caretaker activities by the Co-op. It was clearly advantageous for the caretaker arrangement to be maintained.

### **RISK IMPLICATIONS**

Public liability policies are in place and indemnities are provided to Council via the Licence agreements.

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

With respect to the Caretaker services the overall objective is to maintain the reserve in reasonable condition. Major works and tree maintenance remain Council's responsibility.

Powered boating is not permitted.

Camping is limited and the area at 'Wombat Gully' reduced to protect trees.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

No direct community involvement. Negotiations have been with the Co-op and Shelton Management Pty Ltd

### **CONCLUSION**

These are renewals of long standing arrangements. Renewals are only for a 3 year term after which further changes may be introduced if necessary.

## OFFICER'S RECOMMENDATION

That Council:

- 9.2.1 Notes and agrees to the changes to the Licence Agreements and Caretaker Agreement and authorises the renewal of each; and
- 9.2.2 Authorises the execution and Sealing of the Licences and Caretaker Agreement

## MOTION

*That Council:*

- 9.2.1. Notes and agrees to the changes to the Licence Agreements and Caretaker Agreement and authorises the renewal of each; and*
- 9.2.2. Authorises the execution and Sealing of the Licences and Caretaker Agreement.*

**Moved:** Councillor Rod May  
**Seconded:** Councillor Bill McClenaghan  
**Carried.**

### **9.3. LEASE RENEWALS – PRE-SCHOOLS & KINDERGARTENS 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 seeks the Council's approval and endorsement to renew leases with Eureka Community Kindergarten Association Inc as the management Licensee for Clunes and District Pre-School Centre; Creswick and District Pre-School Centre; Daylesford Pre-School Centre; Hepburn Kindergarten; and Trentham Kindergarten.

#### **BACKGROUND**

Occupiers of Council owned or controlled facilities are required to enter into lease agreements as a means to formalise their occupancy.

The leases for the occupiers of the listed properties ended on 31 December 2011 - (a month by month tenancy exists where leases have ended pending renewals). Leases for the 5 properties have been in place for many years.

Eureka Community Kindergarten Association Inc (ECKA) became the Licensee to manage all 5 properties from 1 October 2011, although it has been the Licensee for Creswick since 2008. This change is the result of the decision by the Mineral Springs Pre School Association to dissolve and for ECKA to become the cluster manager.

#### **ISSUE/DISCUSSION**

Clunes Pre-School and Hepburn Kindergarten are located on Council owned land, the other premises are located on Crown land reserved for pre-school purposes and for which Council is responsible. The previous 3 year leases ended on 31 December 2011 and ECKA has sought to have them renewed.

New leases are the same as previously in place with the addition of clauses to incorporate emergency management procedures around Code Red Fire days.

Minor or day to day repairs and maintenance remain a lessee responsibility, together with a requirement to submit annual maintenance plans. Council retains responsibility for major/structural matters. This fits with a range of risk management factors associated with Council properties.

The lease term remains at 3 years to fit with a long standing arrangement with DSE regarding the Crown land sites. Three year terms allow flexibility to introduce changes and meet changing circumstances.



Rent is the standard/nominal \$104 per annum, based on community use factors for this type of property. In other words it is not considered to be a 'commercial' activity and exemption from the Retail Leases Act 2003 is noted.

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

Good governance objectives and principles support having written occupancy arrangements. Policy # 9 Council Owned & Controlled Property requires that appropriate written occupancy arrangements be in place.

The Leases are granted under Council's powers in S190 of the Local Government Act 1989 and S17D of the Crown Lands (Reserve) Act 1978.

### **FINANCIAL IMPLICATIONS**

There are no significant financial implications regarding the granting of new leases. Council has existing responsibility for major repairs/replacements and agreed cyclic maintenance (where necessary) for the various buildings.

The annual Licence fee of \$104 + GST, for community based organisations must be paid.

### **RISK IMPLICATIONS**

The Leases require minimum public liability insurance of \$10m with evidence of this and currency to be provided.

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

No implications are expected.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

These leases are all renewals and contact was made with each organisation directly affected.

### **CONCLUSION**

The exclusive occupancy of Council owned or controlled properties will continue to be recognised by the grant of new leases.

### **OFFICER'S RECOMMENDATION**

That Council

- 9.3.1 Approves of and endorses the grant of new community based Leases for three year terms to Eureka Community Kindergarten Association Inc as Licensee for the Pre-School and Kindergarten organisations for the five premises described in the Report; and

9.3.2 Authorises the execution and Sealing of the Leases.

**MOTION**

*That Council:*

9.3.1. *Approves of and endorses the grant of new community based Leases for three year terms to Eureka Community Kindergarten Association Inc as Licensee for the Pre-School and Kindergarten organisations for the five premises described in the Report; and*

9.3.2. *Authorises the execution and Sealing of the Leases.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Don Henderson

**Carried.**

#### **9.4. COMMUNITY PRICING – HEPBURN BATHHOUSE AND SPA 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**

To amend the Community Services Agreement between Belgravia Health and Leisure Group and Council to recognise increases in service charges proposed by Belgravia Health and Leisure Group Pty Ltd for community access to the Hepburn Mineral Springs Reserve Bathhouse (Bathhouse).

##### **BACKGROUND**

The Bathhouse Lease with Belgravia Health and Leisure Group Pty Ltd (Belgravia) contains specific provisions for pricing related to the local community use and service standards.

A Community Services Agreement (Agreement) effective from 15 September 2008 was executed (concurrent with the Lease) to cover pricing for community use and service standards. The Agreement was amended for the first time in 2011-12 for the period ending 31 March 2012.

Belgravia proposes amendments as set out below for 2012-2013.

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

The first increase in these charges since the reopening of the Bathhouse on 15 September 2008 occurred for the current year when \$1 was added to each service. Belgravia proposes the following charges commencing from 1 April 2012 – the current amounts are (bracketed):

- Local community access to the Relaxation Pool, Spa 1 and Relaxation Pool Change Rooms - \$11.50 inclusive of GST (\$11= +4.5%)
- Hydrotherapy in the Relaxation Pool - \$17 GST inc entry fee per participant, (\$16= +5.8%)and
- A hire fee of the Relaxation Pool of \$20 GST inc per hour (inclusive of the entry fee for the therapist) (\$19 = +5.3%)
- Aqua Classes in the Relaxation Pool - \$17 GST inc per participant (\$16 = +5.8%)
- Mums and Bubs Learn to Swim Classes - \$15.50 GST inc per participating mum and bub couple (\$15 = +3.4%)
- Community Multi pass visit (10 visits) \$92 GST inc (\$88 = 4.5%)

NB: The fees for Hydrotherapy, Aqua Classes and Mums and Bubs Learn to Swim Classes allow participants to enjoy the Relaxation Pool, Relaxation Spa and Relaxation Pool Change rooms after the relevant class.

The Lease and Agreement provide the method for adopting any change or price increase. Belgravia and Council's nominated senior management are to meet and agree on any change to be made. Consequently the Agreement must be amended and witnessed by a document signed by both parties (Hepburn Shire Council and Belgravia) to the Agreement.

Council's Interim Chief Executive Officer and the Bathhouse General Manager have agreed, as the nominated representatives, to the changes shown above. Changes are required to be accompanied by an amending document.

