



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

***TUESDAY 16 APRIL 2013***

**CRESWICK SENIOR CITIZENS ROOM  
WATER STREET  
CRESWICK  
6:00PM**

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**Hepburn Shire Council  
Ordinary Meeting of  
Council**



# **MINUTES**

**TUESDAY 16 APRIL 2013**

**Creswick Senior Citizens Room**

**Water Street, Creswick**

**Commencing 6:00PM**

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**AARON VAN EGMOND**  
CHIEF EXECUTIVE OFFICER  
16 APRIL 2013

## 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 Bill McClenaghan, Deputy Mayor Councillor Don Henderson, Birch Ward Councillor Pierre Niclas, Birch Ward Councillor Kate Redwood, Cameron Ward Councillor Neil Newitt, Coliban Ward Councillor Sebastian Klein, Creswick Ward Councillor Greg May.

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

### STATEMENT OF COMMITMENT

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

**3. APOLOGIES**

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 19 March 2013 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the *Local Government Act 1989*.

**MOTION**

5.1. *That the Minutes of the Ordinary Meeting of Council held on 19 March 2013 (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 Neil Newitt

**Carried.**

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**6. NOTICES OF MOTION**

Nil

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## 7. ITEMS OF URGENT BUSINESS

### PROCEDURAL MOTION

7.1.1. *That Council considers an Item of Urgent Business – Donation of Sculpture for Wombat Hill Botanic Gardens.*

**Moved:** Councillor Kate Redwood  
**Carried.**

## 7.2. ITEM OF URGENT BUSINESS – DONATION OF SCULPTURE FOR WOMBAT HILL BOTANIC GARDENS

### MOTION

7.2.1. *That Council accepts a Wombat Sculpture by Miriam Porter from the Friends of Wombat Hill Botanic Gardens on the understanding that this is to be located at the entrance to Wombat hill Botanic Gardens (refer map for location).*

7.2.2. *Council will not be liable for any of the costs associated with installation and maintenance of the sculpture.*

7.2.3. *Council writes to the Friends of Wombat Hill Botanic Gardens to express its appreciation for the generous donation of the sculpture and the continued invaluable support of the Friends.*

**Moved:** Councillor Kate Redwood  
**Seconded:** Councillor Don Henderson  
**Carried.**

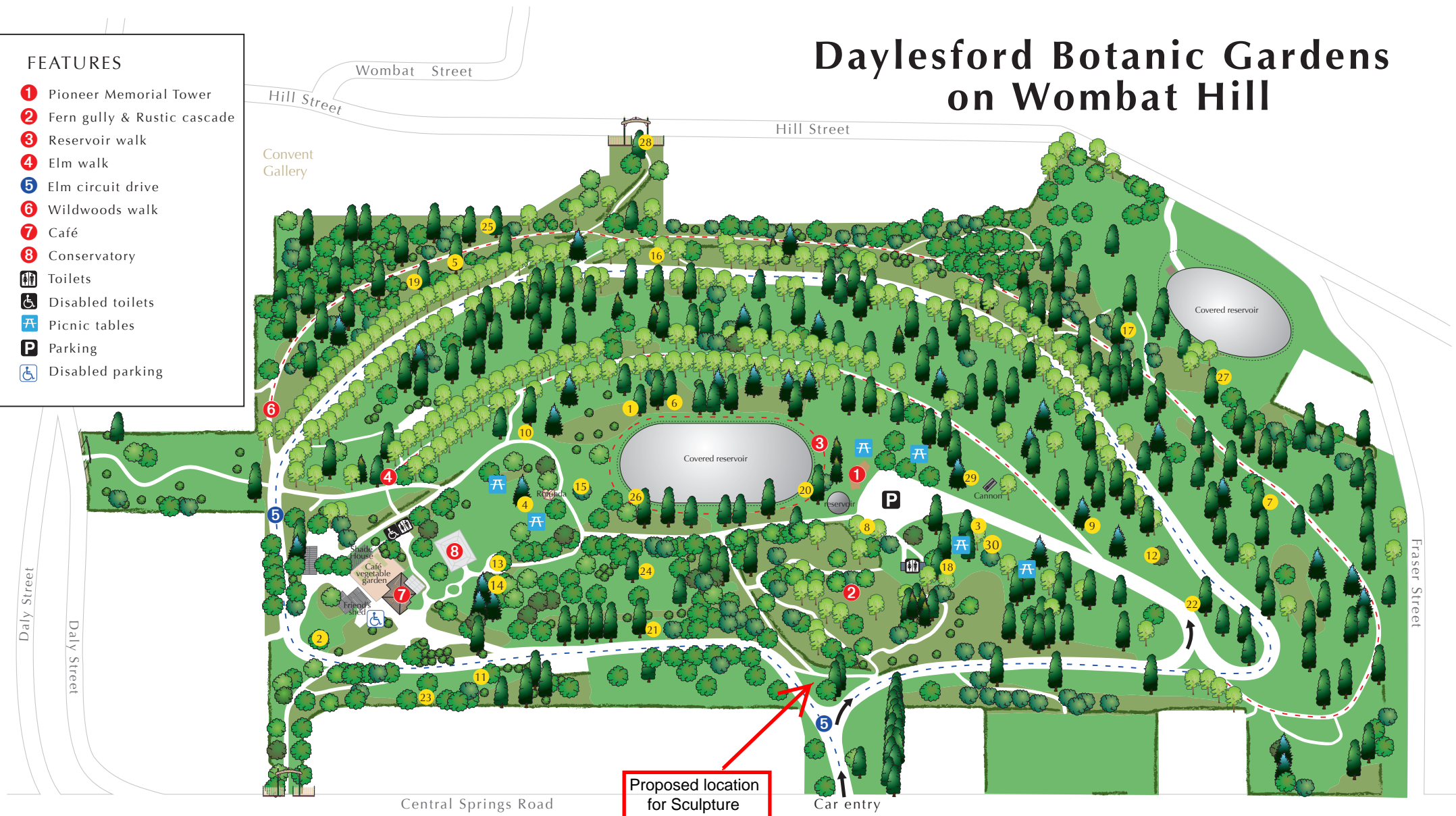
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# Daylesford Botanic Gardens on Wombat Hill

## FEATURES

- 1 Pioneer Memorial Tower
- 2 Fern gully & Rustic cascade
- 3 Reservoir walk
- 4 Elm walk
- 5 Elm circuit drive
- 6 Wildwoods walk
- 7 Café
- 8 Conservatory
- Toilets
- Disabled toilets
- Picnic tables
- Parking
- Disabled parking



## SIGNIFICANT TREES

- |   |   |   |   |
|---|---|---|---|
| <span style="color: yellow;">1</span> <i>Abies pinsapo</i> (Spanish Fir)            | <span style="color: yellow;">8</span> <i>Ulmus x hollandica</i> (Dutch Elm)                       | <span style="color: yellow;">16</span> <i>Araucaria bidwillii</i> (Bunya Bunya Pine)      | <span style="color: yellow;">24</span> <i>Cunninghamia lanceolata</i> (from MCC)                  |
| <span style="color: yellow;">2</span> <i>Tilia cordata</i> (Small-leaved Linden)    | <span style="color: yellow;">9</span> <i>Pinus pinaster</i> (Maritime Pine)                       | <span style="color: yellow;">17</span> <i>Sequoiadendron giganteum</i> (Giant Redwood)    | <span style="color: yellow;">25</span> <i>Cupressus torulosa</i> (Bhutan Cypress)                 |
| <span style="color: yellow;">3</span> <i>Pinus wallachiana</i> (Himalayan Pine)     | <span style="color: yellow;">10</span> <i>Cupressus macrocarpa</i> (Monterey Pine)                | <span style="color: yellow;">18</span> <i>Sequoia sempervirens</i> (Coast Redwood)        | <span style="color: yellow;">26</span> <i>Widdringtonia schwartzii</i> (from RBG)                 |
| <span style="color: yellow;">4</span> <i>Cedrus atlantica</i> 'Glauca' (Blue Cedar) | <span style="color: yellow;">11</span> <i>Quercus robur</i> (English Oak) Royal Oak planted 1860s | <span style="color: yellow;">19</span> <i>Pinea smithiana</i> (West Himalayan Spruce)     | <span style="color: yellow;">27</span> <i>Pseudotsuga menziesii</i> (Douglas Fir - Oregon timber) |
| <span style="color: yellow;">5</span> <i>Pinus ponderosa</i> (Western Yellow Pine)  | <span style="color: yellow;">12</span> <i>Quercus leucotrichophora</i> (Himalayan Oak)            | <span style="color: yellow;">20</span> <i>Chamaecyparis lawsoniana</i> (Lawson's Cypress) | <span style="color: yellow;">28</span> <i>Cedrus deodar</i> (Deodar Cedar)                        |
| <span style="color: yellow;">6</span> <i>Abies nordmanniana</i> (Caucasian Fir)     | <span style="color: yellow;">13</span> <i>Aesculus hippocastanum</i> (Flowering Horse Chestnut)   | <span style="color: yellow;">21</span> <i>Cupressus lusitanica</i> (Mexican Cypress)      | <span style="color: yellow;">29</span> <i>Pinus canariensis</i> (Canary Island Pine)              |
| <span style="color: yellow;">7</span> <i>Pinus coulteri</i> (Big Cone Pine)         | <span style="color: yellow;">14</span> <i>Magnolia grandiflora</i> (Southern Magnolia)            | <span style="color: yellow;">22</span> <i>Pinus radiata</i> (Monterey Pine)               | <span style="color: yellow;">30</span> <i>Quercus ilex</i> (Holm Oak)                             |
|   | <span style="color: yellow;">15</span> <i>Araucaria araucana</i> (Monkey Puzzle)                  | <span style="color: yellow;">23</span> <i>Sorbus domestica</i> (Service Tree)             |   |



## 8. PRESENTATION OF COUNCILLOR REPORTS

### MAYOR'S REPORT

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

The months are getting busier & busier now with many council functions on the go and many Mayoral duties and engagements booked in.

On Sunday 24 March, I attended a "Thanks to CFA" event at the Clydesdale Hall where the local Hall Committee put on a sumptuous feast to thank the CFA volunteers from the various Brigades that attended the Yandoit and Clydesdale fire late last year. Brigades came from Franklinford, Hepburn and Musk as well as from Newstead outside our Shire. It was a tremendous outpouring of community gratitude to these volunteer firefighters, who were most appreciative of such heartfelt recognition rarely shown on this scale and by such a small country community group (with some Council help).

On Thursday 4 April I attended the Daylesford Highland Gathering AGM and officiated at the election. I was asked to convey this committee's great thanks to Council for practical in-kind assistance received at last year's event that involved erecting and packing up facilities at Vic Park by a very obliging outdoor staff member.

An "Item of Urgent Business" from last month involved seeking a resolution with the CFA about the impacts of fire truck access into the new Glenlyon Fire Station site through the iconic avenue of trees in Barkly Street. I am pleased to report that the matter is now resolved with the fire trucks entering from the rear of the block via Eldon Street and travelling through to exit into Barkly Street. The driveways through the avenue of trees are to be engineered with concrete slabs that will not impact upon tree root zones and there will no longer be the need to remove one old Elm tree. We now have a "win / win" outcome for the community, the trees and the CFA. Construction of the new fire station commences this week.

One hundred and seventy five years ago yesterday, on 15 April 1838, Captain John Hepburn arrived in the Smeaton district with his flocks of English sheep, which he had driven overland from New South Wales. Victoria was not yet a separate colony and gold was still to be discovered (1850), yet a few brave overlanders came to the wild and deserted places amidst Smeaton's "dreaming hills" to settle, build farms and raise families. The Birch brothers, Hepburn and Coghill were the first Europeans to occupy this area.



Captain Hepburn died in 1860 and is buried with his wife and relatives in a small, private cemetery on his property near Smeaton House on a cold and windy hilltop surrounded by huge old pine trees and a cast iron fence. After his death, his daughter married his farm manager as the Captain would not approve of the marriage when alive. John Hepburn left few descendants from his own line with a son perishing at sea on the voyage out from Scotland. His descendants bear the names of Murray or Murray Morton or Morton and the Captain's great-great-grandson, Peter Morton, was there yesterday. This event marks the beginning of an historical commemoration planned for October this year.

John Hepburn's name was given to the towns of Hepburn Springs and Old Hepburn, together with the Hepburn Lagoon near Smeaton and a Hepburn Street in this town which he named after his home in Scotland. Today the entire municipality is known as Hepburn Shire. As Mayor of Hepburn Shire, I was proud to be there at the graveside yesterday, to address the assembled group of those who love their history and tell them about Captain John Hepburn and "his" Shire.

The keynote speaker was in fact Professor Geoffrey Blainey, a master historian and author, who added lots more very detailed information about the Captain's life and times in a signature historical address. His photograph is in the local papers which reported on the event.

Incidentally, you may have noticed that I have been pronouncing the name Hepburn in two ways. The Captain spoke his name with a silent "p" to sound like "Heburn". Time has changed the way his name is said in much the same way as the name of the leader of the Eureka rebellion, Peter Lalor (pronounced "Law-ler") whose name was given to the Melbourne suburb of Lalor.

## **COUNCILLOR REPORTS**

### **Councillor Kate Redwood, Birch Ward**

The last month's Council commitments have been dominated by work on Council Plan - the Council's 4 year blueprint - and the budget for 2013-2014. These matters together with the Ten Year Financial Plan are among the most important things that we will work on this year. I believe that the staff have delivered in spades and we will all be proud to take this work to the community for comment.

This month we have considered how to move forward on the development of the Vic Park Multipurpose Facility. The disappointment of not getting Federal Government funding in no way reduces the need for this facility. Council has listed it as its top capital works priority and we now need to find a new way to make it happen.

Work undertaken on behalf of Council has included the following:

- 19/03/2013 Councillor briefings, Councillor/CEO, Council Meeting
- 22/03/2013 Meeting to prepare for Conference of Big Ideas
- 26/03/2013 Shire Tour
  - Conference of Big Ideas
- 27/03/2013 Debrief/Next Steps Vic Park Multi Purpose Facility Project
  - Guest Speaker, Sisters of Creswick
- 28/03/2013 Meeting re Stanbridge Jinker
- 02/04/2013 Councillor briefings
  - Citizenship ceremony

- 03/04/2013 Meeting re Vic Park Multi Purpose Facility project
- 05/04/2013 Cornish Hill Committee of Management/Council issues
- 09/04/2013 Councillor Briefings  
Planning Committee
- 16/04/2013 Wombat Hill Botanic Gardens Advisory Committee Meeting  
Visit and tour Daylesford Museum

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

No report to present this month.

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

This month I have attended all statutory meetings required of me as well as numerous other community functions. As always, my time beyond that has been dedicated to the economic and environmental future of this Shire in the context of increasing energy scarcity and costs and a changing climate. At the Council Plan meeting I was heartened by how much these issues are central to our community.

In this vein, I attended a meeting with Reinhard Pohl from the CFA on their new approach to natural disaster planning. There is a wariness in the CFA that existing plans for fire and other emergencies are not heard by everyone in the community and that this will endanger people in the case of a disaster. The CFA is giving the community a say in how they want to be alerted and how they want to ensure that everyone has full warning to leave either on Extreme or Code Red days. This devolvement of power to the community is a great step forward and is exactly the kind of thing we in Council need to be doing if we want the community to actually get involved and engaged in our strategies and actions.

I was also heartened by the hope and enthusiasm of the children who payed us a special visit from Fukushima prefecture in Japan. These children have met with renewable energy organisations and traditional owners from areas where the uranium in the Fukushima power plant was mined. At home, they are allowed to play outside for 20 minutes at a time only, and are not allowed to touch any soil or living thing – they have no pets, they play soccer in doors, they are not allowed to swim at all. So you can imagine their joy at being able to play with other school kids in Gisborne and Melbourne, roll on the

grass and swim in the waves at Philip Island. It was inspiring and an honour for our Shire to welcome them.

While I was unable to make it to an Organic Waste Recovery presentation from Sustainability Victoria and the Central Highlands Regional Waste Management Group, I did make it to a 'Revenues from Residues' conference presented by the Institute of Forestry Engineers Australia. The amount of work that is being done world-wide on creating energy and other useful products from woody and agricultural wastes is truly amazing. From liquid fuels to plastics, to electricity, gas and an array of chemicals, aromatics and glues which can be used as safe alternatives to formaldehyde and other chemicals in the treatment and fabrication of timber products.

Sadly, there was a protest out the front of the event, demonstrating the fear among some that Bioenergy automatically means that endangered species will be further impacted and threatened by this technology. This is, of course, by no means a logical conclusion and there is danger of throwing the baby out with the bath water. This is, of course, relevant to our Council as we drive towards making useful our own green waste residues. I am encouraged by the sophistication of technologies available to do so. Of course we have the opportunity to demonstrate leadership on furthering the use of renewable and waste resources in the form of woody waste as well as backing our community in protecting our precious biodiversity and natural assets, which was another clear voice from the community in our council planning process.

A brief list of events I attended:

- Met with Reinhard Pohl, CFA re community based emergency planning
- Trentham Neighbourhood Centre Committee of Management meeting
- Victorian Local Governance Association (VLGA) strategic planning session Shire tour
- Conference of Big Ideas
- Lunch with the Fukushima students
- Coliban Ward meeting
- Trentham FORUM/Council Officer meeting
- Committee for Ballarat Sustainable Living Taskforce
- Residues from Revenue Conference.

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

I shared a fair degree of sadness and joy with Cr May and the Mayor yesterday at Smeaton House. I attended another meeting at Smeaton where I was informed that the Smeaton Primary School will close at the end of this

year. This is very sad for a small community. The school was a special place for people to meet, stop and have a chat. It is very sad – especially with the 175<sup>th</sup> celebrations coming up.

Cr McClenaghan has given a comprehensive report about yesterday's Commemorative Ceremony marking the 175<sup>th</sup> Anniversary of the arrival of Captain John Hepburn in Smeaton. I had the privilege of seeing Captain Hepburn's personal diary dating back to 1834 for every day until his death. We were told that the writing was different towards the end as Captain Hepburn was unable to write and his station manager made the entries for him. Such a diary is a treasure. The cemetery where the Hepburn Family is buried has one of the two highest classifications of the National Trust of Australia. I also had the luxury of visiting Smeaton House where the Righetti Family live, treasure the house and look after it. The Righetti Family are passionate conservators of our history.

### **Councillor Greg May, Creswick Ward**

Recent Councillor Briefing sessions have heavily involved the important subjects of the upcoming Council budget, the 10 year financial plan and the 2013 – 2017 Council Plan. Along with all other Councillors and good number of interested locals, I attended the Conference of Big Ideas held recently in the Daylesford Town Hall. I was also on board for the Shire bus tour held last month which took Councillors and Council Officers to a variety of locations within the Shire. I think that visiting the projects, facilities, infrastructure etc should happen on a more regular basis as it enhances the understanding of all involved.

I was also recently asked to attend the AGM of the Dean Hall Committee. This in itself is perhaps not of great importance but I thought worth mentioning because these small committees are the lifeblood of their local communities and are passionate about their facilities and work hard to see their continuation. The Dean people are just one example of many similar communities throughout the Shire.

On Sunday 7 April, the 19<sup>th</sup> Andersons Mill Festival was held in Smeaton. Whilst not one of the larger events in the Shire it is important locally, attracting over 2000 visitors to the area this year. I have been involved with the running of the festival for a number of years and while currently it doesn't receive any direct financial support from the Shire, I would like to acknowledge the in-kind support provided to the festival each year by the Hepburn Shire Council.



Yesterday I attended a Commemorative Ceremony marking the 175<sup>th</sup> Anniversary of the arrival of Captain Hepburn in Smeaton. The event took place at the Hepburn family grave site near Smeaton House on the property of Carmel and Bernard Righetti and was hosted by the Ballarat Branch of the National Trust of Australia (Victoria). Here I had the privilege of meeting and listening to Professor Geoffrey Blainey who spoke about Captain Hepburn and his settling in the area.

On another subject only loosely related to council matters, I recently attended a Bruce Springsteen concert at Hanging Rock. Just prior to Bruce performing, tour promoter Michael Gudinski spoke to the huge crowd and the very first organisation he thanked was the Macedon Ranges Shire Council. While I'm not suggesting Hepburn Shire become tour promoters I did think, what a diverse range of activities local councils are involved in.

#### **Councillor Pierre Niclas, Birch Ward**

2/03/2013 Hepburn Mineral Springs Reserve Advisory Committee Meeting at Daylesford Town Hall

Discussions centred around the offering of an Expression of Interest (EOI) around the use of the Caretaker's Cottage located within the Hepburn Mineral Springs Reserve. This was greeted with a great degree of satisfaction by all the Committee as this has been a nominated key development project for at least the last 5 years. Work on the Soundshell is going well and to timeline.

As a further gain the Old Pool that has been left in neglect for many years will now be de-snagged for safety reasons.

26/03/2013 Shire Tour

Councillors all joined for the day to experience the Tour de Shire, a tour designed to allow all Councillors to become a-tune with major projects and community needs across the entire Shire quickly.

There are many great opportunities that will develop and improve this Shire and I was particularly impressed with the wonderful place that is Calemben Park and what a great opportunity exists from its further development.

2/04/2013 Citizenship Ceremony

I was very honoured to attend the Hutson family Australian Citizenship Ceremony held at the Daylesford Town Hall. I was pleased to see how excited they were in the granting of their citizenship and wish them a happy life in their new country.



12/04/2013 Jim Crow Group Meeting

I attended the last meeting of the Jim Crow Group out at Yandoit. This is a wonderful group of people working very hard to both develop and deliver their own community plan as well as becoming a fully incorporated group that will be better placed to represent their local community needs.

16/04/2013 Daylesford and District Historical Society

Attended a 'meet and greet' with the board of the Daylesford and District Historical Society located in the Daylesford School of Mines (aka Daylesford Mechanics Institute). Meeting was very productive and opened up the way to arrange a more detailed meeting which would include all Councillors

In closing, as a final point and on behalf of all Councillors I would just like to acknowledge the wonderful outcome achieved at the beginning of this month where the Dja Dja Wurrung people were formally acknowledged as the rightful owners and custodians of all the waters and land around the Hepburn Mineral Springs Reserve and wider region.

## RECOMMENDATION

8.1 That Council receives and notes the Mayor's and Councillors reports.

## MOTION

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

**Moved:** Councillor Sebastian Klein

**Seconded:** Councillor Greg May

**Carried.**

**Councillor Neil Newitt left the meeting at 6:33 pm and returned to the meeting at 6:35 pm.**

## **9. PUBLIC PARTICIPATION TIME**

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

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

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

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

### **9.1. PETITIONS**

Nil

### **9.2. QUESTIONS**

Nil

### **9.3. REQUESTS TO ADDRESS COUNCIL**

Nil

## **WELCOME TO NEW STAFF MEMBER**

In the absence of the public, the Mayor suggested that Council do something a little different tonight and welcome a new staff member seated in the public gallery.

On behalf of Council and Council Officers, Chief Executive Officer Aaron van Egmond welcomed Council's new Communications Co-ordinator, Maria Abate.

## **10. OFFICERS' REPORTS**

### **10.1. PROPOSED COUNCIL PLAN 2013-2017**

#### **CHIEF EXECUTIVE OFFICER**

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

#### **PURPOSE**

The purpose of this report is for Council to consider the Proposed Council Plan 2013-2017

#### **BACKGROUND**

In accordance with S125 of the *Local Government Act 1989* (the Act), Council is required to prepare and approve a Council Plan within the period of 6 months after a general election or by the next 30 June, and provide the opportunity for people to make a submission under section 223 of the Act on any proposal contained in the Council Plan.

A Council plan must include:

- The strategic objectives of the Council
- Strategies for achieving the objectives
- Strategic indicators for monitoring the achievement of the objectives
- A strategic Resource Plan
- Any other matters which are prescribed by regulations

The first step in approving a Council Plan is the determination from Council to place the proposed Council Plan on public exhibition in accordance with S223 of the Act.

