



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
MINUTES

TUESDAY 17 JUNE 2014

YANDOIT MECHANICS INSTITUTE

HIGH STREET

YANDOIT

6:00PM

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MINUTES

TUESDAY 17 JUNE 2014

Yandoit Mechanics Institute
High Street, Yandoit
Commencing 6:00PM

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AARON VAN EGMOND

CHIEF EXECUTIVE OFFICER

17 JUNE 2014

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

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

2. OPENING OF MEETING

PRESENT: Mayor Councillor Don Henderson, Deputy Mayor Councillor Kate Redwood AM, Birch Ward Councillor Pierre Niclas, Cameron Ward Councillor Neil Newitt, Creswick Ward Councillor Greg May, Holcombe Ward Councillor Bill McClenaghan.

IN ATTENDANCE: Chief Executive Officer Aaron van Egmond, General Manager Community Services Kathleen Brannigan, General Manager Infrastructure Bruce Lucas, Manager Planning Justin Fiddes, Governance Officer Mary Dancuk.

VISITOR: Former General Manager Corporate Services Evan King.

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

Councillor Sebastian Klein – Leave of Absence

4. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Bill McClenaghan declared an indirect Conflict of Interest – conflicting duty in the first question in Public Participation Time regarding the **proposed budget allocation of \$35,000 to design and document the Bullarto to Lyonville Rail Trail, being Stage 2, Section 2 of the Daylesford to Macedon Ranges Rail Trail** as a Director of the Central Highlands Tourist Railway that leases VicTrack railway land east from Bullarto to Kangaroo Creek. The Central Highlands Tourist Railway has legal tenure over land proposed for the rail trail.

Councillor McClenaghan left the meeting at 6:27 pm and returned to the meeting at 6:32 pm. Councillor McClenaghan was absent while this matter was considered.

5. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the:

- 5.1 Ordinary Meeting of Council held on 20 May 2014 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.
- 5.2 Special Meeting of Council held on 26 May 2014 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOTION

That the Minutes of the:

- 5.1. *Ordinary Meeting of Council held on 20 May 2014 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989 with a minor amendment to Items 11.5 and 11.7 whereby the departure of two Councillors from the meeting due to Conflicts of Interest and their re-entry to the meeting be recorded sequentially.*
- 5.2. *Special Meeting of Council held on 26 May 2014 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Councillor Bill McCleghan

Seconded: Councillor Kate Redwood

Carried

6. NOTICES OF MOTION

Nil

7. ITEMS OF URGENT BUSINESS

Nil

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Don Henderson, Creswick Ward

During the last month I have been busy lobbying any politician that will listen.

I have met with Liberal candidates Donna Petrovich, Louise Staley, Simon Ramsay and Amanda Millar.

Labor candidates Mary-Anne Thomas and Daniel McGlone have also met with us. I see it as important to put our views to all parties and if possible get commitments from them all. We do not want a repeat of the Labor promise to fund Vic Park only to have a change of government see this project funding evaporate.

Councillors and officers attended a funding announcement by the Hon Damien Drum MLC for the building of better facilities at Hepburn for our netballers.

We also had our special meeting to hear budget submissions. All people had the opportunity to put their views which some did and this is appreciated. I thank those who did for their time and consideration. With this meeting over a trip back to Creswick to the second round of streetscape public discussions saw a very good turnout indeed and many views were shared in a very convivial atmosphere.

Our CEO, Mr van Egmond, GM Infrastructure Mr Lucas and myself met with representatives from VicRoads to discuss our priorities and to hear what they have planned for the region. Issues such as possible funding for danger areas and signage were some topics discussed.

Daylesford Community Bank put on a public consultation evening where they heard from the community what they saw as priorities for the bank when considering community funding applications.

The launch of the Ballarat Water Plan gave an opportunity to discuss such issues as use of groundwater directly with Minister Walsh and other councils, as well as Central Highlands Water.

On the issue of water, the Flood Guide for Clunes was launched. This is a great tool for future planning and in the event of natural disasters.

On a sadder note, we farewelled Mr Evan King who has served this Shire very well as GM Corporate Services.

Mr King has taken up a position with Pyrenees Shire and it is hoped that this career in local government continues with success.

On another note, last Friday night I attend the AGM of the Daylesford Community Brass Band. The band's activities and the joy that they bring to the community, pro bono, are very well appreciated.

COUNCILLOR REPORTS

Councillor Neil Newitt, Cameron Ward

No report.

Councillor Greg May, Creswick Ward

My June Councillor report is quite brief as I haven't attended a great number of Council related events in the past weeks. One event I would like to mention however, was a public consultation night organised by the Daylesford Bendigo Bank branch. The bank was seeking input from local community groups on projects and facilities they considered important in their area. Although the Daylesford branch has only been operating for a little over 2 years, it has already injected over \$40,000 into the local area by way of its community grants program. The Creswick Branch of the Bendigo bank has been operating for approximately 7 years and is also a success story injecting around \$350,000 into projects in the Creswick region. Other nearby Bendigo Bank branches have contributed some amazing amounts of money into their communities with a figure of over \$1 million in Beaufort and \$1.5 million in Maldon.

Also last week I attended the bi-monthly meeting of the Central Highlands Agribusiness Forum (CHAF). CHAF supports and provides a voice for the agribusiness sector across the Central Highlands. It promotes and delivers activities that support our farmers, food manufacturers and retailers. This is achieved through agribusiness research and development, researching new farming methods, regional marketing, environmental land management and projects which inspire innovation in agriculture.

One innovative project being undertaken by CHAF is a soon to be launched website called 'My Farm Store'. The website is designed to provide a convenient conduit between rural producers and manufactures to consumers.

The project has had state government backing and is being officially launched on 1st July by the Minister for Agriculture, Peter Walsh.

Councillor Bill McClenaghan, Holcombe Ward

I would like to advise Council that this coming weekend the Glenlyon CFA will be celebrating their centenary. For a Bush Fire Brigade that's come really good like Glenlyon CFA, they received their 100th Birthday present one year early in the form of a new fire station in Barkly Street, Glenlyon amidst the beautiful avenue of trees. This Saturday there will be a book launch about the Glenlyon CFA ('Saving the Glen') and also a celebratory dinner on Saturday night which the Mayor and I will be attending. It's also good to see that the water tank has been moved from its position in the Eldon Street Neighbourhood Safer Place to the new CFA block behind the fire station.

I am also pleased to report to Council that the new amalgamated waste management group which we are part of with another 11 councils from the Grampians and Desert Fringe region up to the South Australian border have now received some additional funding from the state government to enable good projects on behalf of member councils. The Local Government Waste Management Forum has requested that each of the 12 member councils provide details on their aspirations and expectations on what we would like to see happen on a regional waste management level over the next three years.

On Thursday 22 May, I attended a streetscape meeting in Glenlyon at the hall. Generally speaking, the fairly simplistic proposals for Glenlyon have been embraced by the community and largely involve cleaning up the streetscape, removing some dysfunctional drainage, providing a better front facade for the hall with better car parking and more community facilities at the store.

It's been a quiet month otherwise Mr Mayor. I can provide some more reports from the Municipal Association of Victoria (MAV) Rural and Regional Forum that was held on 8th May in Melbourne. This Forum liaised with many small rural councils like ourselves about the upcoming state election and what it might mean for local councils such as us. We were particularly concerned with the idea of rate capping that has made many New South Wales small rural councils hit the wall because their rates have been effectively capped by their state government. Currently, Grants Commission funding has increased by 2.4%. Commonwealth funding has increased by 2.25%. If we

were rate capped by the government to CPI, this would leave us with a negative result and the need to reduce our services to the community. However, with Hepburn Shire's very low proposed rate rise of 4%, we would probably be able to withstand this better than many of our neighbouring councils that are still talking 6, 7, 8 or 9% rate rises.