The matter of the timing of these changes was reported to the Council last year. It was agreed with Belgravia to bring the timing back into line with Lease requirements that this application be received prior to the end of 2011 and then for future years prior to 16 September as provided in the Lease.

It is Belgravia's desire to apply the changes from 1 April 2012 for its business operations.

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

Recognising changes through proper procedure and written agreements meets Good Governance standards.

The process also ensures a nexus between Belgravia as Bathhouse operator and Council for tourism purposes.

Specifically having a Community Pricing regime allows the community to share in a range of health benefits the Bathhouse may offer at a reasonable price.

The changes are catered for within the Lease authorised by the Crown Land (Reserves) Act 1978 and the Agreement.

### **FINANCIAL IMPLICATIONS**

The increases are relatively small in \$ terms and range from 3.4% to 5.8%.

Council benefits from pricing increases through the 10% turnover rent. It is difficult to accurately estimate additional income from this source as statistics do not separate community entry prices from general admissions so estimating the actual affect of the changes is not reliable. However, they could translate to several thousand \$'s

## **RISK IMPLICATIONS**

There are no direct risk implications.

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

There are no environmental implications.

Socially or economically the increases should not be significant. Refer to the Financial Implications which may be linked to economic return.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Application and publication of changed prices is a matter for Belgravia as operator of the Bathhouse.

## **CONCLUSION**

The procedure agreed to within the terms of the Lease and Agreement having been followed, the Council is required to execute an amending Agreement for Community Pricing at the Bathhouse.

## **OFFICER'S RECOMMENDATION**

That Council:

- 9.4.1 Agrees to the revised Community pricing service charges to be introduced from 1 April 2012; and
- 9.4.2 Authorises the execution and Sealing of an amending Agreement which adopts the revised charges as set out in the above Report for services within the Community Pricing Agreement.

## **MOTION**

*That Council:*

- 9.4.1. Agrees to the revised Community pricing service charges to be introduced from 1 April 2012; and*
- 9.4.2. Authorises the execution and Sealing of an amending Agreement which adopts the revised charges as set out in the above Report for services within the Community Pricing Agreement.*

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

## **9.5. NEW ROAD NAME – A SMALL SECTION OF ROAD OFF CLUNES ROAD, CRESWICK**

### **MANAGER FINANCE**

*In providing this advice to Council as the Manager of Finance and Rates Officer, we Anthea Lyons and Jenny Cowan have no interests to disclose in this report.*

### **PURPOSE**

The purpose of this report is to name the small section of road, located off Clunes Road, Creswick as “Webb Street” Creswick.

### **BACKGROUND**

New roads must be named in accordance with Geographic Names Victoria (GNV), road naming criteria.

### **ISSUE / DISCUSSION**

An advertisement was placed in the Daylesford Advocate on 21 December, 2011 and also at the entrance of the road to be named calling for road naming submissions. Submissions were called for road name suggestions and only one suggestion was received from Trish McMahon Barclay, requesting it be named ‘Barclay Way, Crossing or Lane’.

The reasons for this suggestion do not meet Geographic Names Victoria (GNV), road naming criteria. Trish McMahon Barclay requested the road be named after her husbands’ late Mother and Father who were long time local residents of Creswick. However David Barclay (son) lives on the street and assigning the name of “Barclay” may be seen as a conflict of interest by the other residents. Also GNV guidelines states “**the names of people still alive should be avoided because community attitudes and opinions can change over time**’.

The officer suggestion of “Webb Street” was chosen from our early parish plan maps which show that the Webb family owned the land along this parcel of road. This naming suggestion meets the GNV road naming criteria.

Please refer to Attachment 2 for map of the road names in question.

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

Guidelines to name the road were followed in accordance with the Geographic Names Victoria (GNV), road naming criteria.

### **FINANCIAL IMPLICATIONS**

Cost of signage and installation to Council would be approximately \$350 per sign.

### **RISK IMPLICATIONS**

Not applicable

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

Not applicable

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

An advertisement was placed in the Daylesford Advocate on 21 December, 2011 and also at the entrance of the road to be named calling for road name suggestions. Only one submission was received but did not meet the road naming criteria set out by GNV guidelines.

### **CONCLUSION**

That Council endorse the road naming suggestions.

### **OFFICER'S RECOMMENDATION**

9.5.1 That Council endorses the recommendation for the new road name of "Webb Street", Creswick.

### **MOTION**

9.5.1. *That Council endorses the recommendation for the previously unnamed road to be named "Webb Street", Creswick.*

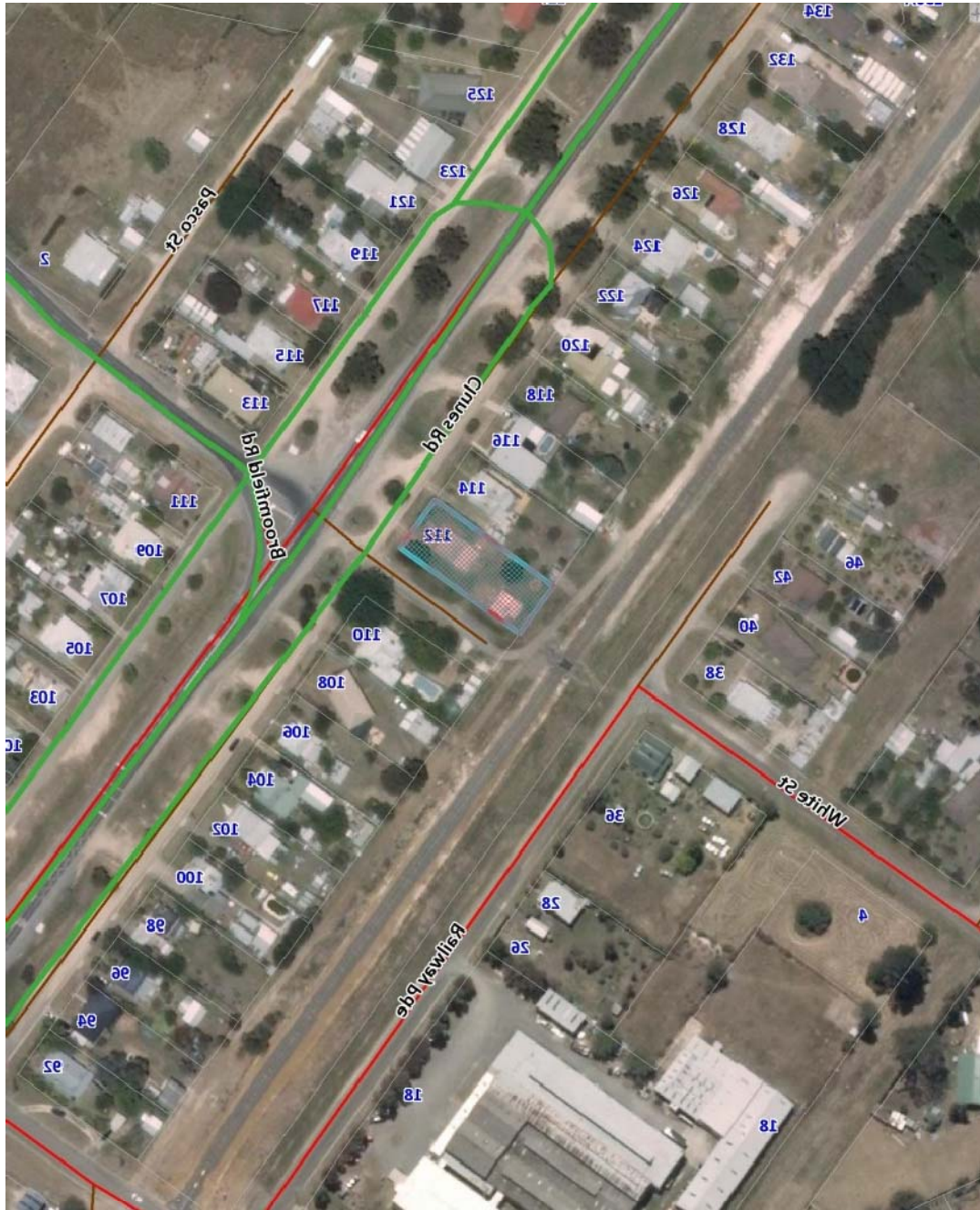
**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried.**