#### **ISSUE / DISCUSSION**

The Council Plan has been developed following an extensive engagement process including a series of Community Workshops, an Online OurSay forum, a Conference of Big Ideas, Departmental Business Planning, Staff Development Workshops and Councillor Development Workshops.

All inputs have been considered in the development of the Council Plan.

Council has identified five strategic objectives to create a strong alignment with the needs of the Community and the Organisation Structure.

1. Active and Engaged Communities (Community Services)
2. Quality Community Infrastructure (Infrastructure)

3. Sustainable Environment and a Vibrant Economy (Sustainable Development)
4. Sustainable Financial Management and Innovative Corporate Systems (Corporate Services)
5. High Performing Organisation (CEO Unit)

A copy of the proposed Council Plan 2013-2017 can be found in Attachment 1.

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

In accordance with S125 of the *Local Government Act 1989* (the Act), Council is required to prepare and approve a Council Plan within the period of 6 months after a general election or by the next 30 June.

### **FINANCIAL IMPLICATIONS**

Financial implications of the Council Plan 2013-2017 have been considered in the 2013-2014 Budget, Strategic Resource Plan 2013-17 and the Ten Year Financial Plan 2013-2024.

### **RISK IMPLICATIONS**

Risks associated with the Council Plan 2013-2017 have been mitigated through extensive community consultation, robust financial analysis and sustainable business practices.

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

Environmental, social and economic impacts of the Council Plan 2013-2017 have been considered in the development of a balanced future plan.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

#### **Community Workshops**

6 Community Workshops were conducted throughout the Shire in the towns of Yandoit, Trentham, Glenlyon, Daylesford, Creswick and Clunes attended by over 90 residents. The workshops encouraged the community to put forward their 'Big Ideas'. Over 50 Big Ideas were developed within the workshops helping to seed the online OurSay Forum that went live on 20 February 2013.

#### **OurSay Online Forum**

Hepburn Shire Council partnered with OurSay to encourage greater participation from the Community. The Online Forum was utilised to engage with members of the Community who were unable to attend the Community Workshops and to encourage a broader level of Community discussion. Each

participant on the online forum was allocated 7 votes to spend on the ideas that they were most interested in. A total of 264 ideas were received from 687 participants. This equates to participation of more than 10% of households within Hepburn Shire.

Council committed to responding to the top 10 ideas from the OurSay Forum at the Conference of Big Ideas.

### **Community Listening Posts**

A series of Community Listening posts were conducted throughout the Shire during the engagement period. A variety of Hepburn Shire Council staff attended festivals, events and shopping precincts with the aim of speaking to as many Community members as possible to both make them aware of the OurSay Online Forum and to encourage their feedback on what should be Council's key focus over the next 4 years.

### **Conference of Big Ideas**

On 26 March 2013, Councillors, Staff and the Community came together for the Conference of Big Ideas. The top 10 ideas from the OurSay Forum were presented by Community members and responded to by Councillors and Staff. Each of the top 10 ideas were then discussed by the attendees of the Conference.

### **CONCLUSION**

The Council Plan 2013-2017 has clear links to the needs and expectations of the community. These links have been developed through an extensive community engagement program. The Council Plan 2013-2017 will now be further enhanced through the public submission process.

### **OFFICER'S RECOMMENDATION**

That Council:

- 10.1.1 Determines that the Proposed Council Plan 2013-2017, as presented to the meeting, be prepared for the purpose of Section 125 of the *Local Government Act 1989*.
- 10.1.2 Will give Public Notice of the preparation of the Proposed Council Plan 2013-2017.
- 10.1.3 Will make the document available for public inspection at Council offices in Daylesford and Creswick, at Libraries in Daylesford, Creswick, Clunes and Trentham and on Council's website.

- 10.1.4 Will allow any person to make a written submission addressed to the Chief Executive Officer, up until 5.00pm on Monday 20 May 2013 in accordance with Section 223 of the *Local Government Act 1989*.
- 10.1.5 Intends to meet on Monday 27 May 2013 to hear and consider submissions received.
- 10.1.6 Intends to meet on Tuesday 18 June 2013 to consider and determine the adoption of the Council Plan 2013-2017.

## MOTION

*That Council:*

- 10.1.1. *Determines that the Proposed Council Plan 2013-2017, as presented to the meeting, be prepared for the purpose of Section 125 of the Local Government Act 1989.*
- 10.1.2. *Will give Public Notice of the preparation of the Proposed Council Plan 2013-2017.*
- 10.1.3. *Will make the document available for public inspection at Council offices in Daylesford and Creswick, at Libraries in Daylesford, Creswick, Clunes and Trentham and on Council's website.*
- 10.1.4. *Will allow any person to make a written submission addressed to the Chief Executive Officer, up until 5.00pm on Monday 20 May 2013 in accordance with Section 223 of the Local Government Act 1989.*
- 10.1.5. *Intends to meet on Monday 27 May 2013 to hear and consider submissions received.*
- 10.1.6. *Intends to meet on Tuesday 18 June 2013 to consider and determine the adoption of the Council Plan 2013-2017.*

**Moved:** Councillor Sebastian Klein

**Seconded:** Councillor Neil Newitt

**Carried.**

**ATTACHMENT 1 - PROPOSED COUNCIL PLAN 2013-2017  
(Issued Under Separate Cover)**



**10.2. PROPOSED BUDGET 2013-2014**  
**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 for Council to consider the Proposed Budget for 2013-2014.

**BACKGROUND**

In accordance with S127 of the *Local Government Act 1989*, Council is required to prepare a budget for each financial year and provide the opportunity for people to make a submission under section 223 of the Act on any proposal contained in the budget.

**ISSUE / DISCUSSION**

The budget seeks to balance the demand for services and facilities, plus the required infrastructure renewal and upgrade, as well as management of the Council's natural environment, with the community's capacity to pay.

The recommendations below are the formal resolutions to be passed by Council to finalise the Proposed Budget, which will be placed on public display until Monday 20 May 2013

The report contains the necessary statutory information required under the *Local Government Act 1989* and *Local Government Regulations 2004*.

A copy of the Proposed Budget 2013-14 is attached (refer Attachment 2).

**Budget Process**

Details of the Budget process are as follows:

Budget process	Timing
1. Officers prepare operating and capital budgets	Dec 2012 to Jan 2013
2. Council considers draft budget at informal briefings	Feb 2013 to April 2013
3. Proposed budget submitted to Council for approval	16 April 2013
4. Budget available for public inspection and comment	19 April 2013
5. Public notice advising intention to adopt budget	20 April 2013
6. Submissions period closes (28 days)	20 May 2013

- |   |                   |
|---|-------------------|
| 7. Submissions considered by Council                        | 27 May 2013       |
| 8. Budget and submissions presented to Council for adoption | 18 June 2013      |
| 9. Copy of adopted budget submitted to the Minister         | by 31 August 2013 |

### Budget Summary

The 2013-2014 proposed budget includes an increase in revenue raised from rates of 4.0%, raising total revenue received from rates to \$14.1 million, including \$160,000 generated from supplementary rates. In addition, \$2.17 million will be raised from the waste management charge and the kerbside collection charges. The cost of waste management across the Shire has decreased from 2012-2013 and this will directly result in a decrease in the waste charges each property will pay.

The budgeted operating result for the 2013-2014 year is a surplus of \$2.89 million, compared to a forecasted result of \$11.63 million in 2012–2013. The 2012-2013 surplus has been significantly inflated by flood reimbursements as a result of the flood events that occurred in 2010 and 2011. It is forecast that Council will receive \$12.7 million in reimbursements in the 2012-2013 financial year.

Cash and investments are expected to increase by \$73,000 to \$4.33 million as at 30 June 2014. As part of the 2013-2014 Budget, Council decided to allocate \$250,000 to cash, \$73,000 from its 2013-2014 Budget and \$177,000 by cancelling a number of projects from the 2012-2013 Budget.

### Differential Rates

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

The Rate Differentials that will be applied are as follows:

Rate type	How applied	2012-2013	Proposed 2013-2014	2012-2013 differential	Proposed 2013-2014 differential
General rate	Cents/\$ CIV	0.4090	<b>0.4254</b>	100%	100%
Farm rate	Cents/\$ CIV	0.2658	<b>0.2765</b>	65%	65%
Commercial rate	Cents/\$ CIV	0.4744	<b>0.4935</b>	116%	116%
Industry rate	Cents/\$ CIV	0.4744	<b>0.4935</b>	116%	116%

Mixed use rate	Cents/\$ CIV	0.4744	<b>0.4935</b>	116%	116%
Vacant land rate – township	Cents/\$ CIV	0.5112	<b>0.5318</b>	125%	125%
Vacant land rate - other	Cents/\$ CIV	0.4090	<b>0.4254</b>	100%	100%
Trust for nature rate	Cents/\$ CIV	0.2045	<b>0.2127</b>	50%	50%
Recreational rate	Cents/\$ CIV	0.2045	<b>0.2127</b>	50%	50%

### Charges

The service charges are proposed as follows:

Rate type		How applied	2012-2013	Proposed 2013-2014
Kerbside (Garbage)	collection	\$/ property	\$117	<b>\$130</b>
Kerbside (Recycling)	collection	\$/ property	\$93	<b>\$54</b>
Commercial Collection (Garbage)	Kerbside	\$/ property	\$262	<b>\$273</b>
Waste charge	management	\$/ property	\$131	<b>\$120</b>

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

These charges are set to recover the costs associated with waste management across the Shire. Cost savings have been driven by recent competitive tender processes and these savings will result in decreased charges in some cases.

### Capital Works Program

The cost of Council's proposed Capital works program for 2013-2014 is \$7.84 million. This includes \$1.556 million of State Government funds; \$1 million under the Country Roads and Bridges Initiative and a further \$556,000 under the Local Government Infrastructure Fund (LGIF). This is the third year of a

four year funding program and allows Council to undertake infrastructure works and special projects that would otherwise not be completed for a number of years without a significant rate rise.

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

- Roads, bridges, footpaths and drainage renewal – including reseals, re-sheets, pavement renewal and reconstruction, footpath improvement as well as bridge renewal, construction and design (\$2.8 million funded by Council and \$1.8 million in Government grants).
- Stage 2 of flood mitigation works in Creswick (\$772,000 with \$600,000 coming from a Government grant).
- Netball Court resurfacing at the Newlyn and Hepburn recreation reserves funded by \$50,000 under the LGIF program.
- Repairs and Asbestos removal at the Clunes Bottle Museum (\$201,000 funded by the LGIF program).
- \$23,000 for the implementation of the Trentham Community Facilities Review.
- \$20,000 for the planning and design of a pedestrian bridge over Slatey Creek, Creswick. Funded from the LGIF program
- \$420,000 for streetscape planning (Creswick, Clunes, Hepburn, Glenlyon and Trentham) and works (Daylesford) across the Shire (\$340,000 coming from Government grants).

### **Other Initiatives**

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

- \$250,000 for planning of the proposed Hepburn Shire Council Services and Community Hub in Daylesford (\$150,000 coming from a Government grant).
- \$18,000 to support major events for Creswick in each of the four seasons.
- \$140,000 in funds for a short term business analyst role and funds to perform a number of service reviews within Council to seek cost savings and efficiencies.
- \$45,000 to enable an officer to survey all council managed roadsides to inform the next Hepburn Roadside Management Plan.

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

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

## **FINANCIAL IMPLICATIONS**

Financial summary of the proposed budget is detailed above.

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

The striking of rates and charges will have a financial implication on each ratepayer.

## **RISK IMPLICATIONS**

None noted.

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

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

Council recognises that if sufficient funds are not allocated to asset renewal then Council's investment in those assets will reduce, along with the capacity to deliver services to the community.

Council has reserved \$250,000 in the proposed budget to be used to increase the cash balance and consequently increase Council's liquidity. This is part of a long term sustainability strategy to build a level of resilience into the Council's financial position.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

As per the Hepburn Shire Community Engagement Framework, level 3 engagement will be undertaken.

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

The Proposed Budget and prescribed information will be available for inspection from Friday 19 April 2013 at Council's offices in Daylesford and Creswick, at all Hepburn Library branches and from Council's website [www.hepburnshire.com.au](http://www.hepburnshire.com.au).

Any person may make a submission to the Council on any proposal contained in the budget. Submissions received by the Council before 5pm on Monday 20 May 2013 will be considered.

## CONCLUSION

The Proposed Budget 2013-2014 has been developed through an extensive consultation process and aligned with the Council Plan 2013-17. The 2013-14 budget as tabled provides guidance on how Council intends to deliver its strategic objectives over the next twelve months.

## OFFICER'S RECOMMENDATION

That Council, having complied with the procedures within *the Local Government Act 1989* and *Local Government Regulations 2004* regarding the method of preparation and content of the Budget for the 2013-2014 financial year:

- 10.2.1 Determines that the Budget for 2013-2014, as presented to the meeting, be prepared for the purpose of Section 127 of the Local Government Act 1989;
- 10.2.2 Makes the following declarations in relation to the Proposed 2013-2014 Budget, which commences 1 July 2013:
  - As at 30 June 2013 the total amount borrowed by Council will be \$3.6 million.
  - \$1.4 million will be borrowed during the 2013-14 financial year.
  - The total amount of borrowings projected to be repaid during the year will be \$632,000.
  - The total amount of borrowings at 30 June 2014 is projected to be \$4.4 million.
  - The expected cost of servicing the borrowings during the financial year is \$287,000.
  - Provided for is six Councillor Allowances of \$19,631 each.
  - Provided for is a Mayoral allowance of \$49,162.50.
  - It be recorded that Council considers that differential rates will contribute to the equitable and efficient carrying out of Council functions. The respective types or classes of land which are subject to each differential rate are those defined in the schedule to this recommendation.

- Council proposes the following rate in the dollar for each type of rate to be levied for the period 1 July 2013 to 30 June 2014

<b>Category</b>	<b>Rate Cents in \$</b>
<i>Residential (General)</i>	<i>0.4254</i>
<i>Farmland</i>	<i>0.2765</i>
<i>Commercial</i>	<i>0.4935</i>
<i>Mixed Use</i>	<i>0.4935</i>
<i>Industrial</i>	<i>0.4935</i>
<i>Vacant Land- township</i>	<i>0.5318</i>
<i>Vacant Land – other</i>	<i>0.4254</i>
<i>Recreational</i>	<i>0.2127</i>
<i>Trust for Nature</i>	<i>0.2127</i>

- Council proposes to levy a Waste Management Charge of \$120 for the period 1 July 2013 to 30 June 2014 on all properties. Owners of 'farm rated' properties will pay only one charge for farm rated properties.
- Council proposes to levy a Kerbside Collection (Garbage) Charge of \$130 on those properties receiving a service for the period 1 July 2013 to 30 June 2014.
- Council proposes to levy a Commercial Kerbside Collection Charge (Garbage) of \$273 on those commercial properties receiving a service for the period 1 July 2013 to 30 June 2014.
- Council proposes to levy a Kerbside Collection (Recycling) Charge of \$54 for each property receiving a service for the period 1 July 2013 to 30 June 2014.
- Council proposes to levy a Waste Management Charge of \$120 for the period 1 July 2013 to 30 June 2014 on all properties. Owners of 'farm rated' properties will pay only one charge for farm rated properties.



- Council proposes to levy a Kerbside Collection (Garbage) Charge of \$130 on those properties receiving a service for the period 1 July 2013 to 30 June 2014.
  - Council proposes to levy a Commercial Kerbside Collection Charge (Garbage) of \$273 on those commercial properties receiving a service for the period 1 July 2013 to 30 June 2014.
  - Council proposes to levy a Kerbside Collection (Recycling) Charge of \$54 for each property receiving a service for the period 1 July 2013 to 30 June 2014.
- 10.2.3 Gives Public Notice of the preparation of the Budget 2013-2014;
- 10.2.4 Will make the document available for public inspection at Council offices in Daylesford and Creswick; at Libraries in Daylesford, Creswick, Clunes and Trentham and on Council's website.
- 10.2.5 Will allow any person to make a written submission addressed to the Chief Executive Officer, up until 5.00pm on Monday 20 May 2013 in accordance with Section 223 of the *Local Government Act 1989*.
- 10.2.6 Intends to meet on Monday 27 May 2013 to hear and consider submissions received
- 10.2.7 Intends to meet on Tuesday 18 June, 2013 to consider and determine the adoption of the Budget 2013-2014

## MOTION

*That Council, having complied with the procedures within the Local Government Act 1989 and Local Government Regulations 2004 regarding the method of preparation and content of the Budget for the 2013-2014 financial year:*

- 10.2.1. Determines that the Budget for 2013-2014, as presented to the meeting, be prepared for the purpose of Section 127 of the Local Government Act 1989;*
- 10.2.2. Makes the following declarations in relation to the Proposed 2013-2014 Budget, which commences 1 July 2013:*
  - As at 30 June 2013 the total amount borrowed by Council will be \$3.6 million.*
  - \$1.4 million will be borrowed during the 2013-14 financial year.*
  - The total amount of borrowings projected to be repaid during the year will be \$632,000.*
  - The total amount of borrowings at 30 June 2014 is projected to be \$4.4 million.*
  - The expected cost of servicing the borrowings during the financial year is \$287,000.*
  - Provided for is six Councillor Allowances of \$19,631 each.*
  - Provided for is a Mayoral allowance of \$49,162.50.*
  - It be recorded that Council considers that differential rates will contribute to the equitable and efficient carrying out of Council functions. The respective types or classes of land which are subject to each differential rate are those defined in the schedule to this recommendation.*
  - Council proposes the following rate in the dollar for each type of rate to be levied for the period 1 July 2013 to 30 June 2014*

<b>Category</b>	<b>Rate Cents in \$</b>
<i>Residential (General)</i>	<i>0.4254</i>
<i>Farmland</i>	<i>0.2765</i>
<i>Commercial</i>	<i>0.4935</i>
<i>Mixed Use</i>	<i>0.4935</i>
<i>Industrial</i>	<i>0.4935</i>
<i>Vacant Land- township</i>	<i>0.5318</i>
<i>Vacant Land – other</i>	<i>0.4254</i>
<i>Recreational</i>	<i>0.2127</i>
<i>Trust for Nature</i>	<i>0.2127</i>

- *Council proposes to levy a Waste Management Charge of \$120 for the period 1 July 2013 to 30 June 2014 on all properties. Owners of ‘farm rated’ properties will pay only one charge for farm rated properties.*
- *Council proposes to levy a Kerbside Collection (Garbage) Charge of \$130 on those properties receiving a service for the period 1 July 2013 to 30 June 2014.*
- *Council proposes to levy a Commercial Kerbside Collection Charge (Garbage) of \$273 on those commercial properties receiving a service for the period 1 July 2013 to 30 June 2014.*
- *Council proposes to levy a Kerbside Collection (Recycling) Charge of \$54 for each property receiving a service for the period 1 July 2013 to 30 June 2014.*

10.2.3. *Gives Public Notice of the preparation of the Budget 2013-2014;*

10.2.4. *Will make the document available for public inspection at Council offices in Daylesford and Creswick; at Libraries in Daylesford, Creswick, Clunes and Trentham and on Council’s website.*

- 10.2.5. *Will allow any person to make a written submission addressed to the Chief Executive Officer, up until 5.00pm on Monday 20 May 2013 in accordance with Section 223 of the Local Government Act 1989.*
- 10.2.6. *Intends to meet on Monday 27 May 2013 to hear and consider submissions received.*
- 10.2.7. *Intends to meet on Tuesday 18 June, 2013 to consider and determine the adoption of the Budget 2013-2014.*

**Moved:** Councillor Kate Redwood  
**Seconded:** Councillor Don Henderson  
**Carried.**

**ATTACHMENT 2 - PROPOSED BUDGET 2013-2014**  
**(Issued Under Separate Cover)**

### **10.3. PROPOSED 10 YEAR FINANCIAL PLAN 2013-2024 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 for Council to consider the Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017.

#### **BACKGROUND**

In accordance with S126 of the *Local Government Act 1989*, Council is required to complete a Strategic Resource Plan as part of the development of the Council Plan. The Strategic Resource Plan is a document which essentially describes the resources which are required by Council, if it is to achieve the objectives which are specified in the Council Plan. In conjunction with these, Council has completed a 10 Year Financial Plan.

The key elements of Hepburn Shire's Strategic Planning Framework are our Council Plan, 10 Year Financial Plan and the Annual Budget.

The Strategic Resource Plan and 10 Year Financial Plan details the Financial and Non-Financial resources which are required for the coming four year period.

The Hepburn Shire Council's Long Term Financial Plan 2013-2024 has been developed as a means of ensuring Council's future financial sustainability. The financial model is a tool which analyses future financial trends over a ten-year period based on a range of assumptions. It will allow Council to assess its financial requirements balanced with its strategic objectives.

#### **ISSUE / DISCUSSION**

The 10 Year Financial Plan, encompassing the Strategic Resource Plan which has been developed in conjunction with the Council Plan 2013-2017 and the Proposed Budget 2013-2014.

As part of this plan, Council has set the following goals:

- Ensure consistency in future increases in rates and charges;
- Maintain an annual cash positive budget, including an annual budget surplus;
- Ensure the indebtedness ratio (non-current liabilities as a percentage of own sourced revenue) remains less than 40%;

- Work towards a working capital ratio (current assets / current liabilities) of greater than 150%;
- Improve the condition of Council’s infrastructure assets.

In order to meet the strategic objectives set out in this Plan, the increase in revenue raised from rates will be an average of 4% each year.

The Plan includes three longer term strategies:

- Sustainable Financial Management
  - Allocating a minimum of \$250,000 per year to cash to improve Council’s working capital ratio
  - Maintaining a low risk indebtedness ratio
- Quality Community Infrastructure
  - Allocating an additional \$250,000 to infrastructure maintenance and renewal to address the infrastructure gap;

A summary of key financial outcomes over the life of the Plan are as follows.

	Proposed Budget		Long Term Financial Plan Projections							
	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2022-2023	2023-2024
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Operating result	2,893	7,787	1,691	2,657	3,142	3,493	7,970	4,323	4,996	5,550
Working capital ratio	94%	97%	107%	110%	114%	119%	122%	129%	138%	153%
Asset renewal expenditure	6,573	8,043	5,869	6,325	6,795	7,284	9,040	8,314	8,854	9,415
Indebtedness ratio	24%	22%	19%	15%	11%	9%	10%	8%	6%	6%

As part of the budget setting process each year, this Plan will be reviewed to ensure relevance to internal and external influences including Council priorities.

### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Section 126 of the *Local Government Act 1989* - Council is required to complete a Strategic Resource Plan as part of the development of the Council



Plan. Council has taken the opportunity to prepare a 10 Year Financial Plan in conjunction with the Strategic Resource Plan.

The proposed Council Plan 2013-17 identifies a Key Strategic Activity as:-

Implement sustainable financial practices and policies that guide the future financial direction of Council and ensure long term financial stability

The 10 Year Financial Plan is a key component of this activity.

### **FINANCIAL IMPLICATIONS**

The 10 Year Financial Plan identifies proposed income and expenditure over the next 10 years in accordance with Council's vision, while being mindful of future sustainability.

The striking of rates and charges each year will have financial implications and will be considered as part of the annual budget setting process.

The setting of annual budgets with reference to this plan will ensure financial sustainability into the future.

### **RISK IMPLICATIONS**

The development of a 10 Year Financial Plan mitigates the risk of Council not being financially sustainable in the future. Deviations from the plan will need to be analysed on a case by case basis.

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

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

Council recognises that if sufficient funds are not allocated to asset renewal then Council's investment in those assets will reduce, along with the capacity to deliver services to the community. Therefore, Council has included in its proposed 10 Year Financial Plan a strategy to address the 'infrastructure gap'.