The other concern, Mr Mayor, was for an advisory committee that is to be set up from amendments to the Local Government Act to have input into the CEO's employment matters. The CEO Employment Advisory Committee would be set up with a paid independent chair who may or may not provide qualified advice. Being an advisory committee, Council does not necessarily have to take this advice. This would be an extra task for Council, an extra committee, an extra cost for advice that is not necessarily heeded and is a further erosion of local government as an independent governing body able to control its own staff and financial future. This plus rate capping, Mr Mayor, suggests that local government is entering a difficult phase should our ability to govern for and on behalf of our ratepayers who live in the Shire be further taken over by higher levels of government, particularly in this case, by the state. Some years ago Premier Bracks made it clear that local government was independent and actually got local government written into the Victorian Constitution. This has yet to happen at Federal level and it's unfortunate that the same party that suggested that is now advocating rate capping.

So, Mr Mayor, this will end my report tonight by emphasizing that we in local government need to be working together with other local governments, all 79 of us in the state of Victoria; working together through our various associations, through our representatives that go to these meetings to ensure the best possible outcome that we can collectively get for the people that matter that most - and they are our residents and our ratepayers.

Councillor Pierre Niclas, Birch Ward

21/05/2014 Birch Ward Meeting

At the regular Birch Ward meeting, a group of very concerned residents from the North of the Ward, particularly just past the Excelsior Bridge made representation to both Cr Redwood and I about the imminent full closure, demolition and rebuilding of the Excelsior Bridge.

Their main concern was their belief that there was not an appropriate level of consultation by Council or its Officers with the residents and businesses who would be most affected.

We were very lucky to have our GM Infrastructure there who was able to answer many of the questions posed as well as take away those questions that needed to be followed up.

Following on from a very lively meeting, It was decided to hold a further 'emergency' ward meeting on 11 June back at the Daylesford Library to report back on some of the questions and issues as asked and raised by those residents.

A few days after that meeting, I accepted the group's petition on behalf of Council and delivered it to our Governance Officer for correct lodgement and processing.

26/05/2014 Audit and Risk Advisory Committee

Some might think that the Audit and Risk Advisory Committee is not necessarily an exciting committee to be on, however I am very pleased to report that of all the great committees that keep this Shire functioning, this one has been growing in stature with our Internal and External Auditors.

Upon questioning, both Auditors agreed that the current performance of this Council is exemplary by way of its full transparency and eagerness to work with all Auditors.

This great result is a direct reflection of the great work by our ex-GM Corporate Services and his Finance team. I would just like to thank Mr. King and his team for placing this Council in such good stead.

26/05/2014 Special Meeting of Council

Public submissions to the Proposed 2014/15 Council Budget and 10 Year Financial Plan were received from interested parties from around the Shire.

Although only a few 'public' submissions were received, they were accepted and considered by Council.

As you will see, both the 2014/15 Council Budget and 10 Year Financial Plan will be discussed and considered for adoption tonight.

11/06/2014

This was the follow-up meeting to the May 21st meeting. Cr Redwood and I again met with a group of residents and covered many areas as was discussed on the 21st.

I will end my report now to allow for Public Participation Time where I believe this Council will get a much better understanding first hand of how these

ratepayers feel and what they believe they need to assist them with managing their concerns over the period of the bridge rebuild.

Councillor Kate Redwood AM, Birch Ward

This has been a relatively quiet month as far as Council commitments go.

A list of formal activities is at the end of this report.

Major concerns have included:

Fundraising for the proposed Vic Park facility

Following Council's commitment to underwrite the community fundraising for this project, made at the last Council meeting, I have been working to make sure that the necessary funds are raised. I am therefore very pleased to report that there is strong interest in this from a range of sources in the community and I am confident that there will be considerable funds raised for the project from the community of users. In particular, the Daylesford Football Netball Club will provide leadership among Vic Park users to raise funds.

Along with the Mayor, Cr May and the CEO I attended the Bendigo Bank Community meeting at which the Council's priority for Vic Park was put before a large gathering of people who are active in the Daylesford community. I am happy to answer any questions that Councillors may have about this fundraising.

Upgrade of Daylesford Secondary College

Over the last few weeks I have been assisting the campaign for funds for the Daylesford Secondary College (DSC) upgrade. The most recent event was a meeting of DSC parents and parents of primary school age children with Mary-Anne Thomas, to press for ALP commitment of funds for the school. It is apparent to me that the economic future of Daylesford and surrounds is linked to the viability of the school. If its facilities are allowed to deteriorate, then families will move out of the area in order to find secondary schooling for their children. Conversely, if the school provides better facilities then families will move here because of the many attractions of the area including access to a good secondary school. We know that the teaching is excellent. We also know that the buildings are very poor indeed. In my mind, this project alone should be at the core of Council's economic development strategy for the area.

Public Arts Panel

The first meeting of the Public Arts Panel (PAP) saw a most impressive group assemble to advise the Council on a range of public arts matters. It was clear that the members of the PAP are very keen to assist and are most encouraged by Council's allocation of funds in the budget for public art in the Shire. A greater contrast to the public arts consultations last year, when the arts community expressed its disappointment with Council, would be hard to imagine. I feel very optimistic that Council will achieve its Council Plan goal for the arts.

Excelsior Bridge

Cr Niclas and I held two ward meetings for Birch Ward with a specific focus on the project to replace the unsafe Excelsior Bridge with a new bridge. Residents on the Shepherds Flat side of the bridge have expressed their concern regarding lack of access to Hepburn Springs and Daylesford during the 9 to 12 weeks construction period.

Work that I have undertaken on behalf of Council has included the following:

- 20/05/2014 CEO/Mayor meeting, councillor briefings, Councillor/CEO meeting, Council meeting
- 21/05/2014 Birch Ward meeting
- 26/05/2014 Special Council Meeting to hear budget submissions
- 27/05/2014 CEO/Mayor meeting
- 30/05/2014 Inaugural Public Arts Panel meeting
- 03/06/2014 CEO/Mayor meeting, meeting with Ripon candidate, Daniel McGlone, Councillor briefings
- 04/06/2014 Bendigo Bank Community meeting, Daylesford
- 10/06/2013 CEO/Mayor meeting, Special Councillor briefing
- 11/06/2014 Birch Ward meeting
- 12/06/2014 Daylesford Secondary College parents meeting with Mary Anne Thomas

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 Pierre Niclas

Seconded: Councillor Neil Newitt

Carried.

9. PUBLIC PARTICIPATION TIME

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

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

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

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

9.1. PETITION – EXCELSIOR BRIDGE – HEPBURN NEWSTEAD ROAD, SHEPHERDS FLAT

SUMMARY

Council has received a Petition with 117 signatures from local residents which reads:

'In a matter of a few weeks, the Hepburn Shire Council Plans to close the bridge on Hepburn Newstead Road in Shepherds Flat. There has been no consultation with the residents. The road will be closed for a minimum 3 months over Winter. The impact of this closure is far reaching. It will affect the operation of small business in the area, what usually is a 10 minute drive to Daylesford will now take 25 minutes via Carrolls Lane or Basalt Road. There are people with existing chronic medical conditions, shift workers who work nights, etc. It is not right or fair to expect these people to have to travel dangerous unsealed roads for 3 months or more. We propose that the Council keeps the bridge open and builds a second bridge next to the existing one.

By signing this petition you are requesting that Hepburn Shire Council does not close the bridge on Hepburn Newstead Road.'

RECOMMENDATION

That Council:

- 9.1.1 Receives the petition requesting Council to not close the Hepburn Newstead Road Bridge and that the petition lay on the table for one month.
- 9.1.2 Refers the petition to the General Manger Infrastructure for consideration prior to commencement of proposed bridge works
- 9.1.3 Advises the head Petitioner of the above process.

MOTION

That Council:

- 9.1.1. *Receives the petition requesting Council to not close the Hepburn Newstead Road Bridge and that the petition lay on the table for one month.*
- 9.1.2. *Refers the issues raised by the petition to the General Manger Infrastructure for consideration prior to commencement of proposed bridge works.*
- 9.1.3. *Advises the head Petitioner of the above process.*

Moved: Councillor Kate Redwood

Seconded: Councillor Pierre Niclas

Carried.

9.2. QUESTIONS

Councillor Bill McClenaghan left the meeting at 6:27 pm due to an indirect Conflict of Interest and returned to the meeting at 6:32 pm.