**ATTACHMENT 2 - AERIAL PHOTO SHOWING SECTION OF ROAD TO  
BE NAMED WEBB STREET, CRESWICK**





## **ITEM 9.6 WITHDRAWN**

### **9.6. REQUEST TO RE-NAME A SECTION OF ROAD PRESENTLY KNOWN AS – LEONARDS HILL-SOUTH BULLARTO ROAD, LEONARDS HILL MANAGER FINANCE**

*In providing this advice to Council as the Manager of Finance and Rates Officer, we Anthea Lyons and Jenny Cowan have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this report is to name the portion of road presently known as “Leonards Hill-South Bullarto Road”, Leonards Hill to “Gambles Lane” Leonards Hill.

#### **BACKGROUND**

New roads must be named in accordance with Geographic Names Victoria (GNV) road naming criteria.

#### **ISSUE / DISCUSSION**

An advertisement was placed in the Daylesford Advocate on 21 December, 2011 and also at the entrance of the road to be re-named seeking feedback on the proposed name change. A letter was also sent out to all the ratepayers along this stretch of road seeking feedback on the proposed name change.

Five (5) submissions were received. Four (4) submissions were in favour of the road name suggestion and one submission was received enquiring how the suggested name of Gambles Lane, came about. It was suggested it could be named “Paddy Point Road” from where the 2009 Musk Vale fire was apparently stopped.

The proposed name of “Gambles Lane” is in reference to Joe and Issie Gamble. Joe purchased the land on both sides of Leonards Hill-South Bullarto Road in 1894 and farmed it as a fruit produce business and in 1895 started growing flowers commercially. This property became known as the Daffodil Farm. Joe’s son, Issie also farmed the land and was also a Shire Councillor from 1930 until he retired and sold this property.

Residents along this road already refer to it as “Gambles Lane” and have done so for many years.

Please refer to Attachment 3 for map of road names in question.

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

Guidelines to name the road were followed in accordance with the guidelines for geographic Names, 2010.

### **FINANCIAL IMPLICATIONS**

Cost of signage and installation to Council would be approximately \$350 per sign.

### **RISK IMPLICATIONS**

Not applicable

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

Not applicable

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

An advertisement was placed in the Daylesford Advocate on 21 December, 2011 and also at the entrance of the road to be named calling for road name suggestions. Five (5) submissions were received; four (4) in support of Gamble Lane and one (1) expressing interest in the orientation of naming the road "Gamble Lane". The Department of Sustainability were consulted as part of the road is owned by them, and they were happy to support the name change.

### **CONCLUSION**

That Council endorse the road naming suggestion.

### **OFFICER'S RECOMMENDATION**

*9.6.1. That Council endorses the recommendation for the new road name of "Gambles Lane", Leonards Hill.*

**ATTACHMENT 3 - AERIAL PHOTO SHOWING SECTION OF ROAD TO  
BE NAMED GAMBLES LANE, LEONARDS HILL**



## **9.7. PROPOSED VEHICLE WEIGHT LIMIT, MULLERS LANE, SMEATON GENERAL MANAGER INFRASTRUCTURE**

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

### **PURPOSE**

To consider the introduction of a vehicle load limit over Mullers Lane, Smeaton.

### **BACKGROUND**

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

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

### **ISSUE / DISCUSSION**

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

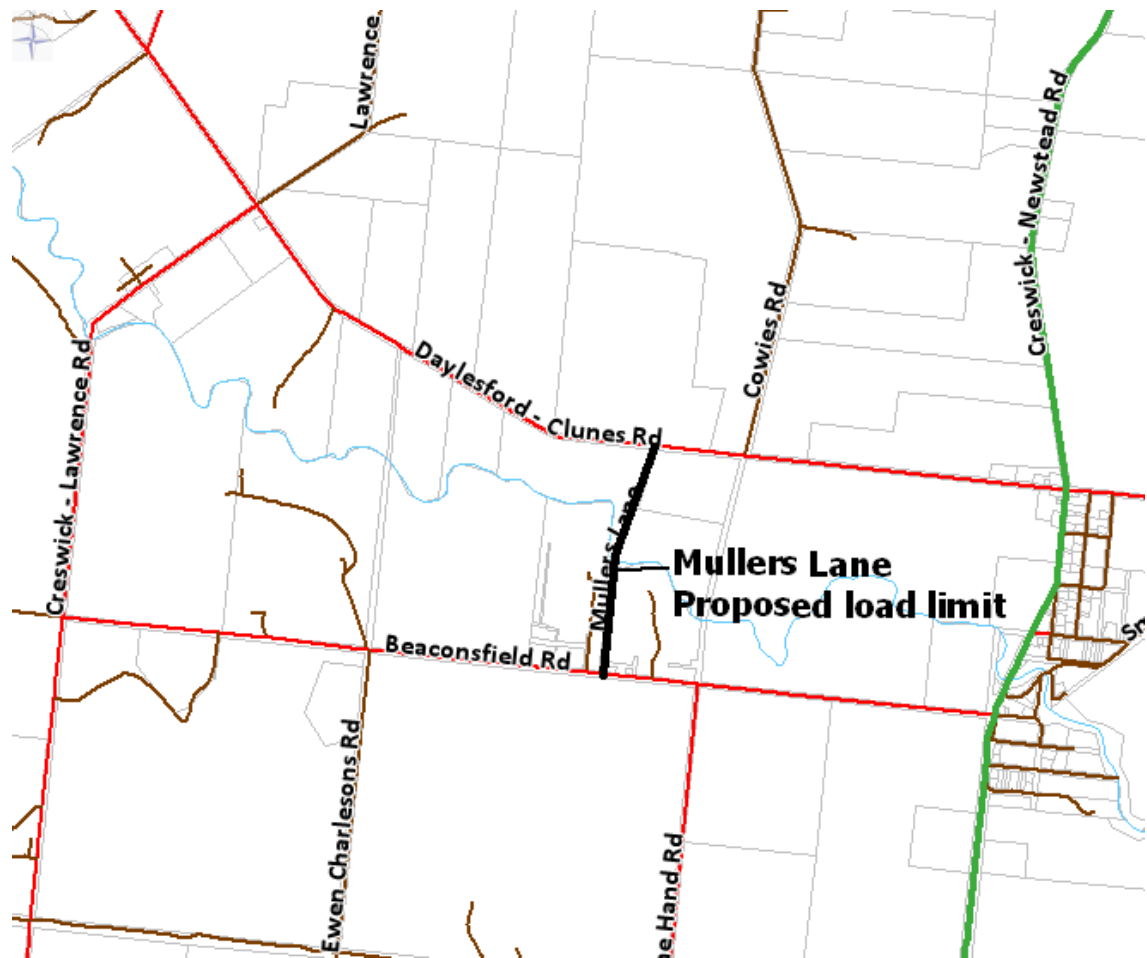
The purpose of the road is to provide property access for local farms. However the road is being used as a short cut by locally generated heavy vehicle traffic due to the bridge load limit on the Creswick-Lawrence Road.