Council proposes to allocate a minimum of \$250,000 to cash each year to be used to increase the cash balance and consequently increase Council's liquidity. This is part of a long term sustainability strategy to build a level of resilience into the Council's financial position.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

As per the Hepburn Shire Community Engagement Framework, level 3 engagement will be undertaken.

The Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017 will be publicly advertised in the local newspapers seeking submissions from interested parties in accordance with Section 223 of the *Local Government Act 1989*.

The Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017 will be available for inspection from Friday 19 April 2013 at Council's offices in Daylesford and Creswick, at all Hepburn Library branches and from Council's website [www.hepburnshire.com.au](http://www.hepburnshire.com.au).

Any person may make a submission to the Council on any proposal contained in the 10 Year Financial Plan. Submissions received by the Council before 5pm on Monday 20 May 2013 will be considered.

## **CONCLUSION**

The Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017 has been developed through an extensive consultation process linked with the Council Plan. The 10 Year Financial Plan sets out Council's key financial goals over the next ten years and provides guidance for annual budget setting.

## **OFFICER'S RECOMMENDATION**

- 10.3.1 Determines that the Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017, as presented to the meeting, be prepared for the purpose of Section 126 of the Local Government Act 1989.
- 10.3.2 Will give Public Notice of the preparation of the Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017.
- 10.3.3 Will make the document available for public inspection at Council offices in Daylesford and Creswick; at Libraries in Daylesford, Creswick, Clunes and Trentham and on Council's website.
- 10.3.4 Will allow any person to make a written submission addressed to the Chief Executive Officer, up until 5.00pm on Monday 20 May 2013 in accordance with Section 223 of the *Local Government Act 1989*.
- 10.3.5 Intends to meet on Monday 27 May 2013 to hear and consider submissions received.

- 10.3.6 Intends to meet on Tuesday 18 June, 2013 to consider and determine the adoption of the Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017.

## MOTION

*That Council:*

- 10.3.1. *Determines that the Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017, as presented to the meeting, be prepared for the purpose of Section 126 of the Local Government Act 1989.*
- 10.3.2. *Will give Public Notice of the preparation of the Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017.*
- 10.3.3. *Will make the document available for public inspection at Council offices in Daylesford and Creswick; at Libraries in Daylesford, Creswick, Clunes and Trentham and on Council's website.*
- 10.3.4. *Will allow any person to make a written submission addressed to the Chief Executive Officer, up until 5.00pm on Monday 20 May 2013 in accordance with Section 223 of the Local Government Act 1989.*
- 10.3.5. *Intends to meet on Monday 27 May 2013 to hear and consider submissions received.*
- 10.3.6. *Intends to meet on Tuesday 18 June, 2013 to consider and determine the adoption of the Proposed 10 Year Financial Plan 2013-2024, incorporating the Strategic Resource Plan 2013-2017.*

**Moved:** Councillor Kate Redwood  
**Seconded:** Councillor Pierre Niclas  
**Carried.**

**ATTACHMENT 3 - PROPOSED 10 YEAR FINANCIAL PLAN 2013-2024,  
INCORPORATING THE STRATEGIC RESOURCE PLAN 2013-2017  
(Issued Under Separate Cover)**

**10.4. NEW CROWN LAND LICENCE – CRESWICK FOOTBALL NETBALL CLUB AND CRESWICK SOCCER CLUB AT DOUG LINDSAY RESERVE  
GENERAL MANAGER COMMUNITY SERVICES**

**COUNCIL IS CONSIDERING THIS REPORT IN ITS ROLE AS COMMITTEE OF MANAGEMENT FOR DOUG LINDSAY RESERVE CRESWICK**

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

**PURPOSE**

The purpose of this report is to formalise interim arrangements for the use of facilities at Doug Lindsay Reserve, Creswick by seeking Council's approval to enter into a six month Crown Land Licence with the Creswick Football Netball Club and Creswick Soccer Club.

**BACKGROUND**

Doug Lindsay Reserve, Creswick is the site of a sports oval, two soccer pitches, four netball courts, community facility including commercial kitchen, function room, change-rooms and meeting space plus a separate netball/soccer change-room building.

Below is a map of Doug Lindsay Reserve, with the community facility, netball/soccer change-rooms, sports ground, netball courts and soccer pitches shown in red. Attachments 4 and 5 show the specific area to be licensed to the Creswick Football Netball Club and the Creswick Soccer Club.



## ISSUE / DISCUSSION

The Doug Lindsay Reserve and Community Facility Management Advisory Committee are in the process of establishing an Incorporated Association to manage facilities at Doug Lindsay Reserve. Once incorporated it is proposed that Council enter into a lease with this Association.

In the interim to cover the 2013 Creswick Football Netball Club and Creswick Soccer Club seasons Council Officers have developed six month Licence agreements. These licences are for a six month term, based on a standard Department of Sustainability and Environment (DSE) licence template.

The Licence agreements cover usage of the oval, netball courts, soccer pitches, change-rooms and community facility.

### **Creswick Football Netball Club**

The licence covers the following hours of usage for the oval and netball courts:

- Home games, every second Saturday, or equivalent
- Training, Monday to Friday between 4.00pm and 10pm

The licence covers the following hours of usage for the Doug Lindsay Community Facility and Netball Change-rooms:

- Function room - For all home games and Thursday nights after training.
- Change-rooms - For all home games, training Monday to Friday and to return equipment after away games.

Any additional usage outside these hours will be charged according to the schedule of fees and charges.

The special conditions which have been added to the licence include the Creswick Football Netball Club being responsible for any flood lighting including operating costs, replacements, repairs and maintenance. The Creswick Football Netball Club along with other user groups will be responsible for day to day maintenance and must submit a risk management plan for the use of the facilities and reserve to Council.

Operating costs for Doug Lindsay Reserve (water and electricity, excluding oval watering) for the 2012-13 financial year are expected to total \$13,000. The Creswick Football Netball Clubs standard usage of the facility equates to 50% usage, so for the 2013 season their Licence fee has been set at \$6,500.

### **Creswick Soccer Club**

The licence covers the following hours of usage for the soccer pitches:

- Home games, every second Sunday, or equivalent
- Training, Monday to Friday between 4.00pm and 10pm

The licence covers the following hours of usage for the Doug Lindsay Community Facility and Netball/Soccer Change-rooms:

- Function room - For all home games
- Netball/Soccer Change-rooms - For all home games and training Monday to Friday.

Any additional usage outside these hours will be charged according to the schedule of fees and charges.

The special conditions which have been added into the licence include the Creswick Soccer Club being responsible for any flood lighting including replacements, repairs and day to day maintenance, responsibility for building maintenance and a risk management plan for the use of the reserve being submitted to Council.

Operating costs for Doug Lindsay Reserve (water and electricity, excluding soccer pitch watering) for the 2012-13 financial year are expected to total \$13,000. The Creswick Soccer Club's standard usage of the facility equates to 5% usage, so for the 2013 season their Licence fee is \$750.



Council rates will not apply as Doug Lindsay Reserve is Crown Land and used for public purposes.

The Department of Sustainability and Environment has given approval in principle to these licences.

The proposed licences are attached (refer Attachments 4 and 5).

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

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

Pursuant to section 17(2) of the *Crown Land (Reserves) Act 1978* and an Order made by the Governor in Council on 15 December 1998, Council has the right to lease or licence the premises.

### **FINANCIAL IMPLICATIONS**

Entering into these licences will increase revenue to cover a percentage (estimated 55%) of operating costs of the facility.

The Licence fee does not include the cost of electricity for the oval lights. Point 16.10 of both Licences stipulate that the 'Licensee is responsible for any flood lighting including operating costs, replacements, repairs and maintenance'. Costs for the lights will be apportioned according to hourly use.

The remaining operating costs of 45% are expected to be covered through additional bookings. In the 2012-2013 financial year to date Council has received \$2,000 in hire fees.

### **RISK IMPLICATIONS**

This licence requires minimum public liability insurance of \$10 million with evidence of currency to be provided annually.

The Licensee must provide Council with a risk management plan before commencement.

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

Both the Creswick Soccer Club and Creswick Football Netball Club promote physical activity and health and well-being.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council officers have been liaising with The Creswick Football Netball Club and Creswick Soccer Club about the licences and fees.

Council officers have also sought advice from DSE to ensure the relevant Crown Land Licence documents are used.

### **CONCLUSION**

The granting of a six month licence, as proposed, will formalise interim occupancy arrangements for the Creswick Football Netball Club and the Creswick Soccer Club at Doug Lindsay Reserve, Creswick.

### **OFFICER'S RECOMMENDATION**

That Council:

- 10.4.1 Grants a six month Licence from 1 April 2013 - 1 September 2013 to Creswick Football Netball Club to occupy Doug Lindsay Reserve.
- 10.4.2 Grants a six month Licence from 1 April 2013 - 1 September 2013 to Creswick Soccer Club to occupy Doug Lindsay Reserve.
- 10.4.3 Authorises the Chief Executive Officer to execute the Licences for and on behalf of Council.

### **MOTION**

*That Council:*

- 10.4.1. *Defers the issues of tenancy of the Doug Lindsay Recreation Reserve until various questions and issues are resolved.*
- 10.4.2. *Permits existing user groups to continue to use the facilities in the interim but in return for appropriate fees and charges set by Council for the use of such facilities at the Doug Lindsay Recreation Reserve.*
- 10.4.3. *Requests officers to investigate all options for long term use of the Doug Lindsay Recreation Reserve including comparison of business plans with similar facilities in other rural municipalities; and to provide Council with another report with recommendations as soon as possible.*

**Moved:** Councillor Kate Redwood

**Seconded:** Councillor Pierre Niclas

**Carried.**

**ATTACHMENT 4 - LICENCE – CRESWICK FOOTBALL NETBALL CLUB**

# Hepburn Shire Council

## LICENCE

### CROWN LAND (RESERVES) ACT 1978

#### Section 17(2)

**THIS LICENCE** is granted by the Licensor to the Licensee and commences on the date set out in the Schedule.

In consideration of the payment of the licence fee and the conditions contained in this Licence, the Licensor or a person authorised by the Licensor, at the request of the Licensee HEREBY AUTHORISES the Licensee to use the licensed premises described in the Schedule for the specified purposes set out in the Schedule.

This Licence is subject to the provisions of the *Crown Land (Reserves) Act 1978* and Regulations thereunder, the licence conditions attached and any Statutory and other Special Conditions set out in the Schedule.

.....  
Licensor or Authorised person  
Aaron van Egmond, Chief Executive Officer  
On behalf of **Hepburn Shire Council**

Licensee – **Creswick Football Netball Club**

**The Licensee hereby agrees to comply with the terms and conditions of this Licence**

.....  
President

.....  
Secretary

#### **NOTE:**

<b>1</b>	<b><i>This Licence is an important document and should be stored in a secure and safe place. In the event of loss, a replacement fee will be charged.</i></b>
<b>2</b>	<b><i>The Licence is not valid until such time as the licence fee is received in full.</i></b>
<b>3</b>	<b><i>Ministerial approval is not required as pursuant to an approved ORDER made under Section 17 (1) Crown Land (Reserves) Act 1978 Council may issue tenures for this Reserve.</i></b>

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#### **PLAN**

## SCHEDULE

### ITEM

- 1 **Licence Number:** 200229CFNC – 2013
- 2 **Licensor:** Hepburn Shire Council ABN 76 845 763 535
- 3 **Licensee:** Creswick Football Netball Club Inc
- 4 **Licensee's Address:** P.O. Box 101 Creswick 3363
- 5 **Commencement Date:** 1 April 2013
- 6 **Term:** 6 months between 1 April 2013 - 30 September 2013
- 7 **Licence fee:** \$6,500 + GST per annum
- 8 **Payable:** In full by 31 May 2013
- 9 **Reservation description:** Public Park and Recreation - Pt Crown allotment 35E Sec 48A
- 10 **Licensed premises:** That part of the Reserve delineated on the attached Map marked "A" generally known as Doug Lindsay Reserve Oval and Doug Lindsay Reserve Netball Courts and includes the car parking
- 11 **Area:** See Plan
- 12 **Powers under which licence granted:** Section 17(2) Crown Land (Reserves) Act 1978
- 13 **Specified Purposes:** Junior and Senior Football and Netball - including fixture games, training, fund raising and associated activities.
- 14 **Amount of Public Liability Insurance:** Minimum cover of \$10,000,000
- 15 **Licensor Address:** PO Box 21 Daylesford 3460
- 16 **Special Conditions:**
  - 16.1 **This Licence is for the approved annual seasonal use of the Licensed Premises as follows:**
    - Commencing – 1 April and ending on 30 September each year
    - Oval - For playing every second Saturday – subject to a list of dates being provided to the Licensor prior to the commencing date above
    - Oval - For training and ground preparation Monday to Friday between 4.00pm and 10pm. Refer also as provided in Special Condition 16.20
    - Function room facility - Every Thursday night and Saturday night in line with home games

- **Netball and Football Change-room facility - Monday to Friday usage of netball and football change-rooms between 4pm-10pm.**

- 16.2 The Licensee will provide to the Licensor by 30 September a report on any concerns, problems, strengths and or improvements to the Licensed Premises**
- 16.3 The Licensee will meet annually no later than 30 March with the Licensor's representative to review the previous season and discuss any matters to be addressed for the season ahead**
- 16.4 The Licensee will confirm in writing to the Licensor the name and contact details of its representative in the event any contact is necessary including for emergencies**
- 16.5 The Licensee is responsible to insure any and all chattels/contents/equipment it has on the Licensed Premises and any property of its members, officers, agents, invitees where applicable**
- 16.6 The Licensor will insure the Licensed Premises against losses at all times. The Licensee must note its obligation under Clause 3.7**
- 16.7 In addition to Clause 2.5 the Licensee will comply with any relevant maintenance policies of the Licensor**
- 16.8 The Licensee must not damage or deface the Licensed Premises. The Licensee is responsible in accordance with this Licence to repair or replace any part of the Licensed Premises defaced or damaged.**
- 16.9 The Licensee is responsible for the security of the Licensed Premises whilst in use.**
- 16.10 The Licensee is responsible for any flood lighting including operating costs, replacements, repairs and maintenance**
- 16.11 The Licensee must not injure, cut, remove any tree shrub or other similar living plant unless by way of routine pruning maintenance or for ensuring public safety, or in any other case, unless the prior written consent of the Licensor is first obtained**
- 16.12 The sale of any tobacco or tobacco related products on the licensed premises is prohibited**
- 16.13 The sale or consumption of any alcohol beverage on the Licensed Premises is prohibited unless in accordance with a licence or permit granted for the purpose by the appropriate authority**
- 16.14 For the sale of any food items the Licensee must hold an appropriate annual Food Act 1984 Certificate of Registration of a Food Premises**
- 16.15 The Licensee must have in place prior to the commencement of seasonal use and actively implement and comply with a Risk Management Plan (RMP). The RMP must be prepared having regard to:**
- a) a risk assessment conducted to identify, analyse and evaluate risks associated with the Licensed Premises and the Specified purpose;**



- b) risk management procedures providing for the Licensee to thoroughly inspect the surface of the oval and netball courts prior to any use to ensure the surface is safe, clear of all debris, holes and is generally in a reasonable and playable condition.
- c) any matters required by or guidelines of the Licensee's affiliated Association or governing body;
- d) the dimensions of the oval and netball courts, skill level of participants and or standard of competition; and
- e) any requirements of the Licensee's insurer.

- 16.16** Where the oval or netball court surface is deemed unsuitable for safe use the Licensee must postpone, modify or cancel use until such time as the surface or other condition is rectified.
- 16.17** A written record of inspections and the outcome of them must be kept and be available for inspection by the Licensor on demand.
- 16.18** A copy of the RMP must be lodged with the Licensor.
- 16.19** A failure to have a current RMP and appropriate procedures will be a default condition under this Licence
- 16.20** Despite the approved days and times provided in Special Condition 16.1 and pursuant to Clause 1 the Licensed Premises may be allocated by the Licensor for use by other Clubs, Associations, Groups or individuals as seen fit by the Licensor, at all times informing the Licensee.
- 16.21** The Licensee and Licensor must endeavour to resolve any disputes through negotiation. If a dispute cannot be resolved by negotiation after 90 days, the matter will be referred to an appropriate person for mediation and that person's written determination must be made within a further 60 days and will bind the parties.
- 16.22** The Licensee is responsible for electricity charges associated with use of the oval and netball courts.
- 16.23** The Licensee may not hire the licensed areas out to any groups
- 16.24** Any request for Capital works must include a written proposal including preliminary design plans, costings and confirmation of club contribution
- 16.25** Any additional bookings outside the times specified in 16.1 will incur an additional fee. These bookings must be provided to the Recreation Coordinator or other designated representative a minimum of two weeks prior. The same conditions in this licence will apply for these bookings.
- 16.26** The Licensee must ensure the facility is cleaned after use and all equipment/furniture is packed away. The Licensor or an agreed representative may inspect the facility following usage and if the facility is not clean charge the Licensee the cost of professional cleaning.
- 16.27** If required by the Licensor the Licensee must provide as much fridge, freezer, kitchen and bar space as needed, while balancing the needs of all users of the facility.

## LICENCE CONDITIONS

### 1 **Grant**

The rights conferred by this Licence are non-exclusive, do not create or confer upon the Licensee any tenancy or any estate or interest in or over the licensed premises or any part of it, and do not comprise or include any rights other than those granted or to which the Licensee is otherwise entitled by law.

### 2 **Licensee's Obligations (Positive)**

The Licensee **Hereby Covenants** with the Licensor that during the term the Licensee will:-

#### 2.1 **Licence fee**

Duly and punctually pay or cause to be paid the licence fee to the Licensor at the payment address shown in Item 15 of the Schedule or as advised by the Licensor from time to time on the days and in the manner provided in Item 8 of the Schedule without demand, deduction, set-off or abatement.

#### 2.2 **Rates and Taxes**

2.2.1 Duly and punctually pay as and when they respectively fall due all rates and taxes on the licensed premises.

2.2.2 If requested to do so by the Licensor, produce receipts to the Licensor evidencing payment of the rates and taxes.

2.2.3 Duly and punctually pay to the Licensor at the same time and in the same manner as the licence fee is payable to the Licensor (or as otherwise notified to the Licensee by the Licensor) under clause 2.1 above the amount of any GST payable on or in relation to this licence and/or the rent payable thereunder or that becomes payable by the Licensor during the period covered by the fee.

#### 2.3 **Indemnity**

Indemnify the Crown (includes the licensor) in respect of any claim or liability for property damage and/or injury or death of any person which arises directly or indirectly out of negligence, tort, contract, or breach of a statutory duty by the Licensee or any associated party consequential to the use or occupation of the licensed premises, including, but without restricting the generality of the foregoing, the pollution or contamination of land or water, and any costs, charges and expenses incurred in connection therewith.

#### 2.4 **Public Liability Insurance**

A public liability insurance policy over the premises (providing no less limit of indemnity for any one occurrence during the policy period than the amount shown at Item 14 of the Schedule), which is endorsed (as follows), to note:

‘the Committee of Management, the Crown in the right of the State of Victoria, the Secretary to the Department of Sustainability and Environment, its servants, agents and employees in respect to providing indemnity for personal injury and/or property damage caused by an occurrence, and/or for breach of Professional duty arising out of the negligent acts, errors or omissions of the Licensee and/or its servants agents and employees. The endorsement and extension to the policy does not extend to negligent acts, errors or omissions of the Crown (and others above mentioned), and is limited to the amount shown in Item 14 of the Schedule for any one occurrence.’

#### 2.5 **Maintenance**

2.5.1 Throughout the term keep the licensed premises in good order and condition and the improvements (if any) on it in good order and condition having regard to their condition at the commencement date or, if constructed or added to the licensed premises after the commencement date, at the date of such construction or addition as the case may be and in particular but without restricting the generality of the foregoing will:-

2.5.1.1 Keep the licensed premises free of pest animals and weeds;

- 2.5.1.2 Remedy every default of which notice is given by the Licensor to the Licensee within a reasonable time specified in the notice but in any event the time specified in the notice will not be less than 14 days.

## **2.6 Fire Protection Works**

Undertake all fire protection works on the licensed premises required by law to the satisfaction of the Licensor and the responsible fire Authority

## **2.7 Condition at Termination**

On expiry or prior determination of this Licence return the licensed premises to the Licensor in good order and condition and otherwise in accordance with the Licensee's obligations.

## **2.8 Notice of Defects and other matters**

- 2.8.1 Give the Licensor prompt notice in writing of any accident to or defect in the licensed premises and of any circumstances likely to cause any damage risk or hazard to the licensed premises or any person on it;
- 2.8.2 Give to the Licensor within 7 days of its receipt by the Licensee a true copy of every notice, proposal or order given, issued or made in respect of the licensed premises and full details of the circumstances of it;
- 2.8.3 Without delay take all necessary steps to comply with any notice, proposal or order referred to in paragraph 2.8.2 with which the Licensee is required to comply; and
- 2.8.4 At the request of the Licensor make or join with the Licensor in making such objections or representations against or in respect of any notice, proposal or order referred to in paragraph 2.8.2 as the Licensor deems expedient.

## **2.9 Compliance with Law**

Comply at the Licensee's cost with the provisions of all statutes, regulations, local laws and by-laws relating to the licensed premises and all lawful orders or direction made under them;

## **2.10 Arrears and Interest**

- 2.10.1 Pay to the Licensor:-
- 2.10.1.1 on any moneys payable by the Licensee to the Licensor and outstanding for thirty (30) days or on any judgment for the Licensor in an action arising under the Licence, interest at the penalty rate of interest for the time being made payable under the **Penalty Interest Rates Act 1983** computed from the date the moneys or judgment became payable until all moneys (including interest on them) are paid in full;
- 2.10.1.2 on demand all the Licensor's legal costs and disbursements payable in respect of or in connection with any assignment of this Licence or under-licensing of the licensed premises, any surrender of this Licence, the giving of any consent by the Licensor or any failure by the Licensee to perform and observe this Licence, or any deed or other document executed in connection with this Licence.

## **2.11 Further Conditions**

Comply with the Special Conditions (if any) contained in Item 16 of the Schedule.

# **3 Licensee's Obligations (Negative)**

The Licensee **Hereby Covenants** with the Licensor that during the term the Licensee will not -

## **3.1 Use of Licensed premises**

Use the licensed premises for any purpose other than the specified purpose referred to in Item 13 of the Schedule without first obtaining the Licensor's written consent which can be given or withheld at the absolute discretion of the Licensor or be given subject to conditions.

## **3.2 Create nuisance**

Do nor cause or permit to be done anything which constitutes an actionable nuisance, annoyance or disturbance to other persons lawfully entitled to use the licensed premises or to use any land in the vicinity or to occupiers of properties adjoining the licensed premises.

## **3.3 Allow rubbish**

Permit any rubbish to accumulate in or about the licensed premises.

### **3.4 Hazardous Chemicals**

Keep any hazardous materials on the premises without the Licensor's written consent save a reasonable quantity of any hazardous material which is normally used in any specified purpose actually carried on in or upon the premises and which is kept in compliance with the requirements of any authority charged with regulating the keeping of it.

### **3.5 Assignment**

Without first obtaining the written consent of the Licensor assign, under-license, mortgage, or charge this Licence or part with or share possession of the licensed premises or any part of it.

### **3.6 Licensor's Entry**

3.6.1 Prevent, attempt to prevent or in any other way hinder, obstruct or permit the hindrance or obstruction of the Licensor or the Licensor's employee or agent at any time from entering and remaining on the licensed premises either with or without motor vehicles or other equipment for any purpose and in particular, but without restricting the generality of the foregoing, for any of the following purposes:-

- 3.6.1.1 retaking or attempting to retake possession of the licensed premises;
- 3.6.1.2 inspection; or
- 3.6.1.3 any other lawful purpose.