**Questions: From Mr Gary McIntosh
Chairperson
Bullarto Community Planning Group**

Regarding the proposed budget allocation of \$35,000 to design and document the Bullarto to Lyonville Rail Trail, being stage 2 section 2 of the Daylesford to Macedon Ranges Rail Trail:

Following on from community meetings held at Bullarto Hall in June and August 2013 facilitated by Hepburn Shire Council, our working group was asked by Council to consider a name for the Bullarto to Lyonville Rail Trail. The Lyonville to Trentham section is named 'the Domino Trail' after the Domino Creek it traverses midway along the trail.

Our group had several meetings and discussions on the issue and liaised with various stakeholder groups including the Board of the Daylesford Spa Country Railway. Three names were shortlisted being 'the Shyann Trail' named after a property midway along the trail on old survey maps, 'the Babbington Trail' named after the hill and road midway along the trail, and 'the Headwaters Trail' named after the headwaters of the Loddon River and the Kangaroo Creek that it traverses.

Our group and the board of the Daylesford Spa Country Railway concurred that **'the Headwaters Trail'** was most appropriate, in fact entirely appropriate. Not only does this name have synergy with the naming of 'the Domino Trail' named after a watercourse, it also highlights the fact that the area is the top of the divide, the headwaters, and has the highest operating railway station in Victoria. Furthermore, this name may be suitable for the entire section of rail trail connecting Bullarto to Trentham that also includes the headwaters of the Coliban River.

Will Council please consider adopting the name the 'Headwaters Trail' or the 'Central Highlands Headwaters Trail' for this section/s of the Rail Trail?

Secondly, several members of the Bullarto Community Planning Group are landholders abutting the Rail Trail and our group has been supplying them with information about this Council project.

What is Council's timeline for formal discussions to commence with the relevant landholders, community groups and other stakeholders such as the Daylesford Spa Country Railway, the Bullarto Hall Committee and the Trentham Residents and Traders Association (Friends of Trentham Station)?

Answered by Mayor Cr Don Henderson

As part of the Crossing Borders Tracks and Trails project (2013) the proposed Daylesford to Macedon Ranges Rail Trail was investigated. In August 2013 Council endorsed the Crossing Borders reports and resolved that any future progress of the individual tracks and trails projects would be part of the annual budget process or externally funded.

Council's 2014/15 proposed budget includes a project to further investigate the Bullarto - Lyonville stage of the Trail, specifically to undertake community consultation, bridge assessment, native vegetation assessment and detailed design documentation. This is in line with the action plan included in the Crossing Borders report. Consultation with relevant stakeholders (including lease holders along the rail corridor) will take place between July and December 2014.

As this section of the rail trail is still in the planning phase naming has not yet been considered. Your suggestions are noted and as the project progresses naming of this section will be discussed further with the community.

Councillor Bill McClenaghan returned to the meeting at 6:32 pm.

**Question: From Ms Meredith Borlin
Treasurer
Bullarto Community Planning Group**

Regarding the proposed budget allocation of \$22,000 for community facilities at Bullarto according to priority projects in community plans:

Please note that the Bullarto Community Planning Group's community strengthening grant application for this year is formally withdrawn and will not be resubmitted in 2014/15 so please waste no further time discussing the application. The reasons for this are twofold.

Firstly, the proposed relocation of an unused community noticeboard from South Bullarto to Bullarto Township has just in the last week been cancelled with the resurrection of this dilapidated noticeboard by two members of our group who hail from the very southern extremities of South Bullarto. In fact they reside just over the Hepburn Shire Council boundary in the Moorabool Shire. The Bullarto Community Planning Group supports their efforts to retain a community noticeboard near the tennis courts, playground and school at South Bullarto. A new noticeboard will therefore be required for Bullarto Township at considerably higher cost than simple relocation of an existing noticeboard.

Secondly, we have also just in the last week been informed by the Bullarto Hall Committee that a portable gas BBQ that was part of our grant application for all community groups to utilise cannot be stored at the Bullarto Community Hall so there is no point progressing that compromise option. The Bullarto Community Planning Group therefore will need to go back to the original proposal that was presented to Council in February of a fixed BBQ as exist at Glenlyon, Tylden, Lyonville and numerous other locations throughout the Shire.

As a similar structure at Ellerslie in the Moyne Shire cost \$75,000 seven years ago, will Hepburn Shire Council make a concerted and immediate effort to apply for local, state and federal grants to add to the \$22,000 currently allocated so Bullarto Township may finally get a fully functional and adequate community recreation facility that should include a noticeboard, interpretive display, BBQ, a covered shelter with picnic tables, toilets and a water tank?

Answered by Mayor Cr Don Henderson

The project included in Council's 2014/15 proposed budget, to create new facilities for community use at Bullarto, will have two stages:

1. Consultation and mapping to confirm the location of the facilities.
2. Implementation of the project.

It is not anticipated that any external funding will be required for the project to construct a shelter and interpretive display.

Council will be considering the lease of Council land adjoining the Bullarto Hall in July 2014.

Questions: From Mr John Faulkhead, Shepherds Flat
Hepburn CFA

- 1. Why has emergency services still not had clarification on a 24 hour crossing to the North side of Excelsior Bridge?**
- 2. If an emergency crossing is in place, will it be kept in safe usable condition?**
- 3. If there is a crossing put in place and it is kept in a safe and usable condition, why is it that this crossing cannot be used by local traffic?**

Answered by Mayor Cr Don Henderson

1. The Emergency Services have been advised of the proposed bridge closure and the closure is listed on the VicRoads website.

The CFA requested Council to review the arrangements to ascertain if some temporary access via a construction crossing may be available during the construction period, and Council has today been advised that this is not likely to be available as part of the construction activities. This information has also been conveyed to CFA this afternoon.
2. No temporary crossing is proposed by the contractor and therefore it is not likely that a temporary crossing will be available.
3. No crossing is proposed.

Question: From Ms Tara Haneveld, Bodhidharma, Shepherds Flat

Did the Council consider the significant impact closure of the bridge has on the local businesses within the Shepherds Flat community as well as households that rely on this bridge to provide access to the township?

We have only been given one month notice which is too short a time to arrange alternate venues when a bypass around the bridge (temporary bridge) could be made available.

Answered by Mayor Cr Don Henderson

Council accepts that there is an inconvenience for all affected residents and businesses and invested significant effort to explore available options to minimise this. In doing so, Council officers have worked with businesses endeavouring to minimise the impact where possible.

Council will continue to work with businesses to support them as far as possible via our Economic Development Unit and Council website.

There should not be a need to find alternate venues as access to all properties will remain available via the designated detour routes and Council can assist with temporary directional signage to support this.

The provision of a safe temporary crossing is not easily achieved and will be significant in costs in order to meet the required road standards.

Questions: From Mr Diederik Haneveld, Bodhidharma, Shepherds Flat

Does Council think the alternate routes are a safe decision? The added traffic on Basalt and Carrolls Lane will not cope with the traffic burden and there will be accidents. Night traffic will encounter 100s of kangaroos and it is guaranteed that there will be major accidents. Where is the 'Duty of Care' for the decisions?

As it is, there were nasty near misses on the bridge. Build the bridge next to the old one.

Answered by Mayor Cr Don Henderson

Council believes the roads are provided to a safe and acceptable standard.

Council brought forward gravel resurfacing works to renew these roads. Officers will also be monitoring the condition of all detour routes for the duration of the closure and will ensure that they are appropriately maintained for the expected traffic requirements.

Council does acknowledge that the conditions on the proposed detour routes will be different to the existing main road and also acknowledges that the motorist has a responsibility to drive according to the given road conditions.

9.3. REQUESTS TO ADDRESS COUNCIL

The following community members addressed Council about the closure of the Excelsior Bridge, Hepburn Newstead Road, Shepherds Flat and expressed their concerns regarding the impact on the daily life of residents, impact on small business operators and driver safety concerns and provided suggestions for a bypass bridge.

Mr Josh White, Spa Country Builders, Shepherds Flat

Mr Kaya Storm, Synergy Stone, Shepherds Flat

Mr Peter Pedretti, Shepherds Flat

Ms Carol White, Lavandula, Shepherds Flat.