The road is in very poor condition. Significant lengths of the pavement are severely rutted and very rough. Local pavement failures are extensive. The pavement appears to be constructed of a poor quality local material that cannot withstand current heavy vehicle loads until such time that the road is reconstructed. The road is not currently listed on Councils reconstruction schedule but flood damage to the road will be repaired as part of Councils flood recovery works.

In order to reduce further damage to the road pavement and to provide a safer road it is proposed that Council consider the introduction of a relatively low 8 tonne vehicle weight limit to ensure heavy vehicles are restricted from using the road. Signs will also be installed to permit emergency vehicles to use the road

This proposed load limit would result in heavy vehicles having to undertake an extra detour length of 4.3 km via the Creswick-Newstead (Vic Roads arterial) Road.

To avoid disruption to local property owners access permits, for vehicles over the load limit, would be issued to local farmers as required.



### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

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

## **FINANCIAL IMPLICATIONS**

Cost of signs is minimal and long term road maintenance costs will decrease for Mullers Lane following repairs under flood recovery.

## **RISK IMPLICATIONS**

Risk of no action is continued road damage resulting in increasing repair costs and decreasing levels of service to road users.

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

The introduction of the weight limit will reduce the damage currently being caused by heavy vehicles and direct the vehicles to roads that are able to carry commercial vehicles.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Under the provisions of the Local Government Act the public has the right to make submissions on the proposal. Submissions would be invited by the placement of a public notice in a local newspaper.

Council should also write to the adjoining owners seeking their comments on the proposal.

Council must then wait 28 days after publication of the notice before considering the submissions.

## **CONCLUSION**

That a restriction on heavy vehicles on Mullers Lane is required in order to reduce road damage and provide a safer road network.

## **OFFICER'S RECOMMENDATION**

That Council:

- 9.7.1 Declares its intent under the provisions of the 'Local Government Act 1989' Section 207 Powers of Council over traffic, Schedule 11 (12)(1), to restrict the use of Mullers Lane, Smeaton to any motor vehicle over 8 tonne GVM with an exemption for emergency vehicles.
- 9.7.2 Invites submissions on the proposal to introduce an 8 tonne load limit on Mullers Lane, Smeaton by placing a public notice in a local paper in accordance with Section 223 of the Local Government Act 1989 and writing to adjoining owners.



- 9.7.3 Notes that if Council is required to issue permits to local farmers, these permits would be issued by the General Manager Infrastructure.

#### **MOTION**

*That Council:*

- 9.7.1. *Declares its intent under the provisions of the 'Local Government Act 1989' Section 207 Powers of Council over traffic, Schedule 11 (12)(1), to restrict the use of Mullers Lane, Smeaton to any motor vehicle over 8 tonne GVM with an exemption for emergency vehicles.*
- 9.7.2. *Invites submissions on the proposal to introduce an 8 tonne load limit on Mullers Lane, Smeaton by placing a public notice in a local paper in accordance with Section 223 of the Local Government Act 1989 and writing to adjoining owners.*
- 9.7.3. *Notes that if Council is required to issue permits to local farmers, these permits would be issued by the General Manager Infrastructure.*

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

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

### **GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

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

#### **PURPOSE**

The purpose of this report is for Council to adopt the recommended Schedule of fees covering 2012-2015 found in the Residential Tenancies (Caravan Parks and Movable Dwellings) Regulations

#### **BACKGROUND**

At the December meeting of Council the Caravan fees were adopted and instituted. However, there was an oversight in that the fee that should have been charged should have been for a 3 year period and not the annual fee building to a 3 year fee. The fees that were adopted in December were for an annual fee but should have been for 3 years.

#### **ISSUE / DISCUSSION**

Currently the 4 caravan parks have submitted all the required paperwork required for re-registration covering the period 2012 to 2015. They have also paid the 2012 fee.

The caravan parks will be contacted and the situation explained to each of the caravan park operators.

As stated in the December report the intent of only charging an annual fee for the first 3 years was a gesture of good faith to allow the caravan park operator's additional money to attend to their work schedules. On closer examination of the Regulations this option is not allowed.

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

As it stands at this moment Council is not in compliance with the Residential Tenancies (Caravan Park and Moveable Dwellings and Standards) Regulations.

The important areas of registration have been covered the only point of illegality is Council have not charged enough fees.

## **FINANCIAL IMPLICATIONS**

Once the fee charges are corrected and the additional fees are collected then the proposed budget for 2012-2013 can allow for the absence of the annual fee and prepare for the next 3 year fee commencing 2015.

**It should be noted the value of a current fee unit is \$12.22**

## **RISK IMPLICATIONS**

The risk implication is Council is not in compliance with the fee section of the regulations. As Council is about to correct this situation in this report the risk will be mitigated.

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

Nil

## **COMMUNITY STAKEHOLDERS**

Ironically it was one of the stakeholders who brought this matter to the attention of Council. The intent of this report is to correct the oversight that occurred in December.

## **CONCLUSION**

Once Council adopts the full fee schedule laid out in Schedule 2 of the Residential Tenancies (Caravan Parks and Movable dwellings and Standards) Regulations 2010 it will be in compliance with the Regulations.

## **OFFICER'S RECOMMENDATION**

9.8.1 That Council adopts the full fee schedule located in Schedule 2 of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010 effective from 1 December 2012.

**MOTION**

9.8.1. *That Council adopts the full fee schedule located in Schedule 2 of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010 effective from 1 December 2012.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Neil Newitt

**Carried.**

**ATTACHMENT 4 - RESIDENTIAL TENANCIES (CARAVAN PARKS AND  
MOVABLE DWELLINGS REGISTRATION AND STANDARDS)  
REGULATIONS 2010 – REGULATION 17 SCHEDULE 2**

Sch. 2

**SCHEDULE 2**

Regulation 17

**REGISTRATION APPLICATION FEES**

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

**9.9. ENVIRONMENTAL SUSTAINABILITY STRATEGY – ADDENDUM –  
COUNCILLOR RECOMMENDED AMENDMENTS  
GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the Sustainability Project Officer, I Laurel Freeland have no interests to disclose in this report.*

**PURPOSE**

This Addendum report is additional to the Environmental Sustainability Strategy report presented to Council on 17 January 2012 (Refer Attachment 6).