### **3.7 Void insurance**

Do or allow anything to be done which might result in any insurances relating to the licensed premises becoming void or voidable or which might increase the premium on any insurance.

### **3.8 Erection of Improvements**

Erect or permit the erection of any improvement on the licensed premises without the Licensor's prior written approval, which can be given or withheld at the absolute discretion of the Licensor or be given subject to conditions.

## **4 General Conditions**

### **4.1 Termination upon Default**

If the Licensor is satisfied, after giving the Licensee a reasonable opportunity to be heard, that the licensee has failed to comply with any terms or conditions of the licence, the Licensor may, by notice published in the Government Gazette, declare that the licence is cancelled, and upon cancellation the licensee will not be entitled to any compensation whatsoever.

### **4.2 Termination without Default**

- 4.2.1 In addition to and not in substitution for the power to cancel this Licence under clause 4.1, the Licensor may with the approval of the Minister by giving to the Licensee at least 30 days written notice to that effect cancel this Licence upon a date to be specified in that notice notwithstanding that there has been no breach by the Licensee of any term or condition of this Licence.
- 4.2.2 If the licence is terminated under this clause the Licensee is entitled to receive and will be paid by the Licensor a refund of an amount of the licence fee paid.
- 4.2.3 The amount of refund will be determined by the Licensor on a pro rata basis, taking into account any period of the licence remaining at the date of cancellation.
- 4.2.4 Except as provided in sub clause 4.2.2 above no compensation is payable in respect of the cancellation of the licence

### **4.3 Ownership of Improvements**

The Licensee acknowledges that all buildings and structures on the licensed premises at the date of commencement of this Licence and all new structural works (except for any Licensee's trade fixtures or fittings) and any additions or modifications to the existing or new buildings and structures carried out during the term of this Licence are and remain the property of the Licensor.

#### **4.4 Licensee's Chattels**

- 4.4.1 Except as provided in sub-clause 4.4.3 the Licensee's chattels shall remain the property of the Licensee.
- 4.4.2 On the cancellation or expiration of the Licence the Licensee must, within a period of time specified by the Licensor, remove all Licensee's chattels from the licensed premises and forthwith make good all damage caused to the licensed premises by the affixing, retention or removal of Licensee's chattels to the satisfaction of the Licensor.
- 4.4.3 If the Licensee's chattels are not removed at the end of the period of time specified under sub-clause 4.4.2, the Licensee's chattels shall become the property of the Licensor.

#### **4.5 Licensor may remove and dispose of Licensee's chattels**

If the Licence expires, or is cancelled, the Licensor may at the end of the period of time specified under Clause 4.4.2 remove the Licensee's chattels and store them at the Licensee's expense without being liable to the Licensee for trespass, detinue, conversion or negligence. After storing them for at least one month, the Licensor may sell or dispose of them by auction, private sale, gift, distribution or otherwise and apply the net proceeds towards the payment of any moneys owed by the Licensee to the Licensor.

#### **4.6 Licensor's Agents**

Every act or thing to be done, decision to be made or document to be signed pursuant to this Licence by the Licensor and not required by law to be done, made or signed by the Licensor personally may be done made or signed by any person or class of person to whom such power has been delegated by the Licensor.

#### **4.7 Notices**

Any notice consent or demand or other communication to be served on or given to the Licensee by the Licensor under this Licence shall be deemed to have been duly served or given if it is in writing signed by the Licensor and delivered or sent by pre paid post to the Licensee's address set out in Item 4 of the Schedule or to the latest address stated by the Licensee in any written communication with the Licensor.

#### **4.8 Debt recovery**

All moneys payable by the Licensee to the Licensor under this Licence are recoverable from the Licensee as liquidated debts payable on demand.

#### **4.9 Additional Approvals**

If the Licensor is a Committee of Management or Trustees the approvals required in Conditions 3.1 and 3.8 shall be read to mean the Licensor and the Secretary or delegate.

### **5 Definitions**

Unless inconsistent with the context or subject matter each word or phrase defined in this clause has the same meaning when used elsewhere in the licence.

"**commencement date**" means the date described in Item 5 of the Schedule and is the first day of the term;

"**Crown**" means the Crown in right of the State of Victoria and includes the Licensor and each employee and agent of the Crown or the Secretary;

"**Department**" means the Department of Sustainability and Environment or its successor in law;

"**GST**" means a goods and services tax within the meaning of the *A New Tax System (Goods and Services Tax) Act 1999*.

"**hazardous chemical**" includes gas, inflammable liquid, explosive substance, pesticide, herbicide, fertilizer and other chemicals;

"**improvement**" includes building, dam, levee, channel, sign, permanent fence, or other structure and any addition to an existing improvement;

"**licensed premises**" means the land and structures described in Item 10 of the Schedule;

"**Licence fee**" means the licence fee described in Item 7 of the Schedule as varied during the term;

"**Licensee**" means the person named in Item 3 of the Schedule and includes the permitted assigns and successors in law to a Licensee;

"**Licensor**" means the Trustees or Committee of Management appointed by the Minister to manage the reserved land described in Item 9 of the Schedule or if there are no Trustees or Committee of Management means the Secretary to the Department of Sustainability and Environment or a person or class of person authorised by the Secretary to grant licences under Section 17B of the *Crown Land (Reserves) Act 1978*;

“**Minister**” means the Minister of the Crown for the time being administering the *Crown Land (Reserves) Act 1978*;

“**person**” includes a body corporate as well as an individual;

“**pest animals**” has the same meaning as in the *Catchment and Land Protection Act 1994*;

“**rates and taxes**” means all existing and future rates (including water by consumption and any special rates or levies) taxes, charges, tariffs, assessments, impositions and outgoings whatsoever now or at any time imposed, charged or assessed on or against the licensed premises or the Licensor or the Licensee or payable by the owner or occupier of the licensed premises;

“**schedule**” means the schedule to this Licence;

“**Secretary**” means The Secretary to the Department of Sustainability and Environment, the body corporate established under the *Conservation, Forests and Lands Act 1987*;

“**sign**” includes names, advertisements and notices;

“**soil**” includes gravel, stone, salt, guano, shell, sand, loam and brick earth;

“**term**” means the period of time set out in Item 6 of the Schedule, as and from the commencement date;

“**weeds**” include noxious weeds within the meaning of the *Catchment and Land Protection Act 1994*, and prescribed flora within the meaning of the *Flora and Fauna Guarantee Act 1988*;

“**writing**” includes typewriting, printing, photography, lithography and other modes of representing or reproducing words in a visible form and “written” has a corresponding meaning.

## **6 Interpretations**

6.1 A reference importing the singular includes the plural and vice versa.

6.2 The index and headings are included for ease of reference and do not alter the interpretation of this Licence.

6.3 If any day appointed or specified by this Licence falls on a Saturday, Sunday or a day appointed under the *Public Holidays Act 1993* as a holiday for the whole day the day so appointed or specified is deemed to be the first day succeeding the day appointed or specified which is not a Saturday, Sunday or day appointed as a holiday.

6.4 References to an Act of Parliament or a section or schedule of it shall be read as if the words “or any statutory modification or re-enactment thereof or substitution therefor” were added to the reference.

6.5 If the Licensee comprises more than one person, the covenants and agreements contained in this Licence shall be construed as having been entered into by, and are binding, both jointly and severally on all and each of the persons who constitute the Licensee.

6.6 References to clauses, sub-clauses and Items are references to clauses, sub-clauses and Items of this Licence respectively.

PLAN 'A'



**ATTACHMENT 5 - LICENCE – CRESWICK SOCCER CLUB**



# Hepburn Shire Council

## LICENCE

### CROWN LAND (RESERVES) ACT 1978

#### Section 17(2)

**THIS LICENCE** is granted by the Licensor to the Licensee and commences on the date set out in the Schedule.

In consideration of the payment of the licence fee and the conditions contained in this Licence, the Licensor or a person authorised by the Licensor, at the request of the Licensee HEREBY AUTHORISES the Licensee to use the licensed premises described in the Schedule for the specified purposes set out in the Schedule.

This Licence is subject to the provisions of the *Crown Land (Reserves) Act 1978* and Regulations thereunder, the licence conditions attached and any Statutory and other Special Conditions set out in the Schedule.

.....  
Licensor or Authorised person  
Aaron van Egmond, Chief Executive Officer  
On behalf of **Hepburn Shire Council**

Licensee – **Creswick Soccer Club**

**The Licensee hereby agrees to comply with the terms and conditions of this Licence**

.....  
President

.....  
Secretary

#### **NOTE:**

- |          |   |
|----------|---|
| <u>1</u> | <i>This Licence is an important document and should be stored in a secure and safe place. In the event of loss, a replacement fee will be charged.</i>                            |
| <u>2</u> | <i>The Licence is not valid until such time as the licence fee is received in full.</i>   |
| <u>3</u> | <i>Ministerial approval is not required as pursuant to an approved ORDER made under Section 17 (1) Crown Land (Reserves) Act 1978 Council may issue tenures for this Reserve.</i> |

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#### **PLAN**

## SCHEDULE

### ITEM

- 1 Licence Number: 200229CSC – 2013**
- 2 Licensor: Hepburn Shire Council ABN 76 845 763 535**
- 3 Licensee: Creswick Soccer Club**
- 4 Licensee's Address: P.O. Box 26 Creswick 3363**
- 5 Commencement Date: 1 April 2013**
- 6 Term: 6 months between 1 April 2013 - 30 September 2013**
- 7 Licence fee: \$750 + GST per annum**
- 8 Payable: In full by 31 May 2013**
- 9 Reservation description: Public Park and Recreation - Pt Crown allotment 35E Sec 48A**
  
- 10 Licensed premises: That part of the Reserve delineated on the attached Map marked "A" generally known as Doug Lindsay Reserve Oval and Doug Lindsay Reserve Netball Courts and includes the car parking**
- 11 Area: See Plan**
- 12 Powers under which licence granted: Section 17(2) Crown Land (Reserves) Act 1978**
- 13 Specified Purposes: Junior and Senior Soccer - including fixture games, training, fund raising and associated activities.**
- 14 Amount of Public Liability Insurance: Minimum cover of \$10,000,000**
- 15 Licensor Address: PO Box 21 Daylesford 3460**
- 16 Special Conditions:**
  - 16.1 This Licence is for the approved annual seasonal use of the Licensed Premises as follows:**
    - **Commencing – 1 April and ending on 30 September**
    - **For playing every second Sunday – subject to a list of dates being provided to the Licensor prior to the commencing date above**
    - **For training and ground preparation Monday to Friday between 4.00pm and 10pm.**  
**Refer also as provided in Special Condition 16.20**
    - **Function room facility - Sundays in line with home games.**

- **Change-room facility - Monday to Friday usage of soccer rooms between 4pm-10pm.**

- 16.2 The Licensee will provide to the Licensor by 30 September a report on any concerns, problems, strengths and or improvements to the Licensed Premises**
- 16.3 The Licensee will meet annually no later than 30 March with the Licensor's representative to review the previous season and discuss any matters to be addressed for the season ahead**
- 16.4 The Licensee will confirm in writing to the Licensor the name and contact details of its representative in the event any contact is necessary including for emergencies**
- 16.5 The Licensee is responsible to insure any and all chattels/contents/equipment it has on the Licensed Premises and any property of its members, officers, agents, invitees where applicable**
- 16.6 The Licensor will insure the Licensed Premises against losses at all times. The Licensee must note its obligation under Clause 3.7**
- 16.7 In addition to Clause 2.5 the Licensee will comply with any relevant maintenance policies of the Licensor**
- 16.8 The Licensee must not damage or deface the Licensed Premises. The Licensee is responsible in accordance with this Licence to repair or replace any part of the Licensed Premises defaced or damaged.**
- 16.9 The Licensee is responsible for the security of the Licensed Premises whilst in use.**
- 16.10 The Licensee is responsible for any flood lighting including operating costs, replacements, repairs and maintenance**
- 16.11 The Licensee must not injure, cut, remove any tree shrub or other similar living plant unless by way of routine pruning maintenance or for ensuring public safety, or in any other case, unless the prior written consent of the Licensor is first obtained**
- 16.12 The sale of any tobacco or tobacco related products on the licensed premises is prohibited**
- 16.13 The sale or consumption of any alcohol beverage on the Licensed Premises is prohibited unless in accordance with a licence or permit granted for the purpose by the appropriate authority**
- 16.14 For the sale of any food items the Licensee must hold an appropriate annual Food Act 1984 Certificate of Registration of a Food Premises**
- 16.15 The Licensee must have in place prior to the commencement of seasonal use and actively implement and comply with a Risk Management Plan (RMP). The RMP must be prepared having regard to:**
- a) a risk assessment conducted to identify, analyse and evaluate risks associated with the Licensed Premises and the Specified purpose;**

- b) risk management procedures providing for the Licensee to thoroughly inspect the surface of the oval and netball courts prior to any use to ensure the surface is safe, clear of all debris, holes and is generally in a reasonable and playable condition.
- c) any matters required by or guidelines of the Licensee's affiliated Association or governing body;
- d) the dimensions of the oval and netball courts, skill level of participants and or standard of competition; and
- e) any requirements of the Licensee's insurer.

- 16.16** Where the oval or netball court surface is deemed unsuitable for safe use the Licensee must postpone, modify or cancel use until such time as the surface or other condition is rectified.
- 16.17** A written record of inspections and the outcome of them must be kept and be available for inspection by the Licensor on demand.
- 16.18** A copy of the RMP must be lodged with the Licensor.
- 16.19** A failure to have a current RMP and appropriate procedures will be a default condition under this Licence
- 16.20** Despite the approved days and times provided in Special Condition 16.1 and pursuant to Clause 1 the Licensed Premises may be allocated by the Licensor for use by other Clubs, Associations, Groups or individuals as seen fit by the Licensor, at all times informing the Licensee.
- 16.21** The Licensee and Licensor must endeavour to resolve any disputes through negotiation. If a dispute cannot be resolved by negotiation after 90 days, the matter will be referred to an appropriate person for mediation and that person's written determination must be made within a further 60 days and will bind the parties.
- 16.22** The Licensee is responsible for electricity charges associated with use of the oval and netball courts.
- 16.23** The Licensee may not hire the licensed areas out to any groups
- 16.24** Any request for Capital works must include a written proposal including preliminary design plans, costings and confirmation of club contribution
- 16.25** Any additional bookings outside the times specified in 16.1 will incur an additional fee. These bookings must be provided to the Recreation Coordinator or other designated representative a minimum of two weeks prior. The same conditions in this licence will apply for these bookings.
- 16.26** The Licensee must ensure the facility is cleaned after use and all equipment/furniture is packed away. The Licensor or an agreed representative may inspect the facility following usage and if the facility is not clean charge the Licensee the cost of professional cleaning.
- 16.27** If required by the Licensor the Licensee must provide as much fridge, freezer, kitchen and bar space as needed, while balancing the needs of all users of the facility.

## LICENCE CONDITIONS

### 1 **Grant**

The rights conferred by this Licence are non-exclusive, do not create or confer upon the Licensee any tenancy or any estate or interest in or over the licensed premises or any part of it, and do not comprise or include any rights other than those granted or to which the Licensee is otherwise entitled by law.

### 2 **Licensee's Obligations (Positive)**

The Licensee **Hereby Covenants** with the Licensor that during the term the Licensee will:-

#### 2.1 **Licence fee**

Duly and punctually pay or cause to be paid the licence fee to the Licensor at the payment address shown in Item 15 of the Schedule or as advised by the Licensor from time to time on the days and in the manner provided in Item 8 of the Schedule without demand, deduction, set-off or abatement.

#### 2.2 **Rates and Taxes**

2.2.1 Duly and punctually pay as and when they respectively fall due all rates and taxes on the licensed premises.

2.2.2 If requested to do so by the Licensor, produce receipts to the Licensor evidencing payment of the rates and taxes.

2.2.3 Duly and punctually pay to the Licensor at the same time and in the same manner as the licence fee is payable to the Licensor (or as otherwise notified to the Licensee by the Licensor) under clause 2.1 above the amount of any GST payable on or in relation to this licence and/or the rent payable thereunder or that becomes payable by the Licensor during the period covered by the fee.

#### 2.3 **Indemnity**

Indemnify the Crown (includes the licensor) in respect of any claim or liability for property damage and/or injury or death of any person which arises directly or indirectly out of negligence, tort, contract, or breach of a statutory duty by the Licensee or any associated party consequential to the use or occupation of the licensed premises, including, but without restricting the generality of the foregoing, the pollution or contamination of land or water, and any costs, charges and expenses incurred in connection therewith.

#### 2.4 **Public Liability Insurance**

A public liability insurance policy over the premises (providing no less limit of indemnity for any one occurrence during the policy period than the amount shown at Item 14 of the Schedule), which is endorsed (as follows), to note:

<p>'the Committee of Management, the Crown in the right of the State of Victoria, the Secretary to the Department of Sustainability and Environment, its servants, agents and employees in respect to providing indemnity for personal injury and/or property damage caused by an occurrence, and/or for breach of Professional duty arising out of the negligent acts, errors or omissions of the Licensee and/or its servants agents and employees. The endorsement and extension to the policy does not extend to negligent acts, errors or omissions of the Crown (and others above mentioned), and is limited to the amount shown in Item 14 of the Schedule for any one occurrence.'</p>
--

#### 2.5 **Maintenance**

2.5.1 Throughout the term keep the licensed premises in good order and condition and the improvements (if any) on it in good order and condition having regard to their condition at the commencement date or, if constructed or added to the licensed premises after the commencement date, at the date of such construction or addition as the case may be and in particular but without restricting the generality of the foregoing will:-

2.5.1.1 Keep the licensed premises free of pest animals and weeds;

- 2.5.1.2 Remedy every default of which notice is given by the Licensor to the Licensee within a reasonable time specified in the notice but in any event the time specified in the notice will not be less than 14 days.

## **2.6 Fire Protection Works**

Undertake all fire protection works on the licensed premises required by law to the satisfaction of the Licensor and the responsible fire Authority

## **2.7 Condition at Termination**

On expiry or prior determination of this Licence return the licensed premises to the Licensor in good order and condition and otherwise in accordance with the Licensee's obligations.

## **2.8 Notice of Defects and other matters**

- 2.8.1 Give the Licensor prompt notice in writing of any accident to or defect in the licensed premises and of any circumstances likely to cause any damage risk or hazard to the licensed premises or any person on it;
- 2.8.2 Give to the Licensor within 7 days of its receipt by the Licensee a true copy of every notice, proposal or order given, issued or made in respect of the licensed premises and full details of the circumstances of it;
- 2.8.3 Without delay take all necessary steps to comply with any notice, proposal or order referred to in paragraph 2.8.2 with which the Licensee is required to comply; and
- 2.8.4 At the request of the Licensor make or join with the Licensor in making such objections or representations against or in respect of any notice, proposal or order referred to in paragraph 2.8.2 as the Licensor deems expedient.

## **2.9 Compliance with Law**

Comply at the Licensee's cost with the provisions of all statutes, regulations, local laws and by-laws relating to the licensed premises and all lawful orders or direction made under them;

## **2.10 Arrears and Interest**

- 2.10.1 Pay to the Licensor:-
- 2.10.1.1 on any moneys payable by the Licensee to the Licensor and outstanding for thirty (30) days or on any judgment for the Licensor in an action arising under the Licence, interest at the penalty rate of interest for the time being made payable under the **Penalty Interest Rates Act 1983** computed from the date the moneys or judgment became payable until all moneys (including interest on them) are paid in full;
- 2.10.1.2 on demand all the Licensor's legal costs and disbursements payable in respect of or in connection with any assignment of this Licence or under-licensing of the licensed premises, any surrender of this Licence, the giving of any consent by the Licensor or any failure by the Licensee to perform and observe this Licence, or any deed or other document executed in connection with this Licence.

## **2.11 Further Conditions**

Comply with the Special Conditions (if any) contained in Item 16 of the Schedule.

# **3 Licensee's Obligations (Negative)**

The Licensee **Hereby Covenants** with the Licensor that during the term the Licensee will not -

## **3.1 Use of Licensed premises**

Use the licensed premises for any purpose other than the specified purpose referred to in Item 13 of the Schedule without first obtaining the Licensor's written consent which can be given or withheld at the absolute discretion of the Licensor or be given subject to conditions.

## **3.2 Create nuisance**

Do nor cause or permit to be done anything which constitutes an actionable nuisance, annoyance or disturbance to other persons lawfully entitled to use the licensed premises or to use any land in the vicinity or to occupiers of properties adjoining the licensed premises.

## **3.3 Allow rubbish**

Permit any rubbish to accumulate in or about the licensed premises.

### **3.4 Hazardous Chemicals**

Keep any hazardous materials on the premises without the Licensor's written consent save a reasonable quantity of any hazardous material which is normally used in any specified purpose actually carried on in or upon the premises and which is kept in compliance with the requirements of any authority charged with regulating the keeping of it.

### **3.5 Assignment**

Without first obtaining the written consent of the Licensor assign, under-license, mortgage, or charge this Licence or part with or share possession of the licensed premises or any part of it.

### **3.6 Licensor's Entry**

3.6.1 Prevent, attempt to prevent or in any other way hinder, obstruct or permit the hindrance or obstruction of the Licensor or the Licensor's employee or agent at any time from entering and remaining on the licensed premises either with or without motor vehicles or other equipment for any purpose and in particular, but without restricting the generality of the foregoing, for any of the following purposes:-

- 3.6.1.1 retaking or attempting to retake possession of the licensed premises;
- 3.6.1.2 inspection; or
- 3.6.1.3 any other lawful purpose.

### **3.7 Void insurance**

Do or allow anything to be done which might result in any insurances relating to the licensed premises becoming void or voidable or which might increase the premium on any insurance.

### **3.8 Erection of Improvements**

Erect or permit the erection of any improvement on the licensed premises without the Licensor's prior written approval, which can be given or withheld at the absolute discretion of the Licensor or be given subject to conditions.

## **4 General Conditions**

### **4.1 Termination upon Default**

If the Licensor is satisfied, after giving the Licensee a reasonable opportunity to be heard, that the licensee has failed to comply with any terms or conditions of the licence, the Licensor may, by notice published in the Government Gazette, declare that the licence is cancelled, and upon cancellation the licensee will not be entitled to any compensation whatsoever.

### **4.2 Termination without Default**

- 4.2.1 In addition to and not in substitution for the power to cancel this Licence under clause 4.1, the Licensor may with the approval of the Minister by giving to the Licensee at least 30 days written notice to that effect cancel this Licence upon a date to be specified in that notice notwithstanding that there has been no breach by the Licensee of any term or condition of this Licence.
- 4.2.2 If the licence is terminated under this clause the Licensee is entitled to receive and will be paid by the Licensor a refund of an amount of the licence fee paid.
- 4.2.3 The amount of refund will be determined by the Licensor on a pro rata basis, taking into account any period of the licence remaining at the date of cancellation.
- 4.2.4 Except as provided in sub clause 4.2.2 above no compensation is payable in respect of the cancellation of the licence

### **4.3 Ownership of Improvements**

The Licensee acknowledges that all buildings and structures on the licensed premises at the date of commencement of this Licence and all new structural works (except for any Licensee's trade fixtures or fittings) and any additions or modifications to the existing or new buildings and structures carried out during the term of this Licence are and remain the property of the Licensor.



#### **4.4 Licensee's Chattels**

- 4.4.1 Except as provided in sub-clause 4.4.3 the Licensee's chattels shall remain the property of the Licensee.
- 4.4.2 On the cancellation or expiration of the Licence the Licensee must, within a period of time specified by the Licensor, remove all Licensee's chattels from the licensed premises and forthwith make good all damage caused to the licensed premises by the affixing, retention or removal of Licensee's chattels to the satisfaction of the Licensor.
- 4.4.3 If the Licensee's chattels are not removed at the end of the period of time specified under sub-clause 4.4.2, the Licensee's chattels shall become the property of the Licensor.