10. STATUTORY PLANNING REPORTS

10.1. PLANNING APPLICATION 385 – SUBDIVISION OF LAND INTO TWO LOTS AND DEVELOPMENT OF A DWELLING AND OUTBUILDINGS ON EACH LOT CREATED – 5688 MIDLAND HIGHWAY, MOUNT FRANKLIN

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Statutory Planner, I Alan Todd have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to determine the application to subdivide the land into two lots and the development of a dwelling on each lot at 5688 Midland Highway, Mount Franklin.

BACKGROUND

The application was received on 7 February 2014. The applicant was advised in writing that the proposal was unlikely to receive officer support. The applicant was given the opportunity to withdraw the application, with a refund, however chose to proceed with the application.

The application site is zoned Farming Zone and is located on the western lower slope of Mount Franklin and has an area of 62.48Ha. The proposal is to subdivide the land into two parcels of 20.01Ha and 42.47Ha, with a dwelling on each lot.

The application was referred internally to engineering and environmental health and externally to the Country Fire Authority, Goulburn-Murray Water and VicRoads. All referrals gave conditional consent to the proposal.

The application was advertised to adjoining landowners and occupiers. No objections were received.

ISSUE/DISCUSSION

Clause 14.01-1 of the Hepburn Planning Scheme seeks the protection of agricultural land. In assessing the application it is considered that the proposed 2 lot subdivision and the development of a dwelling on each lot may remove the land from primary production, given its agricultural productivity. The land has been identified as being of average quality agricultural land, is used for grazing which usually requires a larger holding to remain viable.

Clause 22.04 – Rural Land seeks to discourage the subdivision of lots that can result in a concentration of lots likely to change the use and character of the rural area. The development of an additional 2 dwellings in an area will likely lead to a further fragmentation of agricultural land and the development of further dwellings leading to a change of land use leading more to a rural lifestyle area. This is more appropriate in established Rural Living Zones which have been strategically set aside for that purpose.

The purpose of the Farming Zone is:

- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The applicant stated that dwellings are required on the lots in order to supervise agricultural activities on the land which includes the grazing of cattle.

The landowner currently has a dwelling approx 800m to the north of the subject site, therefore is it questionable whether a dwelling is required to supervise current agricultural activities, when to date, this has been managed from the existing dwelling.

The purpose of the farming zone is to encourage and retain agriculture and to ensure that dwellings do not adversely affect the use of the land for agriculture. Allowing a 2 lot subdivision and the development of 2 new dwellings will permanently remove that land from a larger agricultural use and restrict adjoining farms from expanding.

The development of dwellings may lead to an increase in the value of productive agricultural land, which may restrict any expansion of adjoining agricultural properties, as the land becomes too expensive.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

This application meets Council's obligations as Responsible Authority under the *Planning and Environment Act 1987*.

FINANCIAL IMPLICATIONS

Any application determined by Council or under delegation of Council, and, which is subject to appeal rights, may incur costs.

RISK IMPLICATIONS

Not applicable.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Not applicable.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987*.

CONCLUSION

Land in the vicinity around Mount Franklin is generally in larger lots, or farmed as larger units, with some smaller lots to the East of Mount Franklin. Subdivision of this parcel is considered an unjustified fragmentation of productive land, likely to contribute to a qualitative change in the district towards rural lifestyle use. This is specifically discouraged by local planning policy.

Extensive animal husbandry (including cattle grazing) can continue to be carried out on the land as it is. No clear agricultural benefit would be gained by subdividing the land and through the development of two dwellings.

OFFICER'S RECOMMENDATION

10.1.1 That Council having caused notice of Planning Application 385 to be given under section 52 of the Planning and Environment Act 1987, and having considered all the matters required under section 60 of the Act decides to refuse to grant a permit under the provisions of clause 35.07 of the Hepburn Planning Scheme in respect of the land known and described as 5688 Midland Highway, Mount Franklin, for the Subdivision of the Land into Two Lots and the Development of a Dwelling and Outbuilding on each lot, with the application dated 7/2/2014 for the following reasons:

- The proposal does not support the purpose of the zone.
- The proposed subdivision will contribute to the fragmentation of productive agricultural land, leading to a change in the use and character of the area.
- The proposed subdivision and development of dwellings will adversely affect the long term productive capacity of the land.
- The proposed subdivision and development of dwellings may permanently remove productive land from an agricultural use.

Mr James Iles, Director/Town Planner, iPlanning Services Pty Ltd, on behalf of the applicant/landowner, addressed Council in support of the application.

Mr Iles tabled a map showing the subject site in relation to Rural Living and Farming Zones land, existing houses and lot areas greater than 25 ha that was circulated to all Councillors.

MOTION

10.1.1. *That Council having caused notice of Planning Application 385 to be given under section 52 of the Planning and Environment Act 1987, and having considered all the matters required under section 60 of the Act resolves to issue a permit in respect of the land known and described as 5688 Midland Highway, Mount Franklin, for the Subdivision of the Land into Two Lots and the Development of a Dwelling and Outbuilding on each lot, with the application dated 7/2/2014 subject to the following conditions:*

10.1.1.1. *The plan of subdivision and development as shown on the endorsed plans must not be altered without the consent of the responsible authority.*

10.1.1.2. *The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.*

10.1.1.3. *All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.*

10.1.1.4. *Access must be provided to each lot in accordance with the requirements of Hepburn Shire Council. All costs to be met by the applicant/owner.*

NB The developer will be advised of the required construction standards and conditions including relevant fees/charges to be borne by the applicant to enable a Statement of Compliance to be issued under separate cover.

10.1.1.5. *The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.*

Council Environmental Health Officer

- 10.1.1.6. *An application to install a septic tank system must be submitted prior to any works commencing.*
- 10.1.1.7. *An EPA approved Septic Tank System must be installed in accordance with the Code of Practice: Onsite Wastewater Management.*
- 10.1.1.8. *The effluent disposal field must be located in an area that is able to satisfy minimum setbacks from dams and waterways. A 60m setback must be satisfied from any proposed or existing dams and 100m from declared waterways.*

Goulburn-Murray Rural Water Corporation

- 10.1.1.9. *All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).*
- 10.1.1.10. *All wastewater from each of the proposed dwellings must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must be an EPA approved system, installed, operated and maintained in accordance with the relevant EPA Code of Practice and Certificate of Approval.*
- 10.1.1.11. *The wastewater disposal areas must be located at least 100 metres from the nearest waterway and at least 20m from any bore.*
- 10.1.1.12. *The wastewater disposal areas must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.*

10.1.1.13. No buildings or works are to be constructed within 30 metres of any waterways.

Country Fire Authority

Amended plan of subdivision

10.1.1.14. Before certification of the plan of subdivision issued under the Subdivision Act 1988, an amended Plan of Subdivision must be prepared for the subject land to the satisfaction of the Country Fire Authority (CFA) and the Responsible Authority and must be approved by the Responsible Authority. The amended Plan of Subdivision must be generally in accordance with the plans submitted with the application but modified to show:

- The building envelope for Lot 1 and Lot 2 located outside the area of the Bushfire Management Overlay.

VicRoads

10.1.1.15. One crossover on Midland Highway is permitted for Lot 1 and must be constructed to the satisfaction of Vic Roads.

10.1.1.16. The effluent disposal field must be located in an area that is able to satisfy minimum setbacks from dams and waterways. A 60m setback must be satisfied from any proposed or existing dams and 100m from declared waterways.

10.1.1.17. Vehicular access arrangement for Lot 2 must be via Mount Franklin Road.

NOTES

Expiry of permit:

DEVELOPMENT OF DWELLINGS

This permit will expire if the permitted development is not started within two years of the date of this permit, or is not completed within four years of that date.

The responsible authority may extend these periods if a request is made in writing before the permit expires, or:

- *Within six months afterwards if the development has not been started.*
- *Within twelve months afterwards if the development started lawfully before the permit expired.*

SUBDIVISION

This permit will expire if the plan of subdivision is not certified within two years of the date of this permit.

The responsible authority may extend this period if a request is made in writing before the permit expires, or within six months afterwards.

Under section 7 of the Subdivision Act 1988, the plan of subdivision must be registered within five years of the date of certification.