The Addendum report outlines the amendments recommended by Councillors May and Klein with explanatory comments by Council officer (Refer Attachment 5).

**BACKGROUND**

The Environmental Sustainability Strategy (ESS) was not adopted at the January Council meeting due to the omission of action items that were seen as priority and some minor amendments in the body of the report that provide greater clarity.

The ESS must be adopted by Council in order to receive the final funding for this Project and put Council in good stead with DSE for future funded projects.

**ISSUE / DISCUSSION**

The action orientated theme 2 - Responding to the Effects of Climate Change, Peak Oil and Resource Challenges - was the subject of the required amendments.

The four additional action points recommended by Councillors add to and clarify the intention of the ESS.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

As per January report: The fourth commitment of the Council Plan 2009 - 2013- We will guide our Shire towards environmental sustainability - and the accompanying goals (pages 25 - 28)

**FINANCIAL IMPLICATIONS**

As per ESS Report

## **RISK IMPLICATIONS**

As per ESS Report

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

As per ESS Report

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

As per ESS Report

## **CONCLUSION**

This addendum report clarifies the intention of the Environmental Sustainability Strategy to make changes within Council, as well as to foster change across the Shire; and by ensuring that action items can begin to be actioned as a priority.

## **OFFICER'S RECOMMENDATION**

9.9.1 That Council adopts the recommended amendments to the Environmental Sustainability Strategy 2011-2015 outlined in Attachment 5 to this Addendum.

## **MOTION**

*9.9.1. That Council adopts the recommended amendments to the Environmental Sustainability Strategy 2011-2015 outlined in Attachment 5 to this Addendum.*

**Moved:** Councillor Rod May

**Seconded:** Councillor Don Henderson

**Carried.**



**ATTACHMENT 5 - COUNCILLOR RECOMMENDED AMENDMENTS TO ENVIRONMENTAL SUSTAINABILITY STRATEGY**

## **RECOMMENDED AMENDMENTS TO Environmental Sustainability Strategy - Crs May and Klein**

**(p28)**

ADD to end of the paragraphs on p 28 to say:

"The items in this section refer to work that may be done internally to respond to climate, peak oil and resource challenges and work that may be done to foster these actions across the shire."

**(pg. 29)**

### **Section 7.2**

#### **Eco-development**

CHANGE title to read on third set of dot points:

"Eco design and retrofit Council buildings as per Sustainable Building Management Plan"

*OFFICERS COMMENTS: The dot points broadly relate to the scope of this theme. The dot point above specifically relates to the accord funded project for Sustainable Building Management Plan.*

ADD a new title with dot point under third set as follows:

"Eco-design and planning for sustainable settlement

- Foster the development of eco design of resource efficient and resilient settlement patterns"

**(pg. 8)**

## **2. Responding to Climate, Peak Oil and Resource Challenges**

ADD New action points to table:

### **Ecological Settlement Pattern**

"Collaborate with relevant stakeholders to foster the development of an ecological settlement policy that sits within the Local Planning Policy Framework. Focusing on the conditions required from new developers to satisfy issues of resource use, landscape productivity, transport, energy, water, waste and biodiversity."

### **Transport**

"Scope the groundwork to develop a comprehensive transport plan that articulates new models, modes and infrastructure that meets the criteria for renewable, low energy and emissions, flexible transport solutions for the shire; and to be alert to funding opportunities as they arise."

*(OFFICER COMMENT RE ABOVE AMENDMENT: This is a HUGE task and we now will only have an officer 2.5 days a week. Doing the actual development will take more time than available - but getting started on the groundwork and funding will be a good start, particularly as transport is seen as a key issue to address.)*

### **Resource recovery and waste utilisation**

"Work with internal and external stakeholders to create strategy and action plans to utilise and recover resources from municipal, industrial, forestry and agricultural waste streams with community, economic and environmental outcomes in mind."

*OFFICER COMMENT ON ABOVE AMENDMENT: As a year 1 priority it may be best to focus on researching viability, keeping abreast of rapidly changing field to build knowledge and build stakeholder engagement. We are already participating in a regional bioenergy scheme which will provide source data, VBN provides excellent updates on what is happening which I can forward on. Also this should be also part of/align with waste management strategy.*

### **Integrated Regional Landscape and Land-Use Management Plan**

"Collaborate with internal stakeholders (planning department), regional bodies and Local Government Areas to recognise and identify opportunities for enhancement of built, cultural, agricultural and natural assets to optimise patterns of land-use and economic development. Specifically focussing on best-fit land use regarding heritage, land-use capability, biodiversity, public and private forestry, bio energy, tourism and amenity landscape values. Planning should integrate and elaborate on existing disparate land-based studies throughout the region drawing on Local Government and community knowledge, and documentation in concert with relevant state and federal bodies. Outcomes will result from the integration of positive development in rural land based industries incorporating agriculture, tourism and conservation through increasing the productivity and resilience of the natural landscape."

**ATTACHMENT 6 - EXTRACT – DRAFT MINUTES – ORDINARY MEETING  
OF COUNCIL – 17 JANUARY 2012**

## 9. OFFICERS' REPORTS

### ***Extract – Draft Minutes – Ordinary Meeting of Council – 17 January 2012***

***9.1.1 That Council defer this Strategy for a period of one month, pending further revision and consideration of issues that might relate to the Strategy from the review of the Municipal Strategic Statement.***

#### **9.1. ENVIRONMENTAL SUSTAINABILITY STRATEGY 2011 - 2015 GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the Sustainability Project Officer, Sustainable Development, I Laurel Freeland have no interests to disclose in this report.*

##### **PURPOSE**

The purpose of this report is to recommend that Council adopt the Environmental Sustainability Strategy 2011 - 2015, Final version dated Jan 11, 2012

##### **BACKGROUND**

Council was funded by the Victorian Government Sustainability Accord to develop an Environmental Sustainability Strategy for the Shire. This funding arose from the Victorian Local Sustainability Accord recognition that small rural Councils face difficulty in adequately addressing environmental issues due to funding and resource constraints. The purpose of the Strategy is to provide guidance to enable Hepburn Shire to achieve the environmental sustainability goals outlined in the Council Plan, move towards a long term vision of triple bottom line sustainability and give direction to act on priorities for provision of sustainability services to the community.

The methodology for development is detailed in the Strategy (p 15) and involved research and analysis of Federal and State Government publications (appendix 2 p 42), a range of Environmental Strategies from other Councils and extensive consultation with community, agencies and Council staff over a 12 month period.

The strategy has been developed in alignment with the current Council Plan 2009 - 2013 and also has a relationship with the emerging Energy Descent Action Plan (EDAP). The primary focus of the Environmental Sustainability Strategy is internal Council operations and service to the Hepburn Shire

Community whereas the Council supported EDAP is community generated and focuses on the community

## **ISSUE / DISCUSSION**

The Consultation highlighted several key issues that are pertinent to planning environmental sustainability in the Shire:

There is a mixed spectrum of awareness and opinion about the nature, extent and ramifications of environmental sustainability issues and what we should do about them - generally and locally.

There is a strong environmental awareness in some sectors of the Hepburn Shire community with people actively engaged in addressing environmental sustainability issues while others have little awareness and take no action.