#### **4.5 Licensor may remove and dispose of Licensee's chattels**

If the Licence expires, or is cancelled, the Licensor may at the end of the period of time specified under Clause 4.4.2 remove the Licensee's chattels and store them at the Licensee's expense without being liable to the Licensee for trespass, detinue, conversion or negligence. After storing them for at least one month, the Licensor may sell or dispose of them by auction, private sale, gift, distribution or otherwise and apply the net proceeds towards the payment of any moneys owed by the Licensee to the Licensor.

#### **4.6 Licensor's Agents**

Every act or thing to be done, decision to be made or document to be signed pursuant to this Licence by the Licensor and not required by law to be done, made or signed by the Licensor personally may be done made or signed by any person or class of person to whom such power has been delegated by the Licensor.

#### **4.7 Notices**

Any notice consent or demand or other communication to be served on or given to the Licensee by the Licensor under this Licence shall be deemed to have been duly served or given if it is in writing signed by the Licensor and delivered or sent by pre paid post to the Licensee's address set out in Item 4 of the Schedule or to the latest address stated by the Licensee in any written communication with the Licensor.

#### **4.8 Debt recovery**

All moneys payable by the Licensee to the Licensor under this Licence are recoverable from the Licensee as liquidated debts payable on demand.

#### **4.9 Additional Approvals**

If the Licensor is a Committee of Management or Trustees the approvals required in Conditions 3.1 and 3.8 shall be read to mean the Licensor and the Secretary or delegate.

### **5 Definitions**

Unless inconsistent with the context or subject matter each word or phrase defined in this clause has the same meaning when used elsewhere in the licence.

"**commencement date**" means the date described in Item 5 of the Schedule and is the first day of the term;

"**Crown**" means the Crown in right of the State of Victoria and includes the Licensor and each employee and agent of the Crown or the Secretary;

"**Department**" means the Department of Sustainability and Environment or its successor in law;

"**GST**" means a goods and services tax within the meaning of the *A New Tax System (Goods and Services Tax) Act 1999*.

"**hazardous chemical**" includes gas, inflammable liquid, explosive substance, pesticide, herbicide, fertilizer and other chemicals;

"**improvement**" includes building, dam, levee, channel, sign, permanent fence, or other structure and any addition to an existing improvement;

"**licensed premises**" means the land and structures described in Item 10 of the Schedule;

"**Licence fee**" means the licence fee described in Item 7 of the Schedule as varied during the term;

"**Licensee**" means the person named in Item 3 of the Schedule and includes the permitted assigns and successors in law to a Licensee;

"**Licensor**" means the Trustees or Committee of Management appointed by the Minister to manage the reserved land described in Item 9 of the Schedule or if there are no Trustees or Committee of Management means the Secretary to the Department of Sustainability and Environment or a person or class of person authorised by the Secretary to grant licences under Section 17B of the *Crown Land (Reserves) Act 1978*;

“**Minister**” means the Minister of the Crown for the time being administering the *Crown Land (Reserves) Act 1978*;

"**person**" includes a body corporate as well as an individual;

“**pest animals**” has the same meaning as in the *Catchment and Land Protection Act 1994*;

"**rates and taxes**" means all existing and future rates (including water by consumption and any special rates or levies) taxes, charges, tariffs, assessments, impositions and outgoings whatsoever now or at any time imposed, charged or assessed on or against the licensed premises or the Licensor or the Licensee or payable by the owner or occupier of the licensed premises;

"**schedule**" means the schedule to this Licence;

"**Secretary**" means The Secretary to the Department of Sustainability and Environment, the body corporate established under the *Conservation, Forests and Lands Act 1987*;

“**sign**” includes names, advertisements and notices;

“**soil**” includes gravel, stone, salt, guano, shell, sand, loam and brick earth;

"**term**" means the period of time set out in Item 6 of the Schedule, as and from the commencement date;

“**weeds**” include noxious weeds within the meaning of the *Catchment and Land Protection Act 1994* , and prescribed flora within the meaning of the *Flora and Fauna Guarantee Act 1988*;

"**writing**" includes typewriting, printing, photography, lithography and other modes of representing or reproducing words in a visible form and "written" has a corresponding meaning.

## **6 Interpretations**

6.1 A reference importing the singular includes the plural and vice versa.

6.2 The index and headings are included for ease of reference and do not alter the interpretation of this Licence.

6.3 If any day appointed or specified by this Licence falls on a Saturday, Sunday or a day appointed under the *Public Holidays Act 1993* as a holiday for the whole day the day so appointed or specified is deemed to be the first day succeeding the day appointed or specified which is not a Saturday, Sunday or day appointed as a holiday.

6.4 References to an Act of Parliament or a section or schedule of it shall be read as if the words "or any statutory modification or re-enactment thereof or substitution therefor" were added to the reference.

6.5 If the Licensee comprises more than one person, the covenants and agreements contained in this Licence shall be construed as having been entered into by, and are binding, both jointly and severally on all and each of the persons who constitute the Licensee.

6.6 References to clauses, sub-clauses and Items are references to clauses, sub-clauses and Items of this Licence respectively.

PLAN 'A'



**10.5. COMMUNITY GRANTS ROUND TWO - 2012-2013  
GENERAL MANAGER COMMUNITY SERVICES**

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

**PURPOSE**

The purpose of this report is to recommend the allocation of Round Two 2012-2013 Community Grants.

**BACKGROUND**

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

Round Two 2012-2013 Community Grants opened on 30 January 2013 and closed on 8 March 2013. The availability of Community Grants was advertised in *The Advocate*, in local newsletters and on the Council's webpage. The Community Grants Program was also promoted through e-mail distribution lists.

Grants are available for Community Strengthening projects, Community Events, Arts and Culture projects, Small Equipment and Defibrillators.

A total of twenty eight (28) applications were received for this funding round. Applications were received from the following locations:

<b>Project Location</b>	<b>Number Received</b>
Bullarto	One
Clunes	Three
Creswick	Nine
Daylesford	Nine
Hepburn Springs	One
Smeaton	One
Trentham	Three
Shire-wide	One

## **ISSUE / DISCUSSION**

### **Round Two Allocations**

The 28 applications received were assessed by a representative of the Recreation Advisory Committee, a former member of the Culture and Arts Advisory Committee, Council's Events Coordinator and Manager Community Development. The Assessment Report, including funding recommendations is attached (refer Attachment 6).

Grant applications were assessed against the following criteria:

1. Description of project 10%
2. What will this project address? 25%
3. What will the project achieve? 25%
4. How will the project be implemented and who will be doing it? 20%
5. How will risk and safety issues associated with the project be assessed? 10%
6. Financial details – income and expenditure budget 10%

The recommended Community Grant allocation for Round 2 (2012-13) is \$20,160. A summary of projects and recommendations is attached (refer Attachment 6).

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

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

## **FINANCIAL IMPLICATIONS**

Council has allocated \$40,000 in the 2012-2013 budget for the Community Grants Program.

Grants to the value of \$20,474 were approved in Round One 2012-2013 however the Creswick Bowling Club subsequently advised that they had a defibrillator donated and no longer required the grant. The \$1,000 was not paid to the Bowling Club.

Total funding requested for Round Two community grants was \$35,095.

The balance of community grant funding to be allocated in Round Two 2012-2013 is \$20,526. The allocation of \$20,160 contributes to total project costs of \$170,968.

### **RISK IMPLICATIONS**

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

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

Community Grants support projects by volunteer community groups. The focus of these projects is to strengthen community resilience and connection.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Round Two 2012-2013 Community Grants were advertised in *The Advocate*, on Council's webpage, through community newsletters and email distribution lists.

### **CONCLUSION**

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

## OFFICER'S RECOMMENDATION

10.5.1 That Council awards the Community Grants for Round Two 2012-2013, as recommended to

<b>Organisation / Club / Group</b>	<b>Project Name</b>	<b>Recommended Amount</b>
Friends of Smeaton	Celebration 175 years of settlement of Smeaton	\$2,000
Spa Country Events Inc. Trading as Words in Winter	Supporting Words in Winter in Daylesford, Trentham, Creswick and Clunes	\$2,000
Daylesford & Region Ceramics Co Ltd AKA Clayspace	Create Permanent Space to House Weekly Clay-building Workshops	\$1,000
Clunes & District Agricultural Society	Upgrading PA system with an additional system for rotunda and wood splitting area	\$500
Daylesford Men's Shed Inc	Making Men's Shed & Toilet more suitable for Disabled Access	\$500
Creswick Neighbourhood Centre	Baby Capsule Hire Service	\$2,000
Daylesford & District Historical Society Inc	Archiving our History for Future Generations	\$1,500
Bald Hills - Creswick Landcare Group	Tools for Use for Land Care Projects	\$480
Creswick Museum	Exhibition to portray contribution Chinese had on local area. Mixture of artefacts, storyboards and artworks	\$2,000
Clunes Men Shed	Connect mends shed for lights, ventilation and power points	\$2,000

<b>Organisation / Club / Group</b>	<b>Project Name</b>	<b>Recommended Amount</b>
Friends of Creswick's Park Lake Botanical Reserve	Repairs to public seating	\$400
Clunes Tourist & Development Assoc - Clunes Ceramic Award	Clunes Ceramic Award Exhibition	\$1,000
Trentham Public Purpose Reserves COM	Purchase of a brush-cutter to cut native grasses, remove weeds and control non-indigenous vegetation	\$500
Rotary Club of Daylesford	Repair and re-paint seats on the Peace Mile walk	\$2,000
Acoustic Sessions	Daylesford Spring Folk Blues Fest	\$1,000
Daylesford & District Food Aid	Purchase of anti-fatigue rubber matting for volunteer use and compost timber for sustainable recycling of organic matter	\$280
Bullarto Primary School Council	CD Player / Ipod	\$500
Daylesford Community Theatre Inc.	Purchase and installation of exit lights and LED lighting for the theatre	\$500



## MOTION

10.5.1. *That Council awards the Community Grants for Round Two 2012-2013, as recommended to:*

<b>Organisation / Club / Group</b>	<b>Project Name</b>	<b>Recommended Amount</b>
Friends of Smeaton	Celebration 175 years of settlement of Smeaton	\$2,000
Spa Country Events Inc. Trading as Words in Winter	Supporting Words in Winter in Daylesford, Trentham, Creswick and Clunes	\$2,000
Daylesford & Region Ceramics Co Ltd AKA Clayspace	Create Permanent Space to House Weekly Clay-building Workshops	\$1,000
Clunes & District Agricultural Society	Upgrading PA system with an additional system for rotunda and wood splitting area	\$500
Daylesford Men's Shed Inc	Making Men's Shed & Toilet more suitable for Disabled Access	\$500
Creswick Neighbourhood Centre	Baby Capsule Hire Service	\$2,000
Daylesford & District Historical Society Inc	Archiving our History for Future Generations	\$1,500
Bald Hills - Creswick Landcare Group	Tools for Use for Land Care Projects	\$480
Creswick Museum	Exhibition to portray contribution Chinese had on local area. Mixture of artefacts, storyboards and artworks	\$2,000
Clunes Men Shed	Connect mends shed for lights, ventilation and power points	\$2,000

<b>Organisation / Club / Group</b>	<b>Project Name</b>	<b>Recommended Amount</b>
Friends of Creswick's Park Lake Botanical Reserve	Repairs to public seating	\$400
Clunes Tourist & Development Assoc - Clunes Ceramic Award	Clunes Ceramic Award Exhibition	\$1,000
Trentham Public Purpose Reserves COM	Purchase of a brush-cutter to cut native grasses, remove weeds and control non-indigenous vegetation	\$500
Rotary Club of Daylesford	Repair and re-paint seats on the Peace Mile walk	\$2,000
Acoustic Sessions	Daylesford Spring Folk Blues Fest	\$1,000
Daylesford & District Food Aid	Purchase of anti-fatigue rubber matting for volunteer use and compost timber for sustainable recycling of organic matter	\$280
Bullarto Primary School Council	CD Player / Ipod	\$500
Daylesford Community Theatre Inc.	Purchase and installation of exit lights and LED lighting for the theatre	\$500

**Moved:** Councillor Greg May  
**Seconded:** Councillor Pierre Niclas  
**Carried.**

**ATTACHMENT 6 - COMMUNITY GRANTS ROUND TWO 2012-2013  
SUMMARY OF PROJECT AND RECOMMENDATIONS**

Organisation / Club / Group	Grant Type:	Project Name	Project Description	Average Score	Recommended Amount	Total Project Cost	Comment
Friends of Smeaton	Community Event	Celebration 175 years of settlement of Smeaton	25 March 2013 Smeaton will be 175 years old. New group - Friends of Smeaton are planning to celebrate this event 5 & 6 October 2013. Planning involves display vintage steam engines, steam agricultural machinery & vintage motor vehicles of the era as well as other tours 'hop on hop off' Mill, Cemetery etc. Walking Tour etc.	82.3	\$ 2,000	\$ 21,750	Great event, large amount of community support. Potential to fund through 4 seasons project
Spa Country Events Inc. Trading as Words in Winter	Arts & Culture	Words in Winter	Is Festival of stories, literature, poetry, talks, songs, plays & words in all forms. Spans across the whole shire & beyond - Newstead & Maryborough. Words In Winter runs in August every year across each town.	78.5	\$ 2,000	\$ 13,190	Whole community event - condition that it is a once off grant. Got funding last year.
Daylesford & Region Ceramics Co Ltd AKA Clayspace	Arts & Culture	Create Permanent Space to House Weekly Claybuilding Workshops	Install permanent workshop space for weekly clay building workshops open to community. Need to store & supply tables, chairs, storage shelves, kiln glazes etc., for attendees as required.	74.3	\$ 1,000	\$ 6,775	Part contribution to project due to limited membership numbers
Clunes & District Agricultural Society	Small Equipment	Small Arena PA Addition	Society plans to continue systematic upgrades to PA systems. Additional system required for wood splitting area & Rotunda areas. Designed for multipurpose use eg., portable.	73.8	\$ 500	\$ 755	Support for long-running community event. Good application.
Daylesford Men's Shed Inc	Small Equipment	Making Men's Shed & Toilet more suitable for Disabled Access	Shed incorporates internal toilet. Design allowed for access for disabled, including wheelchair. Additional Rails & Fittings required & purchase of 2-4 bridge chairs & installation concrete landings at entrance for proper access. Hepburn Health Occupational Therapist advised.	73.8	\$ 500	\$ 1,061	Good application for a deserving project. Seen as priority number 1 over other application.
Acoustic Sessions	Arts & Culture	Daylesford Spring Folk Blues Fest	Provide entertainment & workshops to residents, local youths & aspiring mature age musicians. To be inclusive of disabled musicians in 2013. Aim of project to establish Festival as viable ongoing cultural event in Shire.	73.0	\$ 1,000	\$ 10,168	Part funding - due to event being funded previously. Last time this event will be considered for funding.
Creswick Neighbourhood Centre	Community Strengthening	Baby Capsule Hire Service	Centre has managed baby capsule hire service on behalf of HSC. Capsules need replacing due to safety concerns & Council not receive funding any longer. Happy to continue but need to replace capsules. Bookings for hire b/t 5-10 a year. Program supported by maternal child health.	70.5	\$ 2,000	\$ 2,543	Shire wide use, only place to access these in the Shire. Need to become self funding.
Daylesford & District Historical Society Inc	Arts & Culture	Archiving our History for Future Generations	Society has large quantity of documents, artefacts that have not been seen or studied. Documents / Artefact will be protected with archival sleeves, bags, boxes etc. Items to be identified & catalogued for researchers, public etc.	69.8	\$ 1,500	\$ 13,180	Good project as Historical Society funded last round, part funding has been recommended.

Bald Hills - Creswick Landcare Group	Small Equipment	Tools for Use for Land Care Projects	Development Australian Native Garden & Walking Paths. To be planted with Victorian trees & shrubs. Working bees to remove & clear re-growth of unwanted plants & weeds.	69.3	\$ 480	\$ 480	Small amount of funding for a group who works across a number of areas in Creswick and District. Other equipment available in Creswick doesn't meet their needs.
Creswick Museum	Arts & Culture	Spirit of China in Creswick	Exhibition to portray contribution Chinese had on our area, in particular Chinese at Black Lead Chinese Camp. Exhibition mixture of artefacts, storyboards & artworks.	68.8	\$ 2,000	\$ 11,668	Strong application, has been funded previously however panel saw as a good project.
Trentham Public Purpose Reserves COM	Small Equipment	Trentham Public Purpose Reserves - Maintenance	Purchase heavy duty brushcutter to cut native grasses, remove weeds & generally control non indigenous vegetation at the Stoney Creek Reserve in Trentham. Since 2008 it has been changed from weed infested area to now becoming significant & attractive recreation space (walking, cycling & passive activities)	68.0	\$ 500	\$ 500	Worthwhile application for small amount of funding. Ned to clarify where the equipment will be stored.
Clunes Men Shed	Comm Strengthening	Mens Shed Power	Complete previous works where electricity brought onsite & to connect to Mens Shed for lights, ventilation & power points.	67.8	\$ 2,000	\$ 6,352	Good application for a high need project.
Rotary Club of Daylesford	Community Strengthening	Peace Mile Refurbishment	As part of Rotary international Peace through Service objective, Rotary Club to implement a number of community based events to promote Peace & link this theme to centenary commemoration of commencement of WW1 (2014). Events to focus around ANZAC 2013 & 2014.	66.8	\$ 2,000	\$ 9,500	Good application for a very well utilised public space
Daylesford Community Theatre Inc.	Arts & Culture	Daylesford Community Theatre Inc	Not-for-profit community cinema/theatre run by volunteers & available to the local community & tourists. Stage & Dressing Room will be available for live performances, special consideration to local groups. On going approach by network of crisis-management groups to utilise venue.	66.5	\$ 500	\$ 55,051	Application really only for small equipment, exit lighting and lights on stairs. Part funding of \$500 recommended.
Friends of Creswick's Park Lake Botanical Reserve	Small Equipment	Repairs to public seating	To replace rotting timber on public seating at Park Lake, Creswick	66.3	\$ 400	\$ 438	Well utilised public facility and a strong application.
Bullarto Primary School Council	Small Equipment	CD Player / Ipod	School Council volunteers time to fundraise for school. Purchase of CD player & Apple Ipod Classic would assist with fundraising.	66.0	\$ 500	\$ 727	Small Primary School, limited means to raise funds.
Clunes Tourist & Development Assoc - Clunes Ceramic Award	Community Event	Clunes Ceramic Award Exhibition	Is acquisitive award of \$5000., for winning entry for 2013 & becomes part of permanent collection Castlemaine Art Gallery. Historic town of Clunes, home of international Back to Booktown launched ceramic award. \$1500 - People's Choice Award.	65.8	\$ 1,000	\$ 16,000	Partial funding - \$1,000, funding is for media and wasn't seen to be suitable of full funding.
Daylesford & District Food Aid	Small Equipment	Anti Fatigue & Composting	Purchase anti-fatigue for volunteer use. Purchase compost tumber for sustainable recycling of organic matter.	65.5	\$ 280	\$ 560	Small funding amount for a good community project. Group submitting own funding.
Total Funding Recommended					\$ 20,160	\$ 170,698	

Unsuccessful

Mt Prospect District Tennis Assoc Inc	Small Equipment	Supply & Installation - Mains Connected Drinking Water Fountain	Assist to purchase & install commercial grade chilled & filtered drinking water fountain for installation within Mt Prospect Tennis Assoc., clubhouse. Available to all who use clubrooms. Will reduce reliance on sugary soft drinks & promote importance of good hydration during sporting activities.	65.0	\$ 500	\$ 1,650	Well written application, however not as strong a need as other projects. Received funding last round.
Trentham Community Groups Forum	Community Strengthening	Trentham Community Groups Forum - Incorporation	Costs for incorporation, public liability insurance, media liaison & venue hire for existing broad based coalition of community groups. Will provide opportunity to seek broader membership of the FORUM.	63.3	\$ 2,000	\$ 3,500	Not seen as appropriate use of funds to pay for insurance and incorporation costs through Community Grants. Insurance in particular is an on-going operating expense.
Hepburn Springs Golf Club	Community Strengthening	Hepburn Springs Golf Club Junior Golf Program	Wants to introduce children to golf as a game they can play for life. It is fun & promotes fitness with low risk injuries. We have adopted Golf Australia's MYGolf junior program for instruction for novice through to skilled players. Encourage junior membership.	63.5	\$ 2,020	\$ 5,630	Strong submission, however seen as a funding requirement of Golf Victoria. Concern around funding one sporting program such as this can lead to a number of them.
Friends of Town Hall; partnered by Creswick-Smeaton RSL sub-branch	Community Strengthening	Crockery & Cutlery for Creswick Town Hall	Would like to commence Stage 2. Provision of crockery & cutlery will improve functionality of Town Hall for events where food is served. Seen as start of 2nd Stage.	63.5	\$ 1,725	\$ 2,025	Not a Community Strengthening activity. Funding solely for crockery and cutlery which was not seen as a high need.
Riding for Disabled Daylesford Centre	Community Strengthening	Daylesford RDA Central Zone Trail Ride	Trail ride & picnic for 24 riding for disabled assoc., Victoria registered riders & accompanying volunteers - 5 different locations - using Boomerang Ranch horses.	63.0	\$ 840	\$ 3,630	Great idea, however it is a once off event with limited long term value.
Daylesford Men's Shed Inc	Defibrillator	Defibrillator for Men's Shed	Men's Shed provides community based support mainly for men over 50 years. Demographic is accepted as being most likely to suffer cardiac arrest.	62.5	\$ 1,000	\$ 2,800	Good application, however funding received for other project.
Creswick & District Historical Society	Arts & Culture	Lets Stroll Around Historic Creswick	For printing of soft-cover 28 page pocket guide - 1st edition of Walking Guide to Historical Sites in Creswick. Volunteers Creswick Historical Society written & compiled monograph which contains narrative of history of Creswick.	62.0	\$ 1,500	\$ 3,349	Concern that a 28 page walking book may not be the most appropriate method for tourists, recommend Tourism and Eco Dev to assist in development.
Daylesford Neighbourhood Centre	Small Equipment	Cabinet for Defibrillation	DNC has received donation of Defibrillation Unit. To enable easy access DNC want to keep in purpose built cabinet providing immediate access & deter misuse or theft.	50.3	\$ 500	\$ 698	Application lacked detail
Steering Committee - Creating Cohesive Creswick	Community Strengthening	Creating Cohesive Creswick	Design & construct a flexible, relocatable new space in Creswick. Aim: to become catalyst for building sustainable community. Venue to facilitate between community groups, organisations, individuals and Govt bodies.	50.3	\$ 2,000	\$ 7,750	Greater clarity needed in the application. It doesn't clearly describe the project to be undertaken. Council Officers to assist in further developing the project.

Trentham Words in Winter Committee	Arts & Culture	Trentham Words in Winter	Have organized number of events for weekend 16/8-18/8/2013. Events include film night, history writing workshops, cryptic crossword workshop, bush poetry etc.	29.3	\$ 1,850	\$ 14,340	Words in Winter received funding through Shire wide grant.
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## **10.6. CLUNES COMMUNITY INTERPRETIVE CENTRE PROGRESS REPORT GENERAL MANAGER COMMUNITY SERVICES**

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

### **PURPOSE**

The purpose of this report is to provide Council with a progress report about the Clunes Community and Interpretive Centre (CCIC) project for the following reporting period:

**Reporting Period: 9 March 2013 - 5 April 2013**

### **BACKGROUND**

This is a great project for the township of Clunes, Hepburn Shire and the region. It will deliver enhanced services to the community and encourage increased economic activity in Clunes and surrounding communities.

The building will be created through the redevelopment and expansion of the existing Clunes Museum building, which once completed will incorporate the Clunes Library, the Clunes Museum, visitor information services and community activity and exhibition spaces.