Goulburn-Murray Rural Water Corporation

Application must be made to Goulburn-Murray Water prior to construction of any dams on the subject land. A licence must be obtained where surface or groundwater supplies are taken and used for commercial irrigation purposes or if a dam is to be constructed on a waterway as defined under the Water Act 1989. For further information, the applicant should contact Goulburn-Murray Water Diversion Operations on 1800 013 357.

Country Fire Authority (CFA)

CFA requests that a copy of any permit and a copy of any notice given under section 64 or 65 of the Act be sent to CFA pursuant to section 66 of the Act.

CFA does NOT consent under section 9 of the Subdivision Act 1988 to the Certification of the Plan of Subdivision.

CFA does want the Plan of Subdivision for this planning permit application referred under section 8 of the Subdivision Act 1988.

CFA does NOT consent to the Statement of Compliance for Subdivision at this stage.

Moved: Councillor Greg May
Seconded: Councillor Bill McClenaghan
Carried.

**ATTACHMENT 1 - PLAN – PLANNING APPLICATION 385 –
5688 MIDLAND HIGHWAY, MOUNT FRANKLIN**

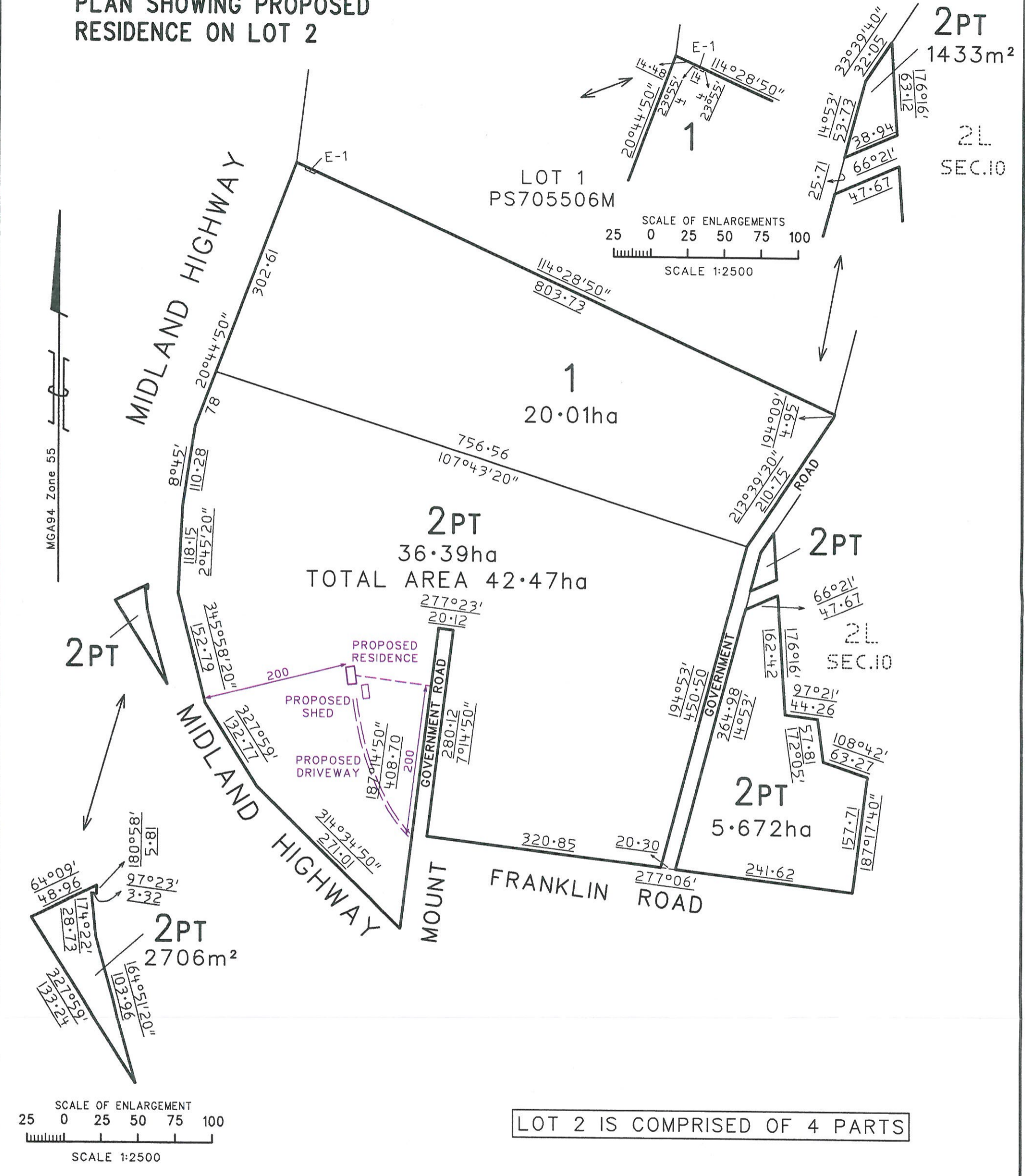
PLAN OF SUBDIVISION

Stage No.