Environmental sustainability is a complex multi-tentacled issue that impacts every aspect of life so must be addressed in a variety of ways at multiple levels. Some things can be changed immediately at little or no cost, others need accurate information, education, resources, finances, partnering and planning for over time.

Whilst it is imperative to act, Council has limited financial and resource capacity to address environmental sustainability issues so must make the gains in setting targets to reduce consumption and efficient use of resources, capitalise on collaborative efforts and identify funding sources for longer term plans.

The issues that need to be addressed have been broken down into four key themes:

### **1. Culture of Sustainability Leadership**

This theme highlights the importance of showing leadership in building a culture of sustainability in internal operations and relationships with the broader community. It relates particularly to putting sustainability principles in action through policy, systems, communication, education and modeling behaviour. Education and communication were seen as central in all consultations.

### **2. Responding to the Effects of Climate Change, Peak Oil and Resource Challenges**

This theme is action orientated and involves using our resources wisely to reduce greenhouse gas emissions, make less waste, reduce reliance on fossil fuels by consolidating operations, making them more efficient and finding alternative sources of fuel and renewable energy. It involves establishing

baseline measurements, identifying where the best savings that can be made environmentally and financially and planning for food security, waste minimisation and transport efficiency.

### 3. Caring for Our Natural Assets

This theme is about caring for the natural environment, ensuring we have healthy and clean air, water, soil, vegetation, forests, wildlife - biodiverse (native and cultivated) and healthy eco systems. This area drew strong criticism from the community about the need to develop a comprehensive biodiversity action to ensure we conserve and enhance our resources and have sufficient arable land and locally produced food for the future.

### 4. Community and Business Connection

The importance of collaborating, partnering and forging strong connections with community, agencies and business in order to build resilience is highlighted in this strategy. It involves short and long term planning, identifying opportunities for partnering in new ways and clear lines of communication.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

The fourth commitment of the Council Plan 2009 - 2013- We will guide our Shire towards environmental sustainability - and the accompanying goals (pages 25 - 28)

## **FINANCIAL IMPLICATIONS**

There are many sustainability issues identified that can be addressed at no or low cost and in fact may make financial savings. Larger costs are in natural resources management, developing a comprehensive transport plan regionally, a food security plan and in infrastructure. Some areas will need long term planning and funding.

It is notable that the sustainability and biodiversity officers in neighboring Shires have put some effort into identifying funding sources for projects that achieve sustainability goals. Hepburn Shire is one of the few Shires which does not have a dedicated officer biodiversity as well as in sustainability.

## **RISK IMPLICATIONS**

One of the biggest risks is that the impact of human activity on the environment is not immediately visible and the subject of conjecture; and the degree to which the natural environment supports our economic and social endeavours. However the risk of not addressing environmental sustainability is high because there is a point beyond which environmental degradation,

poor land, air and water management practices become irretrievable. Environmental policy must inform the Municipal Strategic Statement to ensure natural resources are well managed to underpin the health of our community and our economy.

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

Rising costs, economic changes and decreased resource availability due to the impact of climate change and peak oil will affect the affordability of housing, cost and availability of transport and employment. Planning for these contingencies must be part of an integrated plan for triple bottom line sustainability. Action now to ensure healthy ecosystems will ensure we are better prepared to handle climate change impacts such as extreme weather conditions and that we have sufficient resources to sustain the community.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Community and stakeholder engagement was undertaken at all stages of the strategy development including Council officers, general community members across the Shire, local business, sustainability and environmental experts and groups within the region, other Councils and Statutory agencies.

### **CONCLUSION**

The Environmental Sustainability Strategy has drawn from significant research and consultation and provides principles, markers and actions to become more sustainable in our operations and provision of services to the community we serve. It establishes a beginning guide to better fulfill the four fundamental commitments of the Council plan and to be prepared to meet the future.

### **OFFICER'S RECOMMENDATION**

*That Council:*

- 9.1.1 *Adopt the Environmental Sustainability Strategy 2011 - 2015 and its recommended priority actions*
- 9.1.2 *Refer consideration of priority actions with cost implications to the 2012/13 budget process.*



**MOTION**

- 9.1.1. *That Council defer this Strategy for a period of one month, pending further revision and consideration of issues that might relate to the Strategy from the review of the Municipal Strategic Statement.*

**Moved:** Councillor Rod May

**Seconded:** Councillor Bill McClenaghan

**Carried**

**ATTACHMENT 7 - ENVIRONMENTAL SUSTAINABILITY STRATEGY  
2011-2015  
PART A (Issued Under Separate Cover)**

**ATTACHMENT 8 - ENVIRONMENTAL SUSTAINABILITY STRATEGY  
2011-2015  
PART B (Issued Under Separate Cover)**

**9.10. RECORD OF ASSEMBLIES OF COUNCILLORS – JANUARY 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 January 2012.

**BACKGROUND**

*The Local Government Act 1989 defines Assembly of Councillors as*

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

*(a) the subject of a decision of the Council; or*

*(b) subject to the exercise of a function, duty of power of the Council that has been delegated to a person or committee –*

but does not include a meeting of the Council, a special committee of the Council, as audit committee established under Section 139, a club, association, peak body, political party of other organisation;

<b>Assemblies of Councillors</b>		
<b>Date</b>	<b>Location</b>	<b>Committee Name</b>
17 January 2012	Glenlyon Hall	Councillor Briefing
17 January 2012	Glenlyon Hall	Pre Council Meeting
17 January 2012	Glenlyon Hall	Councillor/CEO Meeting
18 January 2012	Creswick RSL	Doug Lindsay Reserve and Community Facility Management Advisory Committee
31 January 2012	Council Chamber, Daylesford	Councillor/CEO Meeting

## **ISSUE/DISCUSSION**

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

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

*Local Government Act 1989, Section 80A*

## **FINANCIAL IMPLICATIONS**

Nil

## **RISK IMPLICATIONS**

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

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

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

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

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

## **CONCLUSION**

Information provided for noting.

## **OFFICER'S RECOMMENDATION**

- 9.10.1 That the information be received.

## OFFICER'S RECOMMENDATION

9.10.1. *That the information be received.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Rod May

**Carried.**

**ATTACHMENT 9 - RECORDS OF ASSEMBLIES OF COUNCILLORS  
(Issued Under Separate Cover)**

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

### **10.1. SPECIAL COMMITTEE MINUTES**

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

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

#### **PURPOSE**

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 Glenlyon Recreation Reserve Special Committee meeting 13/09/2011 and 04/10/2011
- Minutes from the Clunes Museum Special Committee meetings 14/02/2011, 18/04/2011, 24/05/2011, 08/08/2011, 12/10/2011, 14/11/2011 and 12/12/2011
- Minutes from the Lee Medlyn Home of Bottles Annual General Meeting 14/12/2011
- Minutes from the Creswick Museum Special Committee meeting 06/02/2011

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:

- The Clunes Museum Special Committee recommended (at its May 2011 meeting) that a new member Ann Merritt be approved and added to the Clunes Museum Special Committee.



The Clunes Museum Special Committee has 11 members appointed until 31 July 2013. The instrument of delegation for the committee requires a minimum of nine members. If Council wishes to add Ann Merritt as a twelfth member, as recommended by the special committee, a term ending 31 July 2013 would be considered appropriate.