Key focuses of the project over the next six months are the construction of the facility, ongoing engagement and consultation with the Clunes community and stakeholders, planning for the operation of the facility, relocation of the library to the new facility.

Nicholson Construction Pty Ltd (Nicholson Construction) was awarded the tender to construct the Clunes Community Interpretive Centre at the Ordinary Council meeting on 18 September 2012.

### **ISSUE / DISCUSSION**

#### **PROGRESS DURING REPORTING PERIOD**

##### **Construction**

- Internal walls to bottom floor installed in the refurbished area (existing building)
- Installation of all structural steel complete for Areas 1, 2 & 3.
- Installation of timber floor complete in Area 2.
- Internal & external timber framing being constructed in the new building.
- Stables treatment (installing new weatherboard and flashing) in progress.



- Blockwork is being laid for external walls.

Final costings for treatment adjacent to the stable have been confirmed. Deletion of rendering of the west wall, previously reported, has been withdrawn from the variations/deductions. The proposal to utilise red bricks would be more expensive than block work for rendering as originally tendered, so this has not proceeded. Replacement of copper roof treatment with alternative material is under consideration for final cost/benefit.

Powercor augmentation works have been delayed until immediately after the Back to Book Town event.

### Administration, Funding and Reporting

#### Budget

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Design Phase	\$307,000	\$228,126	\$215,562
Construction Phase	\$2,401,000	\$2,452,050	\$2,352,289
Other (including multi-media & fit out).	\$351,000	\$428,824	\$128,582
<b>Total</b>	<b>\$3,059,000</b>	<b>\$3,109,000</b>	<b>\$2,696,308</b>

- Note a further \$50,000 Living Libraries grant has been received, increasing the total budget

#### Design Phase Budget - Progress and Variations

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Contract	\$200,000	\$198,800	\$198,800
Contingency	\$107,000	\$21,200	\$8,636
Tender	-	\$8,126	\$8,126
<b>Total</b>	<b>\$307,000</b>	<b>\$228,126</b>	<b>\$215,562</b>

#### Construction Phase Budget - Progress and Variations

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Contract	\$2,276,000	\$2,298,709	\$2,298,709
Contingency	\$113,000	\$62,341	-
Electricity supply	-	\$50,000	\$13,544
Tender	-	\$1,000	\$718

Sewer	\$12,000	\$40,000	\$39,318
Total	\$2,401,000	\$2,452,050	\$2,352,389

## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

We will create healthier, safer more vibrant communities.

## FINANCIAL IMPLICATIONS

The Clunes Community and Interpretive Centre development has been made possible through funding contributions from the Federal Government Regional Development Australia Fund, the Victorian State Government Living Libraries program, Hepburn Shire Council and the Clunes Museum.

The cost of electrical works in Collins Place to connect the Clunes Community and Interpretive Centre to the augmented power supply has been quoted by the contractor and is \$25,795. Total electricity supply costs will be \$39,339, which is \$10,661 less than budgeted.

A summary of variations received to date and status is below.

Variations	Cost (ex-GST)	Status
Energy Monitoring	- \$19,750	Approved
Latent conditions to skillion	+ \$17,302	Approved
Removal of foundations of old toilet block	+ \$8,000 (approximately - figure to be confirmed)	Recommended
Removal of foundations, concrete upstand and additional concrete works	+ \$11,397	Recommended
Replace first floor	+ \$19,895	Recommended
Delete glass floor panels	- \$3,000	Recommended
Reduced timber studs	-\$4,393	Recommended
Reduced sump at lift	-\$181	Recommended
Treatment to stable wall – foundations and weatherboards	+ \$10,992	Recommended
Copper roofing	- \$14,200	Recommended

Alternative to copper roofing	+ To be advised.	Assessing
Additional columns 89x89x3	+ \$1,320	Approved
Additional blinding concrete	+ \$1,188	Assessing
Change stair nosing from 20mm to 50mm	+ \$1,156	Assessing
Modification to downpipe at old to new building interface	+ \$1,441	Assessing

These variations will, if all approved, leave a contingency balance of \$31,174. Variations will continue to be closely monitored.

### RISK IMPLICATIONS

The following summarises the key risks and actions taken during the reporting period in relation to the project.

Key Risks	Controls Implemented	Additional Controls / Next Steps
Potential injuries to workers and the public resulting from renovation works.	Ongoing monitoring against the Site Safety Plan by Senior Project Engineer. Non-compliances have been advised to site superintendent and corrective actions taken.	Continue to monitor safety plan.
The community is not involved in decision making in relation to operation of the facility and therefore does not embrace and use the facility.	Engagement with the Community Reference Group and key users of the new building has commenced and is continuing in relation to the operation, governance and fit out of the building. Working group is meeting regularly to update business plan and fit out requirements. Budget has been included in 2013-2014 draft papers.	Fit out requirements to be finalised and purchased in advance of building completion.
Construction is delayed resulting in delays in opening the facility and community dissatisfaction with council's project management.	Regular progress reviews with builders. Detailed project timeline is updated every three weeks and circulated to Project Control Group. Senior Project Engineer monitors progress against timelines and reports any issues to the Project Control Group.	Continue to monitor timelines.

Key Risks	Controls Implemented	Additional Controls / Next Steps
Variations in construction costs result in budget being exceeded.	Regular contractor meetings to discuss progress and variations. Variations need to be advised to the project manager in advance of them being undertaken and detail provided to support claims.	Continue regular contractor meetings.

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

Nicholson's have provided the following report against social procurement targets for end March:

*Use of staff from local area* - Utilised 80% of trades from the Ballarat and outlying areas to complete works.

*Level of local content* - 20% local content. Trades working to date - carpentry, concrete, structural steel, hydraulic, electrical.

*Expenditure in local businesses and use of local tradespeople and suppliers* - Local shops providing food & drink. Local trades have expressed interest which are evaluated on a case by case basis. Local accommodation has been utilised during structural steel installation stage.

*Work experience placements:* Nicholson's have an existing work experience program and would gladly open this to local young people.

*Number of apprentices employed:* Nicholson's employ three apprentices

Old glass bottles and clay jars have been unearthed from excavations and are currently securely stored on site, pending decision about future location.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The Community Reference Group met on 25 March 2013.

### **CONCLUSION**

This report provides Council with an update on progress of the Clunes Community and Interpretive Centre project for the reporting period 9 March – 5 April 2013.

## **OFFICER'S RECOMMENDATION**

10.6.1 That Council receives and notes the progress report for the period 9 March – 5 April 2013.

## **MOTION**

*10.6.1. That Council receives and notes the progress report for the period 9 March - 5 April 2013.*

**Moved:** Councillor Neil Newitt  
**Seconded:** Councillor Pierre Niclas  
**Carried.**

## **10.7. APPLICATION TO ISSUE B-DOUBLE PERMIT – WHEELIE WASTE – AJAX ROAD, DAYLESFORD**

### **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**

The purpose of this report is for Council to consider the issuing of a B-Double permit to use Fulcher Street and Ajax Road, Daylesford to access the Materials Recycling Facility.

### **BACKGROUND**

Council awarded the Contract H411-2013 for the Operation of the Recycling and Sorting Transfer Facility to Wheelie Waste. Wheelie Waste has proposed in its tender to use a B-double walking floor truck and a semi trailer walking floor truck to transport received recyclables to a large metropolitan sorting facility. The number of trips is expected to be between 1 and 2 per week. To allow the use of a B-Double requires Council to issue a B-Double permit.

### **ISSUE / DISCUSSION**

Wheelie Waste is seeking a B-Double permit for the first 500 metres of Fulcher Street and Ajax Road from the Midland Highway to the entry of the Materials Recycling Facility (MRF). The hours of operation sought are from 6 am to 6 pm which correspond to the hours that the kerbside collection trucks are permitted to operate in residential areas. The times sought by Wheelie Waste are to allow logistical connections between the kerbside collection service and transporting of collected recyclables.

The turning movements from the Midland Highway into Fulcher Street have been checked to ensure the intersection is able to accommodate the turning movements of a B-Double truck.

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

Council's Freight Strategy 2012 provides a framework for the consideration of issues relating to heavy vehicle movements around the Shire. The Strategy does not list Ajax Road as a B-Double route as the strategy did not foresee the proposed change in operation of the MRF and the requirement for B-Double access.

## **FINANCIAL IMPLICATIONS**

There are no expected financial implications from issuing a B-Doubled permit as the number of B-Double loads leaving the MRF is anticipated to be only 1 or 2 per week and the alternative of using a semi trailer would provide similar traffic loads to the road pavement.

## **RISK IMPLICATIONS**

Fulcher Street and Ajax Road are currently being used by truck and trailer combinations to service the transfer station and the use by B-Doubles for 1 to 2 loads per week is not expected to change the risks for road users.

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

The transfer station currently generates a significant number of vehicle trips from the Midland Highway using Fulcher Street and Ajax Road and a number of truck and trailer movements each week to transport waste and recyclables from the transfer station. The use of a B-Double to transport recyclable material from the MRF will reduce the number of truck trips in comparison to the use of a semi trailer. The use of B-Doubles is an efficiency measure by the contractor and the transport industry acknowledges that a B-Double uses less fuel per tonne of freight than a semi trailer, therefore is cheaper to operate and produces less greenhouse gas.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

This permit request will effectively continue the existing use of the MRF and is not expected to create any changes to the current amenity of the residents in Fulcher Street and Ajax Road.

## **CONCLUSION**

Wheelie Waste is seeking a permit to operate a B-Double to transport collected recyclables from the MRF to a metropolitan processing facility. It is recommended that the permit be issued for one year which is the initial term of the contract, to operate the MRF, for use of Fulcher Street and Ajax Road from Midland Highway between 6.00 am to 6.00 pm.

## **OFFICER'S RECOMMENDATION**

10.7.1 That Council consents to the issue of a permit to Wheelie Waste to operate B-Doubles for a period of 12 months from 17 April 2013 to 16 April 2014 subject to the following conditions:

- Hours of operation 6.00 am to 6.00 pm;
- The use of compression brakes to be avoided.

## MOTION

10.7.1. *That Council consents to the issue of a permit to Wheelie Waste to operate B-Doubles for a period of 12 months from 17 April 2013 to 16 April 2014 subject to the following conditions:*

- *Hours of operation 6.00 am to 6.00 pm;*
- *The use of compression brakes to be avoided.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Sebastian Klein

**Carried.**



## **10.8. ADOPTION OF REVISED ASSET MANAGEMENT POLICY 15 (C) 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**

The purpose of this report is to present the revised Asset Management Policy for adoption.

### **BACKGROUND**

The existing Asset Management Policy has been recently reviewed by the Services and Assets Working Group. This review sought to simplify the policy and provide a clear direction for the implementation of Council's Asset Management Strategy and Asset Management Plans. The policy provides direction for implementing consistent asset management processes throughout Council and has been prepared to assist Councillors and staff in making decisions for the long-term sustainable management of Council assets including developing long term financial plans.

### **ISSUE / DISCUSSION**

The Municipal Association of Victoria (MAV), through its Regional Asset Management program, has been assisting Victorian Councils to understand and implement best practice asset management in line with federally developed National Sustainability Frameworks.

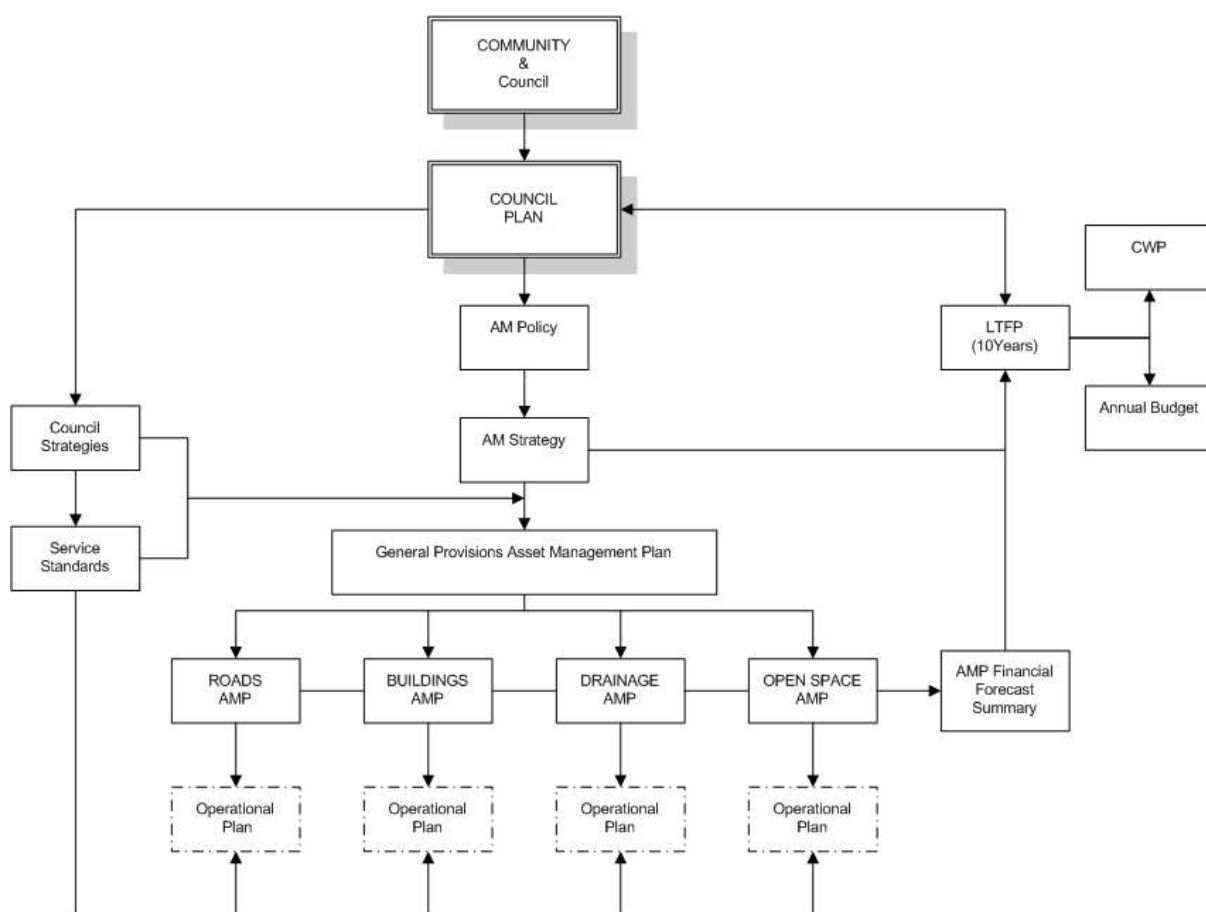
A National Asset Management Assessment Framework (NAMAF) has been developed to enable councils to assess the maturity of their management approach against the requirements of the National Sustainability Frameworks.

The policy update has also responded to the NAMAF. The NAMAF's aim is to synchronise and simplify the path towards effective asset management and ultimately to improve the processes by which Council manages all of its assets.

Council has a Services Asset Working Group (SAWG) with officer representatives from key areas of Council's operations. The SAWG has reviewed Council's asset maturity against the best practice requirements of the NAMAF and identified a number of improvement opportunities; one of which is to review the asset management policy against industry best practice requirements measured by the NAMAF. The SAWG has reviewed Council's existing *Policy 15(C) Asset Management Policy* to meet the best practice

requirements measured by the NAMAFA. While significant additions have been made, the intent of the policy remains largely unchanged.

The following diagram indicates how the Asset Management policy relates to the Council Plan and how the policy applies to all Council owned or managed assets and provides direction and decision framework for Council and staff involved in service delivery.



## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2009-2013:

22. Requiring Council Management to prepare policies and protocols which support transparent decision making.

## FINANCIAL IMPLICATIONS

There are no direct financial implications in the adoption of this policy as the intent of the revised policy remains largely unchanged. The policy provides direction for the management of Council's assets through Asset Management Plans which provide forecasts for the renewal and replacement of assets. This has financial implications for Council's Long Term Financial Plan.

## **RISK IMPLICATIONS**

There are no risk implications in the adoption of this policy, however if the policy is not updated, the policy will not reflect industry best practice.

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

This policy guides the use and development of all assets which support the provision of services to the community that are appropriate, accessible, reliable and sustainable. This will maximise the life of assets and enable Council's assets to play their part in ensuring the community is receiving the best value service for money.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Engagement and consultation in reviewing this policy was through the Services and Assets Working Group which consists of officer representatives from key areas of Council's operations.

## **CONCLUSION**

This Policy has been reviewed to simplify the policy and provide a clear direction for the implementation of Council's Asset Management Strategy and Asset Management Plans. This review has also responded to the National Asset Management Assessment Framework which will synchronise the path towards effective asset management.

## **OFFICER'S RECOMMENDATION**

10.8.1 That Council adopts the revised Asset Management Policy No 15 (C) dated April 2013.

## **MOTION**

*10.8.1. That Council adopts the revised Asset Management Policy No 15 (C) dated April 2013.*

**Moved:** Councillor Sebastian Klein

**Seconded:** Councillor Neil Newitt

**Carried.**

**ATTACHMENT 7 - DRAFT REVISED ASSET MANAGEMENT POLICY  
NO 15 (C)**



# ASSET MANAGEMENT POLICY

## POLICY NO 15(C)

**DATE AMENDED:** April 2013

**DATE OF NEXT REVIEW:** April 2017

**DATE ADOPTED:** to be confirmed

**RESPONSIBLE OFFICER:** Manager Assets and Engineering Services

**REFERENCES:** None

### Best Value Principles

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

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

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

# Table of Contents

- 1. Vision
- 2. Purpose
- 3. Scope
- 4. Definitions
- 5. Policy
- 6. Implementation
- 7. Review

DRAFT

## 1. Vision

In implementing this policy, Council will endeavour to achieve the following objectives in providing and maintaining assets.

- To enhance physical and social connections within the community;
- To provide physical and recreational opportunities for our community;
- To improve transport options for our community; and,
- To plan and manage the organisation's assets to ensure their long term viability.

## 2. Purpose

The purpose of the Hepburn Shire Council's Asset Management Policy is to:

Ensure that infrastructure assets which support the provision of services to the community are appropriate, accessible, reliable, sustainable and managed in accordance with sound asset management principles. This will maximize the life of assets and enable the asset to play its part in ensuring the community is receiving the best value service for money.

## 3. Scope

This policy applies to all Council owned or managed assets and provides direction and decision framework for Council and staff involved in service delivery.

## 4. Definitions

<i>Asset Management Plan (AMP)</i>	A plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.
<i>Asset Register</i>	A record of asset information considered worthy of separate identification including inventory, historical, financial, condition, construction, technical and replacement value.
<i>Capital Works Program (CWP)</i>	Program of new asset acquisition and upgrade of existing assets
<i>Infrastructure Assets</i>	Includes roads (including bridges and pathways), drainage, parks and nature reserves, buildings, and plant.

<i>Levels of Service</i>	Describe and quantify the service provided to the community by Council. Levels of service can greatly assist Council in providing appropriate and cost effective services to the community.
<i>Life Cycle</i>	The cycle of activities that an asset goes through while it retains an identity as a particular asset.
<i>Life Cycle Cost</i>	The total cost of an asset throughout its useful life including planning, design, construction, acquisition, operation, maintenance, rehabilitation and disposal costs.
<i>Long term financial plan (LTFP)</i>	Financial plan indicating long term (10 year) budget priorities.
<i>Predictive Modelling</i>	Use of asset deterioration models and condition monitoring to predict failure and asset rehabilitation and renewal.
<i>Useful Life</i>	The period over which a depreciable asset is expected to be used.

## 5. POLICY

- (a) Consider factors affecting the achievability of service levels, including legislative requirements, risk management, environmental sustainability and financial capacity;
- (b) Include regular hazard assessment and condition survey of assets to assist in identifying and prioritising renewal works
- (c) Utilise a corporate Asset Management system that provides at least the following core functions:
  - i. Inventory management
  - ii. Asset condition history
  - iii. Predictive analysis
  - iv. Asset treatment history
  - v. Maintenance management
  - vi. Integrated customer request management
  - vii. Integrated GIS capability.
- (d) Develop an Asset Management Plan incorporating sub-plans, informed by community consultation and government financial reporting frameworks, for each Group of Council assets to ensure that the agreed level of service can be maintained now and into the future at an affordable cost to Council and the community;



- (e) Prepare long term asset plans guided by:
  - Identified Level of Service
  - Risk Mitigation
  - Lifecycle costing
  - Condition assessment
- (f) Commitment to asset renewal and all new asset creation or upgrade will be considered on a sound business case using lifecycle costing principles;
- (g) Commitment to dispose of or decommission surplus, underutilised and replaced assets on a sound business case using lifecycle costing principles;
- (h) Use lifecycle costing principles in the development of Asset Management Plans, including cash flow expenditure forecasts for recurrent (operations and maintenance) and capital works (renewal, upgrade and new) programs;
- (i) Strongly embed Asset Management renewal demand forecasts in Council's Long Term Financial Plan;
- (j) Encourage continuous improvement, innovation and cost effective methods to improve work practices and processes;
- (k) Review internal asset management resources and skills to identify gaps between asset management capability and needs;
- (l) Organisational commitment to develop and implement a training program that addresses the gaps in capability, including training for both Councillors and Council staff;
- (m) Participate in and contribute to Regional and Industry Asset Management forums (e.g. MAV programs).

## **6. IMPLEMENTATION**

In implementing this policy, Council will endeavour to achieve the following objectives.

- (a) Implementing a systematic asset management methodology in order to apply appropriate asset management practices across all areas of Council. This includes ensuring that assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priorities for service delivery;
- (b) Deliver Council's strategic service delivery objectives by adopting integrated asset management and financial management practices;
- (c) Integrate asset management with the Council's corporate planning, utilising an integrated multi-disciplinary approach;

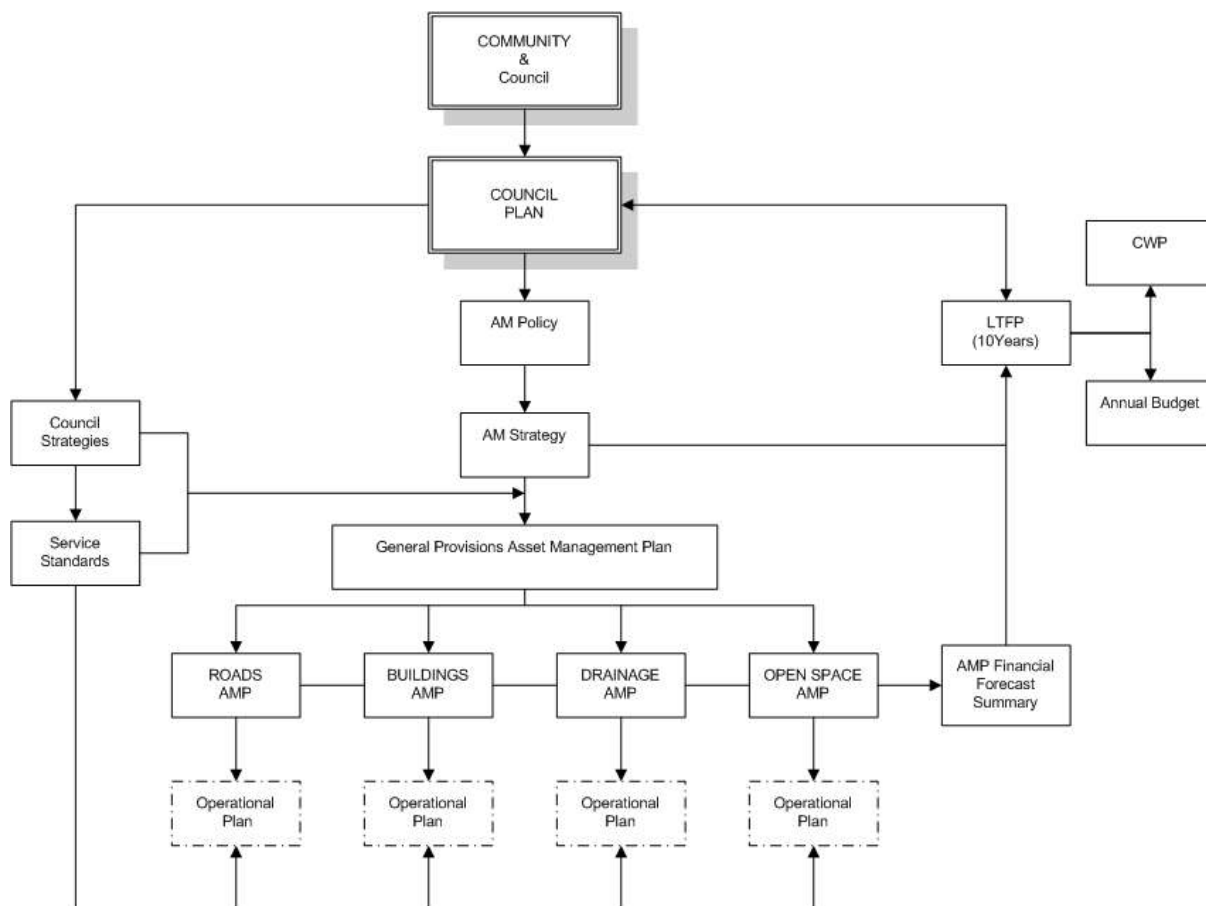
- (d) Create an environment where all Council employees take an integral part in overall management of Council assets by creating and sustaining an asset management awareness throughout the Council;
- (e) Ensure resources and operational capabilities are identified and responsibility for asset management is allocated;
- (f) Promote sustainability to protect the needs of future generations;
- (g) Maximise value for money by adoption of life cycle costing combined with disciplined performance measurement;
- (h) Assign accountability and responsibility for all service delivery and asset management; and
- (i) Adopt a strategic approach to asset management to ensure that the Council delivers an acceptable and achievable level of service to the community. This will provide positive impacts on:
  - i. Members of the public and staff;
  - ii. Council's financial position;
  - iii. the political, social and environmental context in which Council operates;
  - iv. the legal liabilities of Council; and
  - v. the environmental sustainability outcomes in asset management.
- (j) Structure the chart of accounts to support asset valuations and understanding of expenditure for new, renewal and maintenance/operations.