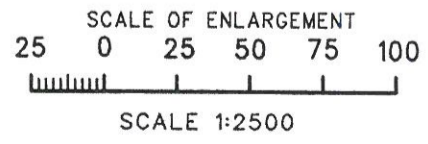
Plan Number

PS724068C

PLAN SHOWING PROPOSED RESIDENCE ON LOT 2

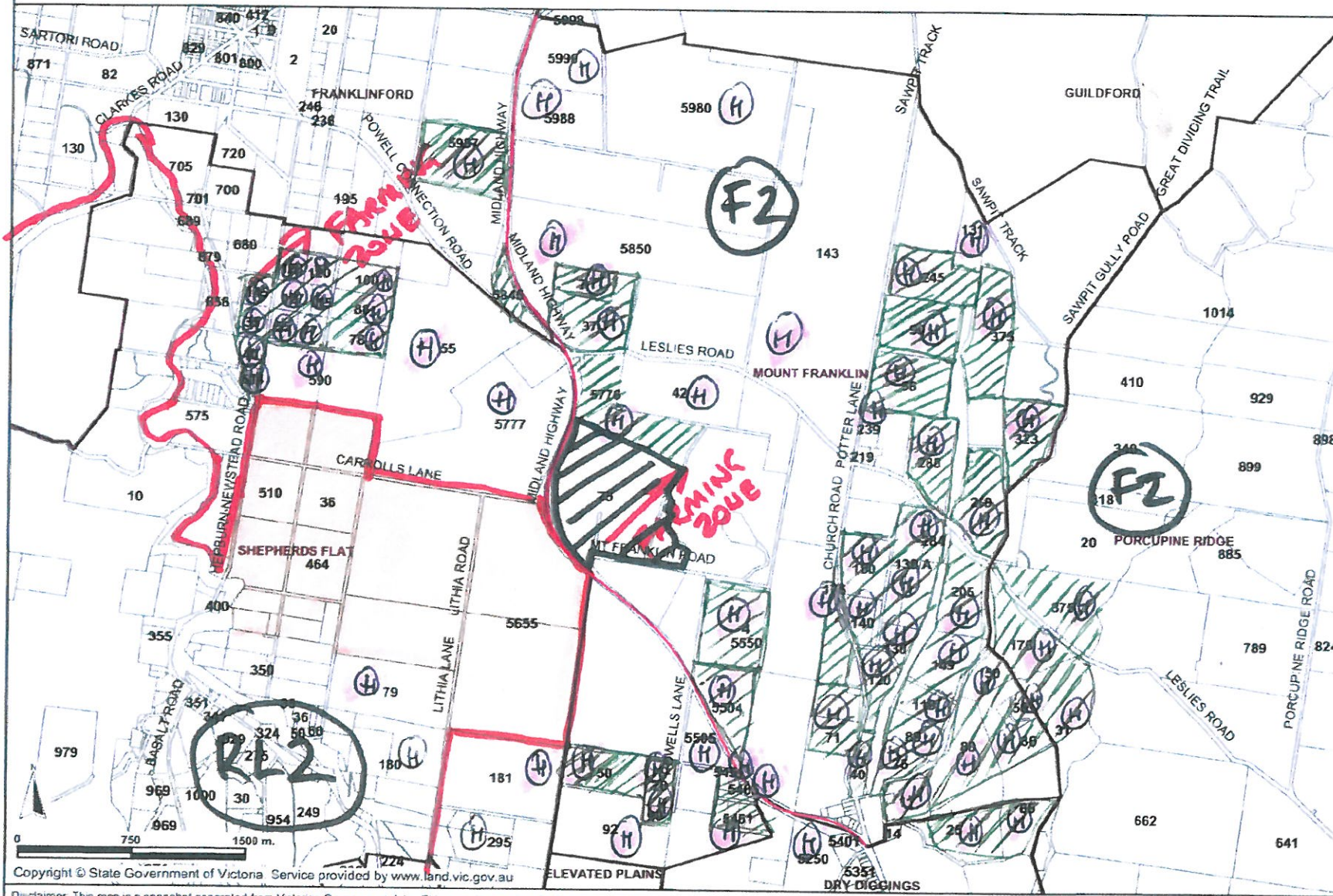


LOT 2 IS COMPRISED OF 4 PARTS



SCALE 50 0 50 100 150 200 LENGTHS ARE IN METRES	ORIGINAL		LICENSED SURVEYOR KEVIN BERNARD FLYNN		Sheet 1 of 1
	SCALE 1:5000	SHEET SIZE A3	SIGNATURE	DATE	DATE / /
KEVIN B. FLYNN 7 CAMPBELL CRESCENT ENFIELD, VIC. 3352 Ph. 0430140302	REF: 252	VERSION 01	COUNCIL DELEGATE SIGNATURE		

**PLANNING APPLICATION 385 – 5688 MIDLAND HIGHWAY, MOUNT FRANKLIN
MAP TABLED AT MEETING AND CIRCULATED TO COUNCILLORS**



Legend

- Major town
- Minor town
- Built up area
- Road
- Road name
- Railway
- Rail trail
- Tramway
- Property in parcel
- Highlighted property
- Address
- Lot number
- Plan number
- Crown allotment number
- From stream baseline
- Water body
- Locality
- Locality name
- Local Government Area
- LGA name
- Local Gov Ward (2012)
- Ward name (2012)
- Local Gov Ward (2009)
- Ward name (2009)
- Existing zone area

Subject Site

CHW land

EXISTING HOUSES

lot areas < 25ha

RL2 Rural Living

FZ Farming

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Disclaimer: This map is a snapshot generated from Victorian Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to assess the currency of data.

Map Scale 1:36,173
June 5, 2014 5:22:20 PM



**10.2. HEPBURN SHIRE COUNCIL - SIGNIFICANT TREE REGISTER - AMENDMENT C54
CHIEF EXECUTIVE OFFICER**

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

PURPOSE

The purpose of this report is to seek Council's approval to request authorisation from the Minister for Planning to exhibit the Significant Tree Register (STR) Amendment C54.

BACKGROUND

The STR and amendment seeks to provide protection for significant trees recommended for inclusion in the STR. Council called for nominations for the STR; a total of 69 nominations were received. Of the 69 nominated trees or groupings of trees, all but 5 have been recommended for inclusion on Council's STR. Those that are not recommended do not satisfy the criteria of significance are not located in the Shire or were withdrawn.

ISSUE / DISCUSSION

Statements of significance and amendment documents have been prepared for the nominated trees to allow for Amendment C54 to be placed on public exhibition for a period of 30 days.

Amendment C54 explanatory report and the Statements of Significance are attached (Attachment 2 and Attachment 3 – Issued under Separate Cover).

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Amendment C54 is consistent with the Ministerial Direction on the form and content of Planning Schemes under Section 7 of the *Planning and Environment Act 1987*.

FINANCIAL IMPLICATIONS

The project was funded by Council. There are no additional funding requirements in order to exhibit and complete the STR amendment.

RISK IMPLICATIONS

Nominations have been received to protect significant trees on both public and private land.

The amendment must be placed on public exhibition for a period of not less than 30 days in which Council will seek submissions (if any) on the proposed protection of the nominated trees.

Any unresolved submissions may need to be considered by a Panel which may defer any adoption of the amendment.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The amendment will ensure that significant trees are protected and that the environmental and landscape values of towns and rural areas are protected and enhanced.

The amendment will provide an opportunity for community and scientific input into decisions regarding proposals to remove trees that have environmental, cultural, heritage, aesthetic and landscape values.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council had previously engaged with residents when seeking nominations for the STR.

Further consultation will occur as part of the amendment process. A one month public exhibition period will be undertaken in accordance with the *Planning and Environment Act 1987*. Public exhibition will include notices to all the prescribed Ministers, relevant service authorities, a notice of the amendment in *The Advocate* newspaper, on Council's website as well as a notice in the *Victoria Government Gazette*.

CONCLUSION

It is recommended that Council exhibit the STR amendment for a period of 30 days in accordance with the guidelines for preparing amendments.

Council will seek submissions on the proposed nominations for the STR to then seek protection of the significant vegetation in the Hepburn Planning Scheme.

The next step will be for Council to determine an action plan to provide protection of those trees that are located on public land and to consider tree management standards across the shire to ensure ongoing maintenance and protection.

OFFICER'S RECOMMENDATION

10.2.1 That Council resolves to seek the approval of the Minister for Planning to place Amendment C54 (Hepburn Significant Tree Register) on exhibition for a period of 30 days.

MOTION

10.2.1. *That Council resolves to seek the approval of the Minister for Planning to place Amendment C54 (Hepburn Significant Tree Register) on exhibition for a period of 30 days.*

Moved: Councillor Kate Redwood

Seconded: Councillor Neil Newitt

Carried.

**ATTACHMENT 2 - HEPBURN PLANNING SCHEME – AMENDMENT C54
EXPLANATORY NOTES**

HEPBURN PLANNING SCHEME

AMENDMENT C54

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Hepburn Shire Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to number of properties within the Shire of Hepburn which have been identified as being of cultural heritage significance.

The amendment is proposed to apply to trees on both private and public land.

What the amendment does

The amendment proposes to:

- Make changes to Clause 21.09 by adding a new strategy to identify, protect and manage significant trees and listing the Hepburn Significant Register Statements of Significance Report² (2012 revised 2014) as a Reference Document;
- Apply Vegetation Protection Schedule 1 (Roadside and Remnant Vegetation) to trees at the following roadside and State Forest locations:
 - Clunes-Creswick Road, Clunes, 2 km south of Clunes (1 tree)
 - Road reserve at Torpys Road (Green Gully Road), Glenlyon
 - Roadside tree with frontage to 45 Rothes Road, Little Hampton (1 tree)
 - Wombat Forest near to corner of Bridge Road and Reed Track, Little Hampton (1 tree) and include the ‘ Manna Gum only’
 - Road reserve at Pearces Road, near intersection of Kearneys Road and South Lyonville Road, South Lyonville
 - Spring Hill Cemetery, Spring Hill (1 tree)
 - Road reserve at Trentham-Blackwood Road, south of Countess Road (opposite transfer station), Trentham
 - Roadside tree, adjacent to Daylesford Trentham Road, Trentham (1 tree)
 - Road reserve at Trentham Falls Road (east side), adjacent golf course, Trentham (stands of trees)
- Apply proposed Vegetation Protection Overlay Schedule 2 (Significant Exotic and Native vegetation) to protect trees situated at the following properties and locations:
 - Streets tree in roadside reserve Loughlin Street and Parkin Street, Allendale (2 trees)
 - 24 Parkin Street, Allendale (3 trees)
 - Street trees in roadside reserve at front of 24 Parkin Street, Allendale (1 trees)
 - 14 Sutherland Street, Clunes (4 trees)