- Clunes Municipal Purposes Reserve Committee  
Les Eastcott tendered his resignation from the Committee on 24 January 2012. Vacancies on this committee will be advertised.
  
- Creswick Museum Special Committee  
**De-accession of Items**  
The Committee is seeking Council permission to de-accession the following items:
  - X-Ray unit at Kryall Castle
  - Agricultural Scoop
  - Whiffle Bar to be transferred to the Gold Battery.

#### **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.

The Clunes Museum Special Committee has requested that Council formally appoints an additional member.

## **OFFICER'S RECOMMENDATION**

That Council:

- 10.1.1 Notes the minutes of the Special Committees (Section 86) listed above which have been distributed under a separate cover;
- 10.1.2 Adopts the Clunes Museum Special Committee's recommendation and appoints Ann Merritt to the Clunes Museum Special Committee with a term ending on 31 July 2013; and
- 10.1.3 Pursuant to Section 81(2A) of the Local Government Act 1989, exempts Ann Merritt from being required to submit a Primary Return or Ordinary Return of Interests.
- 10.1.4 Accepts Les Eastcott's resignation from the Clunes Municipal Purposes Reserve Committee and forwards a letter of thanks for his contribution to this Committee.
- 10.1.5 Grants permission to the Creswick Museum to de-accession the following items:
  - X Ray unit at Kryall Castle
  - Agricultural Scoop.
- 10.1.6 Notes the transfer of the Whiffle Bar to the Gold Battery.

## MOTION

*That Council:*

- 10.1.1. *Notes the minutes of the Special Committees (Section 86) listed above which have been distributed under a separate cover;*
- 10.1.2. *Adopts the Clunes Museum Special Committee's recommendation and appoints Ann Merritt to the Clunes Museum Special Committee with a term ending on 31 July 2013; and*
- 10.1.3. *Pursuant to Section 81(2A) of the Local Government Act 1989, exempts Ann Merritt from being required to submit a Primary Return or Ordinary Return of Interests.*
- 10.1.4. *Accepts Les Eastcott's resignation from the Clunes Municipal Purposes Reserve Committee and forwards a letter of thanks for his contribution to this Committee and advertises for a new Committee member.*
- 10.1.5. *Grants permission to the Creswick Museum to de-accession the following item:*
  - *X Ray unit at Kryall Castle, subject to compliance with Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) regulations.*
- 10.1.6. *Notes the transfer of the Whiffle Bar to the Gold Battery.*

**Moved:** Councillor Janine Booth

**Seconded:** Councillor Neil Newitt

**Carried.**

## **11. COUNCIL ADVISORY COMMITTEES**

### **11.1. 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 Advisory Committees, as provided by the Committees over the past few months, for your information:

- Minutes from the Heritage Advisory Committee – 18/11/2011
- Minutes from the Wombat Hill Botanic Gardens Advisory Committee – 6/12/2011
- Minutes from the Doug Lindsay Reserve and Community Facility Management Advisory Committee – 18/01/2012
- Minutes from the ARC Advisory Committee – 6/02/2011
- Minutes from the Doug Lindsay Reserve and Community Facility Management Advisory Committee – 8/02/2012.

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

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

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **RISK IMPLICATIONS**

Nil

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

Nil

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Members of the community are represented on these committees.

## **CONCLUSION**

Minutes and reports have been provided for noting.

## **OFFICER'S RECOMMENDATION**

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

## **MOTION**

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

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Rod May

**Carried.**

Councillor Bill McClenaghan requested that his dissent be noted.

## **11.2. APPOINTMENT OF REPRESENTATIVES TO THE HEPBURN MINERAL SPRINGS RESERVE ADVISORY COMMITTEE 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**

This report is to appoint two community members and two members of the Friends of Hepburn Springs Reserve to the Hepburn Springs Reserve Advisory Committee for a period of two years.

### **BACKGROUND**

The term of appointment for the two Community Representatives and two representatives from the Friends of the Hepburn Mineral Springs Reserve has expired and a new advisory committee needs to be appointed for a period of two years.

The committee comprises:

- Councillor from the Shire of Hepburn
- General Manager Infrastructure and Parks and Gardens Team Leader
- Two members nominated by the Friends of the Hepburn Mineral Springs Reserve
- Two members from the community with an interest in the reserve management and
- Representative from operator of Hepburn Bathhouse

The Hepburn Mineral Springs Reserve Advisory Committee objectives are:

- To provide advice to Council on the development of the Hepburn Mineral Springs Master Plan.
- To assist Council in the preparation of a 10 year Capital and Operating Plan within Hepburn Mineral Springs Reserve.
- From the Management Plan to develop a priority list of improvement projects for the Hepburn Mineral Springs Reserve to be submitted to Council on an annual basis by December.
- Provide acknowledgement of the role that the members and elders of the Dja Dja Wurrung and the Swiss and Italian community in the cultural involvement in the Hepburn Mineral Springs Reserve.
- To source potential funding programs and assist in applications for funding improvement projects for the Hepburn Mineral Springs Reserve and develop strategic partnerships.

## ISSUE / DISCUSSION

Council has received two nominations from the Friends of Hepburn Springs Mineral Reserve to fill two vacancies with:

- Mr Bill Guest
- Ms Jenny Beacham.

Council has received two nominations from the community to fill the two vacancies from:

- Mr Petrus Spronk
- Mr Gary Lawrence.

The Selection Criteria for nomination of community members

	Selection Criteria	Response Summary
1	Demonstrated broad understanding of community needs, concerns and issues relating to reserve management and/or mineral springs on a Shire wide basis.	Both nominations demonstrated their broad understanding by demonstrating research and involvement with reserve activities and working on similar committees as community representatives
2	Be able to objectively consider community and reserve management issues	Both nominations provided examples of being able to work with community groups, committees of management and professionals involved in managing community projects
3	Demonstrated ability to work as part of a team and be solution focussed.	Both nominations demonstrated experience in working with community stakeholders and groups to achieve project goals
4	Please provide any additional details on your background, or your interest in mineral springs reserves and/or landscape which you feel would assist you in making a positive contribution to the Hepburn Mineral Springs Reserve Advisory Committee	Both nominations provided details on projects and experience relevant to the committee and the reserves similar in nature to the Hepburn Mineral Springs Reserve

5	Details of other community organisations currently involved in.	Both nominations provided details of other community organisations they are involved with.
6	Reasons for Nomination	Both nominees expressed a willingness to assist in design and support for reserve improvements and were passionate about local input in protecting and enhancing the cultural and natural heritage of the reserve.

The nominations received have both demonstrated a keen interest in the reserve and have suitable skills for appointment to the Hepburn Mineral Springs Reserve Advisory Committee.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

This appointment is in agreement with the charter of the Hepburn Mineral Springs Advisory Committee

**FINANCIAL IMPLICATIONS**

There are no financial implications.

**RISK IMPLICATIONS**

There are no Risk Implications

**ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS**

The persons nominated have an interest in the Hepburn Mineral Springs Reserve and thus are suitable to add to the environmental, social and economic debate on the Advisory Committee

**COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Nominations were sought by public advertisement and from the Friends of Hepburn Springs Reserve.