## **6.1 Framework for Implementation**

Asset Management underpins Council's other strategic frameworks by ensuring that appropriate infrastructure is developed and maintained enabling the delivery of programs, services and activities to the community.

The structure of Asset Management within the Hepburn Shire Council works through association with various plans and documents as represented in the following diagram. Where a plan or document does not currently exist it shall be developed to comply with this policy.

Each document has a specific purpose and represents a different level of detail relevant to Asset Management practices and processes within the Shire.



## **6.2 Key Roles and Responsibilities**

To implement this policy the following key roles, responsibilities and commitments are identified:

(a) **Services and Asset Management Working Group (SAWG)**

The primary function of the SAWG is to monitor the development and implementation of the Asset Management Strategy, incorporating an asset management improvement program, in accordance with the adopted SAWWG Terms of Reference.

(b) **Council**

To act as stewards, custodians, advocates and owners for Council owned infrastructure assets, by providing resources to implement:

- i. approved corporate asset management policy with linkage to the Council Plan;
- ii. adopted “levels of service” to meet the reasonable needs and expectations of the community, which are achievable over the long term by Council;
- iii. asset management activities ensuring integration of Asset Management Policy, Asset Management Strategy and Asset Management Plans into the corporate governance framework; and

- iv. raised awareness of asset management and financial planning principles within the community.
- (c) **Audit and Risk Advisory Committee**  
Responsible for an annual review of asset management performance management.
- (d) **Executive Team**  
The executive management team is responsible for providing the following :
- i. Development and implementation of the Asset Management Policy, Asset Management Strategy and Asset Management Plans.
  - ii. Development and implementation of procedures which support asset management and financial planning.
  - iii. Monitor, review and report on the status and effectiveness of asset management within Council.
  - iv. Instigate and resource the Service and Asset Management Working Group.
- i. Work with the asset managers to align the asset management and financial management practices within council.
  - ii. Support the development of a Long Term Financial Plan that recognises asset consumption and links to Asset Management Plans.
  - iii. Structure the accounts and related business processes to recognise lifecycle costs e.g.
    - o Operations/Maintenance
    - o Renewal
    - o New/Upgrades
  - iv. Development and implementation of procedures which support asset management and financial planning.
- (e) **Managers and Staff**
- i. To assist with implementation of the corporate Asset Management Strategy with agreed resources.
  - ii. To develop and implement recurrent (operations and maintenance), and capital works (renewal, upgrade and new) programs, in accordance with Asset Management Plans and the Long Term Financial Plan.
  - iii. To deliver levels of service to agreed risk and cost standards.
  - iv. To manage infrastructure assets in consideration of long term sustainability.

### **6.3 Measures of Success:**

We will have significantly closed our Infrastructure Gap – that is the difference between what we spend on asset renewal and the amount we should spend as established in our Asset Management Plans.

## 7. Review

This policy will be reviewed within 4 years of the date on which it was approved by Council.

The Manager Assets and Engineering Services is responsible for revisions of this policy.

DRAFT

**10.9. RECORD OF ASSEMBLIES OF COUNCILLORS – MARCH 2013**  
**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 March 2013.

**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>
5 March 2013	Council Chamber, Daylesford	Councillor Briefing
12 March 2013	Council Chamber, Daylesford	Councillor Briefing
13 March 2013	Council Chamber, Daylesford	International Women's Day Women's Honour Roll Meeting
18 March 2013	Creswick RSL	Creswick Ward Community Committee
19 March 2013	Clunes Town Hall	Budget Meeting
19 March 2013	Clunes Town Hall	Councillor/CEO Meeting
19 March 2013	Clunes Town hall	Pre Council Meeting
21 March 2013	Council Chamber, Daylesford	Hepburn Mineral Springs Reserve Advisory Committee

22 March 2013	Council Chamber, Daylesford	Preparation for 'Conference of Big Ideas' – Council Plan
26 March 2013	Various – Hepburn, Trentham, Glenlyon, Clunes via Smeaton, Creswick	Hepburn Shire Bus Tour
26 March 2013	Daylesford Town Hall	'Conference of Big Ideas'
28 March 2013	Creswick CFA, Creswick	Community Emergency Risk Assessment (CERA) Sub Committee 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 Assemblies in the Council Agenda and their availability to the public will increase awareness of the activities of Council and could increase community involvement in decision making at Council level.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

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

## **CONCLUSION**

Information provided for noting.

## **OFFICER'S RECOMMENDATION**

10.9.1 That Council receives and notes the Records of Assemblies of Councillors for March 2013.

## **MOTION**

*10.9.1. That Council receives and notes the Records of Assemblies of Councillors for March 2013.*

**Moved:** Councillor Sebastian Klein

**Seconded:** Councillor Greg May

**Carried.**



**ATTACHMENT 8 - RECORDS OF ASSEMBLIES OF COUNCILLORS –  
MARCH 2013**



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

Title of Meeting: BRIEFING MEETING

Date: 5/3/13

Time: 9-30

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

**Councillors present:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Cr Pierre Niclas | <input checked="" type="checkbox"/> Cr Don Henderson |
| <input checked="" type="checkbox"/> Cr Kate Redwood  | <input checked="" type="checkbox"/> Cr Greg May      |
| <input checked="" type="checkbox"/> Cr Neil Newitt   | <input type="checkbox"/> Cr Bill McClenaghan         |
| <input type="checkbox"/> Cr Sebastian Klein          |  |

**Members of Council Staff present:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond                     | <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King          | <input checked="" type="checkbox"/> GM Sustainable Development Barry Green |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | <input checked="" type="checkbox"/> Other, please specify:                 |

ANTHIA LYONS  
JUSTIN FIDDES  
ERIC WRIGHT

ROSS McCALLUM  
RICHARD RUSSELL  
JOHN COLLINS

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned
<u>Cr McClenaghan item - 1</u>	<u>left 10-39 returned 10-52</u>
<u>Cr McClenaghan item - 8</u>	<u>left 4-41 returned 4-51</u>

**Matters Considered:**

Agenda Attached

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

- |   |   |
|---|---|
| <input type="checkbox"/> CEO Aaron van Egmond                       | <input type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King | <input type="checkbox"/> GM Sustainable Development Barry Green |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan   | <input type="checkbox"/> Other, please specify:                 |

Signature: Evan King

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**

**Confidential**  
**Councillor Briefing Agenda**  
**Tuesday 5 March 2013**



<b>Tuesday 5 March 2013</b> <b>9:30 am</b>		<b>Council Chamber</b> <b>Daylesford Town Hall</b>	
<b>Chair</b>	<b>Mayor</b>	Cr Bill McClenaghan	
<b>Attendees</b>	<b>Councillors</b>	Cr Pierre Niclas, Cr Kate Redwood, Cr Neil Newitt, Cr Sebastian Klein, Cr Don Henderson, Cr Greg May	
	<b>Officers</b>	Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure, General Manager Sustainable Development, General Manager Community Services and other officers as required	
<b>Apologies</b>	<b>Councillor</b>	Sebastian Klein	

Time		Title	Action Officer	
1.	9:30 am	Discussion	<b>Proposed Budget 2013-2014 –Session 1</b>	General Manager Corporate Services & Manager Finance <b>Page 3</b>
2.		Discussion	<b>Ten Year Financial Plan – Session 1</b>	General Manager Corporate Services & Manager Finance <b>Page 4</b>
	12:30 pm	<b>Lunch Break – Lunch will be provided</b>		
3.	1:00 pm	Report	<b>Penalty Increases – Section 41, CFA Act 1958</b>	General Manager Sustainable Development & Compliance Co-ordinator <b>Page 5</b>
4.	1:30 pm	Verbal Presentation	<b>Clunes Community Interpretive Centre – Revised Business Plan</b>	General Manager Community Services <b>Page 8</b>
5.	2:30 pm	Report	<b>Council’s Sister City Agreement and Chinese Delegations</b>	General Manager Sustainable Development & Manager Economic Development & Tourism <b>Page 9</b>
			<b>Attachment 1</b>	<b>Page 12</b>
			<b>Attachment 2</b>	<b>Page 30</b>

**Confidential**  
**Councillor Briefing Agenda**  
**Tuesday 5 March 2013**



	Time		Title	Action Officer	
6.	3:00 pm	Report	<b>Visitor Information Centre Service for Commercial Ratepayers</b>	General Manager Sustainable Development & Manager Economic Development & Tourism	<b>Page 35</b>
			<b>Attachment 3</b>		<b>Page 37</b>
7.	3:30 pm	Verbal Presentation	<b>Delegated Planning Committee Applications</b>	General Manager Sustainable Development & Manager Planning	<b>Page 41</b>
8.	4:00 pm	Verbal Presentation	<b>Planning Update</b>	General Manager Sustainable Development & Manager Planning	<b>Page 42</b>
9.	4 30 pm	<b>CLOSE OF MEETING</b>			<b>Page 43</b>



**Hepburn Shire Council**  
**DISCLOSURE OF CONFLICT OF INTEREST**

I, Councillor BILL McLENNAGHAN hereby disclose  
a conflict of interest in the following matter: WASTE CHARGES IN  
2013/2014 COUNCIL BUDGET

This matter is being considered at a meeting of Council/Special Committee/Assembly of Councillors

(insert name of any Special Committee)  
on 15th OF MAR 13

The class of the interest is (tick as appropriate):

- a direct interest
- OR
- ~~an indirect interest~~ (see below)

The following is the type of indirect interest:

- ~~indirect interest by close association (section 78)~~
- ~~indirect financial interest (section 78A)~~
- ~~indirect interest because of conflicting duty (section 78B)~~
- ~~indirect interest because of receipt of gift(s) (section 78C)~~
- ~~indirect interest through civil proceedings (section 78D)~~

MCMC/MCMC

[NB all references to sections are references to sections in the Local Government Act 1989].

The nature of the interest is as follows:

AS THE PROPRIETOR OF A WASTE  
MANAGEMENT BUSINESS PAYING WASTE  
MANAGEMENT FEES TO HEPBURN SHIRE  
COUNCIL - I HAVE A DIRECT CONFLICT OF  
INTEREST IN THIS ITEM

Print Name: BILL McLENNAGHAN  
Signed: [Signature]  
Date: 05 MAR 13

**Hepburn Shire Council**

**DISCLOSURE OF CONFLICT OF INTEREST**

I, Councillor BILL McCLENAGHAN hereby disclose  
 a conflict of interest in the following matter: PLANNING APPLICATIONS  
BRIEFING FOR #4 RAGGAN ST DAYLESFORD  
NEW SHED/SHOP AT GARDEN SUPPLIES.

This matter is being considered at a ~~meeting of Council/Special Committee~~ or Assembly of Councillors

(insert name of any Special Committee)  
 on TUE 05 MAR 2013.

The class of the interest is (tick as appropriate):

- ~~a direct interest~~
- OR
- an indirect interest  (see below)

The following is the type of indirect interest:

- ~~indirect interest by share association (section 78)~~
- ~~indirect financial interest (section 78A)~~
- indirect interest because of conflicting duty (section 78B)
- ~~indirect interest because of receipt of gift(s) (section 78C)~~
- ~~indirect interest through civil proceedings (section 78D)~~

[NB all references to sections are references to sections in the Local Government Act 1989].

The nature of the interest is as follows:

AS A DIRECTOR OF THE CENTRAL HIGHLANDS  
TOURIST RAILWAY THAT LEASES ADJACENT  
RAILWAY LAND TO THIS PROPOSED DEVELOPMENT  
THERE COULD BE AN ISSUE OF PROPERTY  
BOUNDARY AND REAR ACCESS RIGHTS.

Print Name: BILL McCLENAGHAN  
 Signed: [Signature]  
 Date: 105 MAR 13.



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

Title of Meeting: **BRIEFING**

Date: **12/3/13**

Time: **9-00**

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

**Councillors present:**

- Cr Pierre Niclas
- Cr Kate Redwood
- Cr Neil Newitt
- Cr Sebastian Klein

- Cr Don Henderson
- Cr Greg May
- Cr Bill McClenaghan

**Members of Council Staff present:**

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan

- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:  
**ANTHONY LYONS**

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

Agenda Attached

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

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan

- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:

Signature: **Evan King**

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**

**Confidential**  
**Councillor Briefing Agenda**  
**Tuesday 12 March 2013**



<b>Tuesday 12 March 2013</b> 9:00 am		<b>Council Chamber</b> <b>Daylesford Town Hall</b>	
<b>Chair</b>	<b>Mayor</b>	Cr Bill McClenaghan	
<b>Attendees</b>	<b>Councillors</b>	Cr Pierre Niclas, Cr Kate Redwood, Cr Neil Newitt, Cr Sebastian Klein, Cr Don Henderson, Cr Greg May	
	<b>Officers</b>	Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure, General Manager Sustainable Development, General Manager Community Services and other officers as required	
<b>Apologies</b>			

Time		Title	Action Officer	
1.	9:00 am	External Presentation <b>Central Highlands Regional Growth Plan</b>	General Manager Sustainable Development Keith Jackson & Cindy Bright, Dept of Planning and Community Development	<b>Page 3</b>
2.	10:00 am	Discussion <b>Proposed Budget 2013-2014 – Session 2</b>	General Manager Corporate Services & Manager Finance	<b>Page 4</b>
	1 00 pm	<b>Lunch Break – Lunch will be provided</b>		
3.	1:30 pm	External Presentation <b>Creswick Museum Special Committee (Section 86)</b>	General Manager Corporate Services & Manager Risk & Property	<b>Page 5</b>
4.	2:00 pm	Verbal Presentation <b>Recreation Priorities</b>	General Manager Community Services	<b>Page 6</b>
5.	2:30 pm	Verbal Presentation <b>Emergency Management – Council Overview</b>	General Manager Sustainable Development	<b>Page 7</b>
		<b>Attachment 1</b>		<b>Page 8</b>
		<b>Attachment 2</b>		<b>Page 20</b>
		<b>Attachment 3</b>		<b>Page 27</b>



**Confidential**  
**Councillor Briefing Agenda**  
**Tuesday 12 March 2013**



	Time	Title	Action Officer	
6.	3:00 pm	External Presentation <b>Daylesford &amp; Macedon Ranges Regional Tourism Board MOU</b>	Chief Executive Officer  Noel Harvey OAM, Chair, and Kerry I'Anson CEO, Daylesford & Macedon Ranges Regional Tourism Board	Page 30
7.	4:00 pm	External Presentation <b>CFA – Community Lead Planning</b>	General Manager Sustainable Development  Don Kelly, Regional Director, Grampians Region, CFA	Page 31
8.	4.30 pm	<b>CLOSE OF MEETING</b>		Page 32

	5:00 pm	<b>DELEGATED PLANNING COMMITTEE</b>	
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# HEPBURN SHIRE COUNCIL

## INTERNATIONAL WOMEN'S DAY WOMENS HONOUR ROLL MEETING

**Wednesday 13 March, 2013**

**Council Chamber**

**4:00 PM - 5:00 PM**

### AGENDA

**PRESENT:**

- Dr Anne Gleeson - Committee Member
- Roma Wiseman - Committee Member
- Joan Rattray - Committee Member
- Mabel Moran - Committee Member
- Dr Lorene Gottschalk - Committee Member

**CHAIR:** Cr Kate Redwood - Chair

**GUEST:** Cr Don Henderson

**ACTION RECORDER:** Lynne Sheedy - Executive Assistant - CEO

	Time	Agenda Item	Purpose	Presenter
1.	4:00pm	Welcome & Meeting Open		Chair
2.	4:01pm	Minutes of previous meeting – 13 February 2013	Information & Discussion	Chair
3.	4:05pm	Thank you letters to all helpers	Information & Discussion	Chair
4.	4:10pm	Debrief of 2013 event	Information & Discussion	All
5.	4:20pm	Preliminary suggestions re 2014 – the 10 <sup>th</sup> HSC IWD event	Information & Discussion	All
6.	4:30pm	Collections of citations for all women on Honour Roll as part of the 10 <sup>th</sup> anniversary	Information & Discussion	Chair
7.	4:35pm	Budget for 2012/13	Information & Discussion	Chair
8.	4:40pm	Physical Honour Board Quotes	Information & Discussion	Lynne Sheedy
9.	4:45pm	Committee Membership expires 28 June 2013	Information & Discussion	Chair
10.	4:50pm	Dates for next meeting	Information & Discussion	Chair
11.	4.55pm	Any Other Business	Information & Discussion	All
12.	5:00pm	CLOSE		

**NEXT MEETING:** ?

**CHAIR:** Cr Kate Redwood

**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** CREWICK WARD COMMUNITY COMMITTEE  
**Date:** 18 MARCH 2013  
**Time:** 7.30 PM

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

**Councillors present:**

- |   |  |
|---|--|
| <input type="checkbox"/> Cr Pierre Niclas   | <input checked="" type="checkbox"/> Cr Don Henderson |
| <input type="checkbox"/> Cr Kate Redwood    | <input type="checkbox"/> Cr Greg May                 |
| <input type="checkbox"/> Cr Neil Newitt     | <input type="checkbox"/> Cr Bill McClenaghan         |
| <input type="checkbox"/> Cr Sebastian Klein |  |

**Members of Council Staff present:**

- |  |   |
|--|---|
| <input type="checkbox"/> CEO Aaron van Egmond                                | <input type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input type="checkbox"/> GM Corporate Services Evan King                     | <input type="checkbox"/> GM Sustainable Development Barry Green |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | <input type="checkbox"/> Other, please specify:                 |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

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

- |  |   |
|--|---|
| <input type="checkbox"/> CEO Aaron van Egmond                                | <input type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input type="checkbox"/> GM Corporate Services Evan King                     | <input type="checkbox"/> GM Sustainable Development Barry Green |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | <input type="checkbox"/> Other, please specify:                 |

**Signature:** 

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**

# **CRESWICK WARD COMMUNITY COMMITTEE**

## **AGENDA**

**Monday 18 March 2013**

**7:30pm**

**Creswick RSL**

### **Members:**

Michael Veal, Maggie Robson, Audrey Winther, Judy Henderson, Cr Henderson, Cr May, Brian Turville, Margaret Giles, John Edwards, Barry Coveney.

- 1. Welcome**
- 2. Apologies**
- 3. Accept Minutes of Meeting 18 February 2013**
- 4. Actions from previous meetings**
  - Council Structure**
  - 4 Seasons Festival meeting**
  - CWCC pages on Creswick. Biz website and Council website**
- 5. Creswick Ward Community Plan Review and Next Steps**
- 6. Communications Protocol**
- 7. Daylesford Macedon Tourism - Draft Plan**
- 8. Update from CWCC representatives on Advancing Country Towns project groups**
- 9. Items to be carried forward to next meeting**

**Meeting closed:**

**Next meeting: 18 April 2013**



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** Budget meeting  
**Date:** 19/11/15  
**Time:** 9-00

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

**Councillors present:**

- Cr Pierre Niclas
- Cr Kate Redwood
- Cr Neil Newitt
- Cr Sebastian Klein
- Cr Don Henderson
- Cr Greg May
- Cr Bill McClenaghan

**Members of Council Staff present:**

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan
- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify: **PAULINE HODGINS**

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned
<b>Cr May - LGIF</b>	<b>Left 11-28 Returned 11-30</b>

**Matters Considered:** 2013-14 Budget

**Agenda Attached**

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

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan
- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:

**Signature:** Evan King

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**



**Hepburn Shire Council**  
**DISCLOSURE OF CONFLICT OF INTEREST**

I, Councillor GREG MAY hereby disclose  
a conflict of interest in the following matter: FUNDING FOR RESURFACING  
NEWLYN NETBALL COURT

This matter is being considered at a meeting of Council/ Special Committee or Assembly of Councillors  
COUNCIL BRIEFING SESSION  
(insert name of any Special Committee)  
on 19TH MARCH 2013

The class of the interest is (tick as appropriate):

- a direct interest
- OR
- an indirect interest  (see below)

The following is the type of indirect interest:

- indirect interest by close association (section 78)
- indirect financial interest (section 78A)  OR
- indirect interest because of conflicting duty (section 78B)  OR
- indirect interest because of receipt of gift(s) (section 78C)  OR
- indirect interest through civil proceedings (section 78D)

[NB all references to sections are references to sections in the *Local Government Act 1989*].

The nature of the interest is as follows:

MEMBER OF AND DIRECT INTEREST IN  
NEWLYN FOOTBALL NETBALL CLUB

Print Name: GREG MAY  
Signed: [Signature]  
Date: 19/3/2013



**Hepburn Shire Council**  
**DISCLOSURE OF CONFLICT OF INTEREST**

I, Councillor DON HENDERSON hereby disclose  
a conflict of interest in the following matter: GOLD BATTERY  
CREWICK

This matter is being considered at a meeting of Council/ Special Committee or Assembly of Councillors

on 18/3/2012 (Insert name of any Special Committee)

The class of the interest is (tick as appropriate):

- a direct interest
- OR
- an indirect interest  (see below)

The following is the type of indirect interest:

- indirect interest by close association (section 78)
- indirect financial interest (section 78A)
- indirect interest because of conflicting duty (section 78B)
- indirect interest because of receipt of gift(s) (section 78C)
- indirect interest through civil proceedings (section 78D)

[NB all references to sections are references to sections in the Local Government Act 1989].