- Creswick Creek, Clunes, northwest of Camp Street ford (1 tree)
- 'Rose Hill' Learmonth Road, Clunes (1 tree)
- 41 Matts Lane, Coomoora (3 trees)
- Street trees in roadside reserve of Albert Street, Creswick (34 trees)
- 64 Napier St, Creswick (2 trees)
- Le Gerche Walking Track, Creswick Regional Park, Sawpit Gully
- 15 St Georges Lake Road, Creswick (1 tree)
- 1 Bellbird Lane Daylesford (1 tree)
- 31 Stanbridge Street, Daylesford (garden)
- 68B East Street, Daylesford (1 tree)
- Daylesford Victoria Caravan Park (4 trees), Daylesford – Ballan Road
- Road reserve at Barkly Street, Glenlyon (1 tree)
- 10 Donald Lane, Newbury (1 tree)
- 169 Alcorns Road, Springmount (1 tree)
- Roadside tree, adjacent to 2140 Trentham Falls Road, Trentham
- 60 Mulcahys Road, Trentham (1 tree)
- Lot 47 Brien Street, Trentham (1 tree)
- Apex Park, Market Street Trentham (1 tree)
- Stands of trees on property at 119 Amelia Road, Trentham
- 33 Park Street, Trentham
- 40 Hovarths Road, Trentham (1 tree)
- Apply the Vegetation Protection Overlay Schedule 2 (Significant Exotic and Native Vegetation) to trees located at the following properties where a Heritage Overlay currently applies but without tree controls:
 - School of Forestry, West Street, Creswick (HO20) (stand and individual trees)
 - Adjacent to entrance to St Pauls church, Napier Street, Creswick (HO39) (2 trees)
 - Corner of Napier and Hall Street, Creswick (1 tree)
 - 131 Napier Street, Creswick (HO 813) (1 tree)
 - 3 Camp Street, Trentham (HO367) (1 tree)
- Apply the Heritage Overlay to the following avenues of street trees and update the schedule to Clause 43.01 Heritage Overlay to include;
 - Street trees in roadside reserve, Elizabeth Street, Allendale (12 trees)
 - Street trees and avenue in Barkly Street, Glenlyon (39 trees)
- Update the Maps in the Hepburn Planning Scheme, accordingly.

Strategic assessment of the amendment

- **Why is the amendment required?**

In 2010, Hepburn Shire Council called for nominations for the Hepburn Significant Tree Register. A total of 69 nominations were received. Nominations included trees on private property and in road reserves and parks. Nominations were completed on prescribed Significant Tree Register forms. Responses on the forms were required to questions about the cultural, scientific or historical significance of the nominated tree or trees. .

Planit and Tree Ecology were appointed by Council in May 2011 to undertake Stage 2 of the Study involving survey and assessment of the nominated trees, preparation of a report on the statement of significance of the trees and prepare of a planning scheme amendment to implement the Report. The Report entitled "*Hepburn Significant Tree Register - Statement of Significance (2012 revised May 2014)*" is proposed under Amendment C54 to become a reference document in the planning scheme.

Assessments of nominated trees were based upon the National Trust (Victoria) categories of significance. Assessments of nominated trees have also considered the Australian Heritage Commission's eight broad criteria. These criteria are contained in the Victorian Planning Provisions Practice Note (DPCD February 1999).

Two community workshops were held in early September 2011, one at Creswick and the other at Trentham. The purpose of the workshops were to provide an opportunity for nominees and other interested persons to view draft statements of significance for nominated trees and to provide further information to the consultants that may be useful to a fuller appreciation of the significance of a tree or group of trees.

The *Hepburn Significant Tree Study – Statements of Significance (2012 revised May 2014)* contains recommendations for the inclusion of trees or groups of trees onto Council's Significant Tree Register and the application of the Heritage Overlay and Vegetation Protection Overlay for trees recommended for the Hepburn Significant Tree Register. The *Hepburn Significant Tree Study – Statements of Significance (2012 revised May 2014)* provides clear guidelines about how to manage the vegetation identified in the Report.

The amendment seeks to provide protection for trees recommended for inclusion the Hepburn Significant Tree Register. The Heritage Overlay and vegetation Protection Overlay provides protection for trees potentially posed with a threat of removal or lopping. Planning permit applications would be required to remove or lop trees proposed for inclusion in the Heritage Overlay and Vegetation Protection Overlay under Amendment 54.

The amendment will also provide an opportunity for community and scientific input to decisions regarding proposals to remove vegetation that is important for environmental, cultural, heritage, aesthetic or landscape values.

- **How does the amendment implement the objectives of planning in Victoria?**

Council is responsible for implementing the objectives of planning in Victoria, which include, '*to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historic interest or otherwise of special cultural value.*' Amendment C54 is consistent with the objectives of the Planning and Environment Act 1987.

- **How does the amendment address the environmental, social and economic effects?**

Environmental

The amendment will ensure that the significant trees in the municipality are protected and that environmental and landscape values of towns and rural areas of the municipality are protected and enhanced. The amendment seeks to protect trees that could potentially be under threat of removal or lopping.

Social & Economic Impacts

The amendment will provide an opportunity for community and scientific input to decisions regarding proposals to remove vegetation that is important for environmental, cultural, heritage, aesthetic or landscape values.

- **Does the amendment address relevant bushfire risk?**
- **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

Section 12(2) (a) of the Planning and Environment Act 1987, requires a Planning Authority to have regard to the Minister's directions. The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7 of the Act.

- **How does the amendment support or implement the State Planning Policy Framework and any adopted State Policy?**

Amendment C54 supports and implements the State Planning Policy Framework, by identifying, conserving, protecting and managing significant or heritage trees and gardens within the municipality.

The relevant clauses are:

15.03 Heritage

15.03-1 Heritage conservation

Objective: To ensure the conservation of places of heritage significance.

Strategies:

Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.

Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.

Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements.

12.01 Biodiversity

12.01-1 Protection of habitat

Objective

To assist the protection and conservation of biodiversity, including native vegetation retention and provision of habitats for native plants and animals and control of pest plants and animals

• How does the amendment support or implement the Local Planning Policy Framework and specifically the Municipal Strategic Statement?

The Municipal Strategic Statement (MSS) recognises the importance that vegetation plays in contributing toward the character of the municipality from a cultural, heritage and landscape perspective.

The amendment supports and implements the following relevant clauses

Objective 1

To protect the cultural heritage of Hepburn, while promoting appropriate development opportunities for areas and sites of cultural heritage significance and neighbourhoods of strong residential character.

Strategies

Ensuring protection for identified significant cultural heritage places and landscapes in urban and rural areas of the Shire.

Providing guidance for development to maintain the integrity of localities and precincts with important heritage character.

Objective 3

To protect remnant vegetation and habitat from unplanned loss, while enhancing linkages between habitat areas.

Strategies

Encouraging the enhancement of linkages between habitat on private land, roadsides and waterways.

Protecting vegetation on roadsides and along watercourses to contribute to habitat values and land and water quality.

Maintaining and enhancing bio-diversity

Objective 4

To manage development where significant landscapes and landscape features could be adversely affected.

Strategies

Establish the extent and location of environmental sensitive landscapes within the Shire through detailed landscape study and provide an appropriate policy framework that will enable assessment of development applications in those affected areas.

Assess development applications against the landscape value and neighbourhood character values of an area where specified, having regard to ridgelines, hilltops and other significant landscape features.

Implementation of Clause 21.09 (Environment and Heritage) through the application of overlays is as follows:

Applying the Heritage Overlay to identified heritage places to discourage inappropriate development.

Applying the Vegetation Protection Overlay to areas of significant remnant vegetation on private land and roadsides

- **Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment makes appropriate use of the Victoria Planning Provisions (VPP), through use of the Vegetation Protection Overlay and the Heritage Overlay.

The VPO is specifically designed to protect significant native and exotic vegetation in an urban or rural environment. It can be applied to individual trees, stands of trees or areas of significant vegetation. The Vegetation Protection Overlay has been applied where vegetation has been assessed as being important for its contribution to the character of an area or its aesthetic visual contribution in a larger landscape.

The Heritage Overlay has been used as the planning tool to protect two formal street avenue plantings at Allendale and Glenlyon. The avenue planting of trees at Allendale is a commemorative Federation planting. The avenue planting Glenlyon is a distinctive landmark feature of the town planted in 1898.

The controls have been applied having regard to the Practice Notes for applying the Heritage Overlay and the Vegetation Protection Overlay.

The Vegetation Protection Overlay (Schedule 1 Roadside Conservation and Remnant Vegetation) has been applied to stands of native vegetation located with road reserves identified to be of significance.

- **How does the amendment address the views of any relevant agency?**

The amendment is being placed on public exhibition and will be referred to relevant agencies for consideration.