**CONCLUSION**

That the four nominations received be accepted by Council.



## OFFICER'S RECOMMENDATION

That Council:

- 11.2.1 Appoints the following nominated representatives from the Friends of the Hepburn Mineral Springs Reserve to the Hepburn Mineral Springs Reserve Advisory Committee for a period of two years:

Jenny Beacham,

Bill Guest.

- 11.2.2 Appoints the following Community Representatives to the Hepburn Mineral Springs Reserve Advisory Committee for a period of two years:

Gary Lawrence,

Petrus Spronk.

## MOTION

*That Council:*

- 11.2.1. Appoints the following nominated representatives from the Friends of the Hepburn Mineral Springs Reserve to the Hepburn Mineral Springs Reserve Advisory Committee for a period of two years:*

*Jenny Beacham,*

*Bill Guest.*

- 11.2.2. Appoints the following Community Representatives to the Hepburn Mineral Springs Reserve Advisory Committee for a period of two years:*

*Gary Lawrence,*

*Petrus Spronk.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Janine Booth

**Carried.**

### **11.3. WOMBAT HILL BOTANIC GARDENS ADVISORY COMMITTEE BEGONIA HOUSE LOCAL ARTISTS DISPLAY WORKING GROUP GENERAL MANAGER INFRASTRUCTURE**

*This recommendation to Council is based on action items by the Wombat Hill Botanic Gardens Advisory Committee (WHBGAC) from a meeting on 25 October 2011.*

#### **PURPOSE**

The purpose of this report is to provide to Council advice from the Wombat Hill Botanic Gardens Advisory Committee Begonia House Local Artists Display Group.

#### **BACKGROUND**

The WHBGAC Begonia House Local Artists Display Working Group met at the Begonia House on 28 November 2011.

The meeting was attended by: Mr Allan Wolf-Tasker, Mr Jeff Saker – General Manager Infrastructure, Council staff Mr Jock Chase and Mr James Lowe – Parks and Gardens Co-ordinator. Ms Kytne MacKenzie was a late apology.

As Mr Saker had left the organisation, Mr Wolf-Tasker provided minutes as follows:

- That the house be put to use in the months in which it is not required for the begonia show. Jock declared that this would cover the period from May to November, i.e. six to seven months.
- That the use involves the display of local artists and craftspeople with the goal of connecting the public with the related studios and workshops.
- There would be no sale on site and no daily access to the display.
- Artists would be expected to arrange their own transportation and insurance and would sign a relevant “contract / agreement”.
- Displays would be updated and changed if necessary on a monthly basis.
- A small monthly fee would be charged to artists to cover maintenance and minor improvements. I suggested ten bucks.
- No negatives were raised and it was agreed that a trial should be organised.

The Committee recommends a three month trial be put in place, commencing in May 2012. It may give some guidance as to the sort of supervisory

framework that might be necessary if the display use became a permanent arrangement.

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

- 11.3.1 That Council approves the implementation of a three month trial commencing in May 2012 for the Wombat Hill Botanic Gardens Begonia House Local Artists Display.
- 11.3.2 Council may give some guidance as to the sort of supervisory framework that might be necessary if the display use became a permanent arrangement.

### **MOTION**

*That Council:*

- 11.3.1. *Approves the implementation of a three month trial commencing in May 2012 for the Wombat Hill Botanic Gardens Begonia House Local Artists Display within the Alf Headland Conservatory, subject to prior approval from Heritage Victoria and the Department of Sustainability and Environment.*
- 11.3.2. *Concurrently consults the community regarding future uses of the Alf Headland Conservatory outside the begonia season, noting the Wombat Hill Botanic Gardens Conservation Management Plan.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Rod May

**Carried.**

#### **11.4. ADVICE FROM ARC ADVISORY COMMITTEE GENERAL MANAGER COMMUNITY SERVICES**

*This recommendation to Council is based on resolutions by the ARC Advisory Committee from a meeting on 6 February 2012.*

##### **PURPOSE**

The purpose of this report is to provide to Council advice from the ARC Advisory Committee.

##### **BACKGROUND**

At its meeting on 6 February 2012 the ARC Advisory Committee resolved to request that Council amend its Terms of Reference. A revised Terms of Reference is attached for Council's consideration (Attachment #)

A representative of Daylesford Enterprising Youth (DEY) gave a presentation to the Advisory Committee about the project which has as a key aim of using under-utilised spaces in Daylesford as youth spaces, commencing with programmed nights at the ARC using seating area and umpires room.

The Committee noted that

- The umpire's room not currently utilised and was a good solution for youth service outreach.
- DEY working with YMCA on proposal for several months.
- Added bonus that DSC students can access program's after school.
- The Lounge, youth health clinic to move into space and opportunities for informal use of stadium.
- DEY have been working closely with YMCA, Daylesford Secondary College (DSC) and Council's Youth Development Coordinator to develop proposal. DSC see it as important for youth outreach and a strategic development. YMCA as ARC managers very supportive which will result in increased participation and involvement of young people.

### ADVISORY COMMITTEE'S RECOMMENDATION

11.4.1. *Terms of Reference*

*That the ARC Advisory Committee asks Council to amend the Terms of Reference under Purpose to include the word cultural after social.*

*Moved: David Hall*

*Seconded: Tiffany Holt*

*Carried*

11.4.2. *Daylesford Enterprising Youth Project at the ARC*

*That the ARC Advisory Committee endorse proposal, including interim immediate arrangements for operation of Daylesford Enterprising Youth at the ARC and report to Council.*

*Moved: Lissa McIlldowney*

*Seconded: Stephanie Goetze-Thies*

*Carried.*

### OFFICER'S RECOMMENDATION

- 11.4.3 That Council adopts the amendment to Terms of Reference for the ARC Advisory Committee as requested by the Advisory Committee.

### MOTION

11.4.3. *That Council adopts the amendment to Terms of Reference for the ARC Advisory Committee as requested by the Advisory Committee.*

**Moved:** Councillor Jonathan Barrell

**Seconded:** Councillor Janine Booth

**Carried.**

## 12. CONFIDENTIAL ITEMS

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

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

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

### RECOMMENDATION

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

- 89(2)(d) Contractual matters;  
Tender H239-2010 – Supply of Quarried Materials; and
- 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

### PROCEDURAL MOTION

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

- *89(2)(d) Contractual matters;  
Tender H239-2010 – Supply of Quarried Materials; and*

12.1.2. *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 8:15 pm**

### 13. RE-OPENING OF MEETING TO PUBLIC

#### RECOMMENDATION

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

#### PROCEDURAL MOTION

*13.1. 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 8:25 pm.**

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

*That Council:*

- 13.1.1. Approves the extension option of a further twelve months for Contract H239-2010 for Quarried Materials to the following panel of suppliers for quarried material as tendered and on an as required basis:*

*Fulton Hogan,*

*Boral Construction Material,*

*Bendigo Washed Sand,*

*Hanson Construction Materials and*

*Hamstead Gravel.*

- 13.1.2. That Council's Maintenance Manager source required quarried products from the appropriate nominated suppliers to ensure ongoing value for money is achieved.*

**14. CLOSE OF MEETING**

**The Meeting closed at 8:25 pm.**

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