The nature of the interest is as follows:

PRESIDENT CRAWT WHO ARE  
SEEKING PERMISSION TO  
APPLY FOR A HERITAGE GRANT

Print Name: DON HENDERSON  
Signed: [Signature]  
Date: 18/3/2012





**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** Councillor/CEO Meeting  
**Date:** Tues 19 March 2013  
**Time:** 2:00 pm

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

**Councillors present:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Cr Pierre Niclas   | <input checked="" type="checkbox"/> Cr Don Henderson    |
| <input checked="" type="checkbox"/> Cr Kate Redwood    | <input checked="" type="checkbox"/> Cr Greg May         |
| <input checked="" type="checkbox"/> Cr Neil Newitt     | <input checked="" type="checkbox"/> Cr Bill McClenaghan |
| <input checked="" type="checkbox"/> Cr Sebastian Klein |   |

**Members of Council Staff present:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond          | <input type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input type="checkbox"/> GM Corporate Services Evan King          | <input type="checkbox"/> GM Sustainable Development Barry Green |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | <input type="checkbox"/> Other, please specify:                 |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned
Cr Don Henderson – Creswick Gold Battery – Request for letter of support for Heritage Grant application from Creswick Railway Workshops	Left : 3.30pm Returned: 3.33pm

**Matters Considered:**

**Agenda Attached**

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond          | <input type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input type="checkbox"/> GM Corporate Services Evan King          | <input type="checkbox"/> GM Sustainable Development Barry Green |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | <input type="checkbox"/> Other, please specify:                 |

**Signature:** 

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**

**AGENDA  
COUNCILLOR/CEO MEETING**

<b>Tuesday 19 March 2013 Commencing 12:30 pm</b>	<b>Clunes Town Hall Bailey Street, Clunes</b>	
<b>Chair:</b>	Mayor	Councillor Bill McClenaghan
<b>Attendees:</b>	Councillors	Pierre Niclas, Kate Redwood, Neil Newitt, Sebastian Klein, Don Henderson, Greg May
<b>Apologies:</b>		
	Officers	CEO, Aaron van Egmond
<b>AGENDA – COUNCILLOR ONLY TIME</b>		
<b>12:30 pm</b>		<b>Councillors Only</b>
<b>2:00 pm</b>		
<b>1.</b>	<b>2013 Rural Councils Summit – Lakes Entrance – 2-5 May 2013</b>	<b>CEO</b>
<b>2.</b>	<b>2013 National General Assembly of Local Government - 16-19 June 2013</b>	<b>CEO</b>
<b>3.</b>	<b>Request for Council to consider hosting a 'Thank you' afternoon tea/early evening celebration for the CFA and associated services for efforts during 2012-2013 fire season</b>	<b>CEO</b>
<b>4.</b>	<b>Bus Tour – Tue 26 March 2013 – Proposed Itinerary – Councillors to provide areas of interest for tour</b>	<b>All</b>
<b>5.</b>	<b>Council Plan – Update Conference of Big Ideas Preparation meeting – Fri 22 March 2013</b>	<b>CEO</b>
<b>6.</b>	<b>Creswick Bowling Club</b>	<b>CEO</b>
<b>7.</b>	<b>Allegation of undeclared Conflict of Interest – Local Government Investigations &amp; Compliance Inspectorate</b>	<b>Cr Don Henderson, Deputy Mayor/CEO</b>
<b>8.</b>	<b>Hepburn Health Service and Hepburn Shire Council Annual Dinner</b>	<b>CEO</b>
<b>9.</b>	<b>Creswick Gold Battery – Letter of support</b>	<b>CEO</b>
<b>3:30pm</b>	<b>Discussion – Council Meeting Agenda 19 March 2013</b>	<b>Councillors and Officers</b>
<b>5:00 pm</b>	<b>Meal Break</b>	
<b>6:00 pm</b>	<b>Council Meeting - Clunes</b>	



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** PRE COUNCIL MEETING

**Date:** 19/3/13

**Time:** 3-30

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

**Councillors present:**

- Cr Pierre Niclas
- Cr Kate Redwood
- Cr Neil Newitt
- Cr Sebastian Klein
- Cr Don Henderson
- Cr Greg May
- Cr Bill McClenaghan

**Members of Council Staff present:**

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan
- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:

ANTHRA LYONS  
ADAM McSWAIN  
CHRIST SCHUSTER

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

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

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan
- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:

**Signature:** Evan King

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**



**Hepburn Shire Council**

**DISCLOSURE OF CONFLICT OF INTEREST**

I, Councillor Sebastian Klein hereby disclose  
a conflict of interest in the following matter: 10-13 - Daylesford ARC  
Management Arrangements

This matter is being considered at a meeting of Council/ Special Committee or Assembly of Councillors  
Ordinary Meeting of Council  
(insert name of any Special Committee)  
on 19-3-13

The class of the interest is (tick as appropriate):

- a direct interest
- OR
- an indirect interest  (see below)

The following is the type of indirect interest:

- indirect interest by close association (section 78)
- indirect financial interest (section 78A)  OR
- indirect interest because of conflicting duty (section 78B)  OR
- indirect interest because of receipt of gift(s) (section 78C)  OR
- indirect interest through civil proceedings (section 78D)

[NB all references to sections are references to sections in the Local Government Act 1989].

The nature of the interest is as follows:  
I am an applicant for a position of  
employment with the Daylesford  
Neighbourhood Centre

Print Name: SEBASTIAN KLEIN  
Signed: [Signature]  
Date: 19-3-13

[5579041: 6393394\_1]



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** Hepburn Mineral Springs Advisory Committee

**Date:** 21 March 2013

**Time:** 5.00pm – 7.00pm

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

**Councillors present:**

- Cr Bill McClenaghan
- Cr Don Henderson
- Cr Sebastian Klein
- Cr Neil Newitt

- Cr Kate Redwood
- Cr Pierre Niclas
- Cr Greg May

**Members of Council Staff present:**

- CEO, Aaron van Egmond
- GM Corporate Services, Evan King
- GM Community Services, Kathleen Brannigan

- GM Sustainable Development, Barry Green
- GM Infrastructure, Bruce Lucas
- Other, please specify: Sue Howard, Karen Ratcliff

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned


**Matters Considered:**

**Agenda Attached**

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

- CEO Aaron van Egmond
- GM Corporate Services, Evan King
- GM Community Services, Kathleen Brannigan

- GM Infrastructure Bruce Lucas
- GM Sustainable Development, Barry Green
- Other, please specify:

**Signature:** 

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**



# HEPBURN MINERAL SPRINGS RESERVE ADVISORY COMMITTEE MEETING NO 21

**Thursday 21 March 2013  
Council Chambers - 5.00pm to 7.00pm**

## AGENDA

**Attendees:** Cr Pierre Niclas, Bruce Lucas Sue Howard, Jenny Beacham, Gary Lawrence, John Webster, Bill Guest

**Guests:** Evan King – GM Corporate Services, Karen Ratcliffe – Property Officer, Kylie Smith - Belgravia

**Apologies:** James Lowe, Petrus Spronk

Item No.	Time	Agenda Item	Presenter
1	5.00pm	Welcome & Apologies	Pierre Niclas
2	5.05pm	Financial Update - HMSR	Evan King
3	5.20pm	Adoption of Minutes Meeting 20 – 24 January 2013	Pierre Niclas
4	5.25pm	Belgravia Proposal for use of Reserve for alternative therapies	Kylie Smith / Karen Ratcliffe
5	5.35pm	Hepburn War Memorial and Memorial Garden, 10th Street Hepburn Springs. <ul style="list-style-type: none"> <li>• RSL Grant application for improvements etc.</li> <li>• Anzac Centenary Grant application for project meeting with Catherine King MP</li> </ul>	Gary Lawrence
6	5.45pm	Report - Maintenance Projects	James Lowe (apology)
7	5.50pm	Report – Update on Flood Recovery Works	Sue Howard
8	6.00m	Update on Sound Shell Maintenance Repairs	Bruce Lucas
9	6.10pm	Update on Old Caretakers Cottage	Bruce Lucas / Sue Howard
10	6.20pm	Update on Hepburn Pool	Bruce Lucas
11	6.30pm	Update on Pedestrian & Traffic Movement Plan	Sue Howard
12	6.40pm	Update on Budget Submissions	Bruce Lucas
13	6.50pm	General Business	All
	7.00pm	CLOSE	

**Next Meeting: Thursday 23 May 2013 – Council Chambers**



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** COUNCIL PLAN

**Date:** 22/3/13

**Time:** 3-00

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

**Councillors present:**

- |   |   |
|---|---|
| <input type="checkbox"/> Cr Pierre Niclas           | <input type="checkbox"/> Cr Don Henderson               |
| <input checked="" type="checkbox"/> Cr Kate Redwood | <input checked="" type="checkbox"/> Cr Greg May         |
| <input checked="" type="checkbox"/> Cr Neil Newitt  | <input checked="" type="checkbox"/> Cr Bill McClenaghan |
| <input type="checkbox"/> Cr Sebastian Klein         |   |

**Members of Council Staff present:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond                     | <input type="checkbox"/> GM Infrastructure Bruce Lucas              |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King          | <input type="checkbox"/> GM Sustainable Development Barry Green     |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | <input checked="" type="checkbox"/> Other, please specify:<br>WENDY |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:** COUNCIL PLAN

**Agenda Attached**

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

- |   |   |
|---|---|
| <input type="checkbox"/> CEO Aaron van Egmond                       | <input type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King | <input type="checkbox"/> GM Sustainable Development Barry Green |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan   | <input type="checkbox"/> Other, please specify:                 |

**Signature:** Evan King

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** BUS TRIP

**Date:** 26/3/13

**Time:** 9-00AM

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

**Councillors present:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Cr Pierre Niclas   | <input checked="" type="checkbox"/> Cr Don Henderson    |
| <input checked="" type="checkbox"/> Cr Kate Redwood    | <input checked="" type="checkbox"/> Cr Greg May         |
| <input checked="" type="checkbox"/> Cr Neil Newitt     | <input checked="" type="checkbox"/> Cr Bill McClenaghan |
| <input checked="" type="checkbox"/> Cr Sebastian Klein |   |

**Members of Council Staff present:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond                     | <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King          | <input type="checkbox"/> GM Sustainable Development Barry Green   |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | <input type="checkbox"/> Other, please specify:                   |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

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

- |   |   |
|---|---|
| <input type="checkbox"/> CEO Aaron van Egmond                       | <input type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King | <input type="checkbox"/> GM Sustainable Development Barry Green |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan   | <input type="checkbox"/> Other, please specify:                 |

**Signature:** Evan King

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**



**Hepburn Shire Bus Tour  
Councillors and Executive Management Team  
Tuesday 26 March 2013**

Time	Details	Notes
9:00 am	Meet at Daylesford Town Hall to board bus	22 seater bus booked by Kevin Clohesy
9:15 am	1 Daylesford Transfer Station	
9:40 am 10:00 am 10:15 am	<b>Hepburn</b> 2 Hepburn Pool 3 Old Hepburn Depot 4 Daylesford Depot	
10:50 am 11:00 am	<b>Trentham</b> 5 Mulcahys Road 6 Trentham Transfer Station	
11.40 am	<b>Glenlyon</b> 7 Butlers Lane Bridge	
12:15 pm ½ hour lunch break	Lunch Break 8 Victoria Park, Daylesford Drop CEO off at Planned Activity Centre, 79a Raglan Street, Daylesford (1pm – 2:30 pm)	Picnic lunch will be provided
12.45 pm 1.30 pm  1:50 pm 2:05 pm	<b>Clunes</b> via Smeaton 9 Wheelers Bridge, Lawrence 10 Various Flood Recovery Works 11 Local Government Infrastructure Fund (LGIF) Projects 12 Clunes Bottle Museum 13 Future Industrial corridor (between Clunes & Creswick)	
2:10 pm 2:20 pm 2:35 pm 2:45 pm	<b>Creswick</b> 14 Slatey Bridge 15 Calembeen Park 16 Creswick Bowls Club alternative Sites (Park Lake, Johns Road, Doug Lindsay Reserve) Creswick Transfer Station	
3.30pm	Bus returns to Daylesford Town Hall Tour ends	
5:30 pm	<b>Conference of Big Ideas</b> Daylesford Town Hall	



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** CONFERENCE OF BIG IDEAS

**Date:** 26/3/13

**Time:** 5-00

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

**Councillors present:**

- Cr Pierre Niclas
- Cr Kate Redwood
- Cr Neil Newitt
- Cr Sebastian Klein

- Cr Don Henderson
- Cr Greg May
- Cr Bill McClenaghan

**Members of Council Staff present:**

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan

- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:** OURSAY

**Agenda Attached**

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

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan

- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:

**Signature:** Evan King

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** Community Emergency Risk Assessment (CERA) Sub Committee Meeting  
**Date:** 28 March 2013  
**Time:** 9.00am – 11.00am

**Venue:**  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify) – **Creswick CFA – Albert Street Creswick**

**Councillors present:**

- Cr Bill McClenaghan
- Cr Don Henderson
- Cr Sebastian Klein
- Cr Neil Newitt
- Cr Kate Redwood
- Cr Pierre Niclas
- Cr Greg May

**Members of Council Staff present:**

- CEO, Aaron van Egmond
- GM Corporate Services, Evan King
- GM Community Services, Kathleen Brannigan
- GM Infrastructure, Bruce Lucas
- GM Sustainable Development, Barry Green
- Other, please specify: **Richard Russell,**

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

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

- CEO Aaron van Egmond
- GM Corporate Services, Evan King
- GM Community Services, Kathleen Brannigan
- GM Infrastructure Bruce Lucas
- GM Sustainable Development, Barry Green
- Other, please specify: **Richard Russell**

**Signature:** 

**Note: This form MUST be completed by the attending Council Officer and returned immediately to Executive Services for filing.**

## CERA SUB-COMMITTEE MEETING COMMUNITY EMERGENCY RISK ASSESSMENT

**Thursday 28 March 2013  
9.00am to 11.00am  
Creswick CFA – Albert Street Creswick**

### AGENDA

**Attendees:**

Cr Bill McClenaghan	Hepburn Shire Council
Richard Russell	Hepburn Shire Council
David Birkett	Hepburn Shire Council
Dean Towk	Creswick Police
Rachael Leoncini	CFA
Stephen Latter	Hepburn Health
Graham McGrath	Ambulance Victoria
Representative of	Daylesford Macedon Tourism
Tony Grimme	SES
Erin Templar	Vic Roads
Bruce Lucas	Hepburn Shire Council
Barry Nicholls	Ambulance Victoria

**Apologies:**


Item No.	Time	Agenda Item	Purpose	Presenter
1.	9.30am	<b>Welcome &amp; Apologies</b>		Chair
2.		<b>Introduction Barry Whelan</b>		Richard Russell
3.		<b>Review of progress to date</b>		Tony Grimme
4.		<b>Further Work on the CERA Model</b>		Tony Grimme
5.		<b>General Business</b>		Richard Russell
6.		<b>Next Meeting</b>		Chair

**Close :**

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

### **11.1. MINUTES OF SPECIAL COMMITTEES (SECTION 86) GENERAL MANAGER CORPORATE SERVICES**

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

#### **PURPOSE**

The purpose of this report is for Council to note the minutes and recommendations from Council's Special (Section 86) Committees.

#### **BACKGROUND**

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

#### **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 Lyonville Hall Special Committee General Meeting 19/02/2013.
- Minutes from the Creswick Museum Special Committee General Meeting 04/03/2013.
- Minutes from the Glenlyon Recreation Reserve Special Committee General Meeting 05/03/2013.
- Minutes from the Lee Medlyn Home of Bottles Special Committee General Meeting 06/03/2013.

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:

- Nil

#### **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 receives and notes the minutes of the Special Committees (Section 86) listed above which have been distributed under separate cover.

## **MOTION**

*11.1.1. That Council receives and notes the minutes of the Special Committees (Section 86) listed above which have been distributed under separate cover.*

**Moved:** Councillor Pierre Niclas

**Seconded:** Councillor Kate Redwood

**Carried.**

## **11.2. WOOLNOUGH'S CROSSING RESERVE SPECIAL COMMITTEE GENERAL MANAGER CORPORATE SERVICES**

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

### **PURPOSE**

The purpose of this report is to consider revoking the Instrument of Delegation for the Woolnough's Crossing Reserve Special Committee.

### **BACKGROUND**

Woolnough's Crossing Reserve is located in Porcupine Ridge on Crown land, specifically Crown Allotment 2020, Parish of Holcombe. Previously owned by Hepburn Shire Council, it was relinquished to the Crown in 2008 and temporarily reserved for Mineral Springs purposes. Hepburn Shire Council was appointed as Committee of Management by Order in Council on 25 November 2008.

The Woolnough's Crossing Reserve Special Committee was established by Hepburn Shire Council on 21 July 1998 via an instrument of delegation under section 86 of the *Local Government Act 1989*.

The following information is known:

- No minutes are on file for this special committee.
- The terms of all members of this committee lapsed prior to relinquishing the land to the crown.
- Council decided to continue the special committee in December 2006, but no evidence of appointing members is on file. As such, the Woolnough's Crossing Reserve Special Committee currently has no appointed members.
- Council has not previously resolved to revoke the instrument of delegation.

### **ISSUE / DISCUSSION**

Council currently manages this reserve itself. As any special committee for this reserve would have limited means of generating revenue, it would be limited in its ability to perform the role of a special committee. Based on this and the lack of meeting minutes on file, it would be difficult for the special committee to comply with the *Local Government Act 1989* requirements. Council can revoke the instrument of delegation. This will rectify the current situation where an instrument is in place, but no members are appointed to the special committee.

If there are interested members of the public, who wish to help maintain the site, it would be more appropriate for them to have a licence agreement or be managed as volunteers.

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

The special committee was established under section 86 of the *Local Government Act 1989*. Council is required to review all instruments of delegation within 12 months after a general election. The instrument of delegation states that council can revoke the delegation.

### **FINANCIAL IMPLICATIONS**

None noted.

### **RISK IMPLICATIONS**

Revoking this instrument of delegation will resolve an outstanding situation where a special committee has no appointed members.

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

None noted.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

An attempt was made to contact a former member of the special committee who wrote a letter in 2006 requesting that this committee be re-established, but no response was received.

No further engagement has been undertaken.

### **CONCLUSION**

An instrument of delegation for a special committee is in place with no members appointed. It is not expected that the reserve could generate income, so it would not be appropriate to appoint members to this special committee. Revoking the instrument of delegation will resolve the uncertainty in relation to this special committee.

### **OFFICER'S RECOMMENDATION**

11.2.1 That Council revokes the Instrument of Delegation for the Woolnough's Crossing Reserve Special Committee dated 21 July 1998.



## MOTION

*11.2.1. That Council revokes the Instrument of Delegation for the Woolnough's Crossing Reserve Special Committee dated 21 July 1998.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Redwood

**Carried.**

**Councillor Don Henderson left the meeting at 7:22 pm and returned to the meeting at 7:25 pm.**

## **12. COUNCIL ADVISORY COMMITTEES**

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

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

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

#### **PURPOSE**

The purpose of this report is for Council to note the minutes received from Council's Advisory Committees.

#### **BACKGROUND**

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

#### **ISSUE/DISCUSSION**

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

- International Women's Day Women's Honour Roll Committee – 6/03/2013
- International Women's Day Women's Honour Roll Committee – 13/03/2013
- Creswick Ward Community Committee – 18/03/2013.

These minutes have been provided to Councillors under separate cover.

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

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **RISK IMPLICATIONS**

Nil

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

Nil

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Members of the community are represented on these committees.

## **CONCLUSION**

Minutes have been provided for noting.

## **OFFICER'S RECOMMENDATION**

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

## **MOTION**

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

**Moved:** Councillor Kate Redwood

**Seconded:** Councillor Pierre Niclas

**Carried.**

## **12.2. ADVICE FROM CRESWICK WARD COMMUNITY COMMITTEE GENERAL MANAGER COMMUNITY SERVICES**

*This recommendation to Council is based on a resolution by the Creswick Ward Community Committee from a meeting on 18 March 2013.*

### **PURPOSE**

The purpose of this report is to provide advice to Council from the Creswick Ward Community Committee, an advisory committee to Council.

### **BACKGROUND**

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

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

12.2.1 The Creswick Ward Community Committee recommends that Council facilitates line marking and signage to dedicate and designate a walking cycling path from the Lions Park along Bridge Street to the entrance of Park Lake to promote linkages between Park Lake and Calembeen Park.

Moved : Michael Veal  
Seconded: Audrey Winther  
Carried.

### **MOTION**

*That Council:*

12.2.1. *Seeks a report from officers on the condition and future use of the path from the Lions Park along Bridge Street to the entrance of Park Lake.*

12.2.2. *Advises the Creswick Ward Community Committee of Council's decision.*

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

## **13. CONFIDENTIAL ITEMS**

### **13.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC**

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

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

#### **RECOMMENDATION**

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

- 89(2)(d) Contractual matters

Contract H252-2011 – Cleaning of Public Conveniences – Option to Extend Current Contract

Contract H401-2013 – Replacement of Swimming Concourse at Calembeen Park, Creswick

Contract H409-2013 – Annual Supply Contract for Quarried Materials including Road Base, Crushed Rock, Aggregates and Other Associated Products

Contract H412-2013 – The Provision of a Panel of Compliant Suppliers For Tree Pruning – Tree Maintenance and Clearance Along Roads, Chipping and Disposal generally in conjunction with the Annual Roads Program and Other Arborist Services; and

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

## MOTION

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

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

*Contract H252-2011 – Cleaning of Public Conveniences – Option to Extend Current Contract*

*Contract H401-2013 – Replacement of Swimming Concourse at Calembeen Park, Creswick*

*Contract H409-2013 – Annual Supply Contract for Quarried Materials including Road Base, Crushed Rock, Aggregates and Other Associated Products*

*Contract H412-2013 – The Provision of a Panel of Compliant Suppliers For Tree Pruning – Tree Maintenance and Clearance Along Roads, Chipping and Disposal generally in conjunction with the Annual Roads Program and Other Arborist Services; and*

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

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Kate Redwood

**Carried.**

**The meeting closed to Members of the Public at 7:30 pm.**

## 14. RE-OPENING OF MEETING TO PUBLIC

### RECOMMENDATION

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

### PROCEDURAL MOTION

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

**Moved:** Councillor Kate Redwood

**Carried.**

**The Meeting re-opened to the Public at 7:44 pm.**

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

## MOTIONS

*That Council:*

- 14.1.1. *Approves the extension of the existing Contract H252-2011 for the cleaning and servicing of public conveniences within the Shire's townships and sporting reserves for a further 12 months, effective from 1 July 2013, to Australian Commercial Maintenance Pty Ltd for the annual sum of \$136,068.*
- 14.1.2. *Awards the Tender for Contract H401-2013 – The Replacement of Swimming Concourse at Calembeen Park, Creswick for the lump sum price of \$1,239,000 (excluding GST) to Infracon Group Pty Ltd (including an amount of \$100,000 for specified Provisional Sum Items).*
- 14.1.3. *Awards the Tender for Contract No H409-2013 – For the supply of quarried materials to support Council's planned maintenance requirements for a twelve month period effective from 17 April 2013 with the option of a further twelve months subject to a further subsequent recommendation and Council approval to:*
- Boral Construction Materials – Dunnstown*  
*Fulton Hogan Construction Pty Ltd – Tylden*  
*Hanson Construction Materials – Carisbrook.*
- 14.1.4. *Awards Contract H412-2013 for the provision of Tree Pruning, Maintenance and Clearance Along Roads, Chipping And Disposal to:*
- Chipaway Trees – Beaufort*  
*Skyrider Tower Hire Pty Ltd - Wendouree*  
*Tree Top Tower Hire Pty Ltd – Creswick.*
- 14.1.5. *Awards Contract H412-2013 for the provision of Arborist Services to:*
- Arb Ecology – North Melbourne*  
*Scott Little – Daylesford*  
*Nick Wong – Daylesford.*



**15. CLOSE OF MEETING**

**The Meeting closed at 7:44 pm.**

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