- **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is not considered to have a significant impact on the transport system.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment provides a more efficient use of existing resources as it will enable vegetation issues to be addressed in a consistent manner, providing greater certainty for developers, regulators and decision makers.

The “*Hepburn Significant Tree Register - Statement of Significance (2012 revised May 2014)*” to be referenced in the Hepburn Planning Scheme, will provide clear guidelines about how to manage the vegetation identified in the study. It will also assist, by alerting developers to the need to design proposed developments in a way which is sympathetic to the maintenance of the values of significant vegetation on the site.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

Hepburn Shire Customer Service,
Corner Duke Street & Albert Street
Daylesford

Council's Website
www.hepburn.vic.gov.au

The amendment can also be inspected free of charge at the Department of Transport, Planning and Local Infrastructure website at www.dpced.vic.gov.au/planning/publicinspection

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by *****

Submissions to the amendment must be sent to:

Aaron Von Egmond
Chief Executive Officer
Hepburn Shire Council
PO Box 21
Daylesford 3460

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date]]

End of Document

**ATTACHMENT 3 - HEPBURN SIGNIFICANT TREE REGISTER
STATEMENTS OF SIGNIFICANCE
(ISSUED UNDER SEPARATE COVER)**

10.3. VEGETATION EXEMPTIONS PROTECTION POLICY

CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is to seek the adoption of the Vegetation Exemptions Protection Policy. The policy will provide guidance to Council, developers, public agencies, landowners/occupiers and the general community when seeking to remove trees/vegetation, specifically when an exemption from the planning scheme requirements is being sought.

BACKGROUND

Council encourages the retention of vegetation within the Shire. This is captured in the protection that trees/vegetation is offered in the Hepburn Planning Scheme. Exemptions to protection are contained in the Hepburn Planning Scheme which to allow under certain circumstances, the removal of trees/vegetation.

ISSUE / DISCUSSION

In seeking to use an exemption in the planning scheme for the removal of vegetation and to ensure that the risks posed by that vegetation is warranted, Council will seek an independent Quantified Tree Risk Assessment (QTRA) from any landowner/occupier or other person(s) seeking to use the vegetation removal exemptions.

The QTRA must contain:

- Target (vegetation to be removed);
- Impact potential (likely impact of failure) and;
- Probability of failure.

The combination of these three factors produces the risk of significant harm and will advise whether the vegetation should be removed, lopped, managed or a combination of all of these outcomes.

Council officers will then be able to advise of the acceptance or not of the QTRA. The QTRA must be completed by a licensed QTRA assessor.

Any reports submitted to Council must be by a qualified and licensed QTRA or similar to the satisfaction of the Responsible Authority.

The Vegetation Exemptions Protection Policy is attached (Attachment 4).

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Vegetation removal exemptions - Hepburn Planning Scheme.

FINANCIAL IMPLICATIONS

Nil. All costs of the QTRA are to be borne by the landowner/occupier or other person(s).

RISK IMPLICATIONS

Any requests to use a planning scheme exemption must be supported by a QTRA. Any recommendations by a licensed QTRA assessor should be accepted by Council to reduce any risks to Council in relation to the possibility of personal injury or damage to property.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Council seeks to protect vegetation from unplanned loss and encourages the retention of vegetation in the Shire. The Shire is known for its landscape character, part of which is a draw card for tourism.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The policy and Council report are made publicly available on the Thursday prior to the Ordinary Meeting of Council. Any person may seek to comment or speak at the Ordinary Meeting of Council prior to any Council decision on the matter.

CONCLUSION

Council should have clear policies to provide guidance. This policy will be publicly available to clarify Council's requirements when seeking to remove vegetation using an exemption in the planning scheme.

OFFICER'S RECOMMENDATION

That Council:

- 10.3.1 Adopts Policy 78 – Vegetation Exemptions Protection Policy – June 2014.
- 10.3.2 Makes Policy 78 – Vegetation Exemptions Protection Policy – June 2014 available for public inspection on Council's website.

MOTION

That Council:

- 10.3.1. *Adopts Policy 78 – Vegetation Exemptions Protection Policy – June 2014,*
- 10.3.2. *Makes Policy 78 – Vegetation Exemptions Protection Policy – June 2014 available for public inspection on Council's website.*

Moved: Councillor Kate Redwood

Seconded: Councillor Bill McClenaghan

Carried.

**ATTACHMENT 4 - POLICY 78 – VEGETATION EXEMPTIONS PROTECTION
POLICY**

POLICY NUMBER:	78
NAME OF POLICY:	VEGETATION EXEMPTIONS PROTECTION
DATE AMENDED:	June 2014
DATE OF NEXT REVIEW:	June 2018
DATE ADOPTED:	17 June 2014
RESPONSIBLE OFFICER:	Manager Planning

REFERENCES:

In dealing with requests to remove vegetation in Hepburn Shire where the tree/vegetation presents an immediate risk or personal injury or damage to property, Council will defer to the information and provisions of the following documents.

- *Planning and Environment Act 1987.*
- The Hepburn Shire Planning Scheme, Clause 43.01-1, Heritage Overlay if the tree presents an immediate risk of personal injury or damage to property.
- The Hepburn Shire Planning Scheme, Clause 43.05-2, Neighbourhood Character Overlay if the tree presents an immediate risk of personal injury or damage to property.
- The Hepburn Shire Planning Scheme, Clause 52.17-7, Native Vegetation list of exemptions.
- The Hepburn Shire Planning Scheme, Clause 42.02-3, Vegetation Protection Overlay list of exemptions.
- The Hepburn Shire Planning Scheme, Clause 42.01-3, Environmental Significance Overlay list of exemptions.
- The Hepburn Shire Planning Scheme, Clause 44.01-3, Erosion Management Overlay list of exemptions.

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.

Background

Council encourages the retention of vegetation within the shire. This is captured in the protection that trees/vegetation is offered in the Hepburn Planning Scheme. Certain exemptions to protection are contained in the Hepburn Planning Scheme, to allow under certain circumstances, the removal of trees/vegetation, which, is exempt from planning permission.

Purpose

The Policy is intended:

- to provide guidance to Council, developers, public agencies, landowners/occupiers and the general community with guidance when seeking to remove trees/vegetation, specifically when an exemption is being used to remove the trees/vegetation under a planning scheme exemption, particularly where the tree presents an immediate risk of injury or damage to property.

Policy Objectives

It will be Council's policy to:

- to ensure the removal/lopping of trees/vegetation allowed under any exemption is to the minimum extent necessary.

- to provide certainty to Council and residents that trees/vegetation removed under any planning scheme exemption is independently assessed and monitored to the satisfaction of Council.

Council's Role

Council will:

- Advise any person(s) that any removal of trees/vegetation using a planning scheme exemption must be accompanied by an independent risk assessment, known as a Quantified Tree Risk Assessment (QTRA). The report must be completed by a licensed QTRA.
- Advise that a copy of the landowner/occupier or other person(s) brief to the assessor must be included as part of the QTRA.
- Advise that any damage thought to be occurring to a building must be evidenced in the form of a structural engineers report.
- Write to the landowner/occupier or other person(s) advising if the QTRA is accepted.
- Seek to work with the landowner/occupier or person(s) (seeking to remove the vegetation) to monitor the removal of vegetation if approval is given to remove the vegetation through a planning scheme exemption.

Quantified Tree Risk Assessment (QTRA)

For a tree failure hazard to exist, there must be a potential for failure of the tree/vegetation and potential injury or damage to result. The assessment must consider the likelihood of a combination of tree failure, to harm people and property, and the likely level of harm.

The QTRA must contain:

- Target;
- Impact potential and;
- Probability of failure.

The combination of these three factors produces the risk of significant harm and will advise whether the vegetation should be removed, lopped, managed or a combination of all of these outcomes.

10.4. REVIEW OF POLICY 16 – HERITAGE CONSERVATION POLICY

CHIEF EXECUTIVE OFFICER

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

PURPOSE

This purpose of this report is to recommend that Council adopts the updated Policy 16 – Heritage Conservation Policy.

BACKGROUND

The Heritage Conservation Policy was last reviewed in October 1996.

ISSUE / DISCUSSION

The purpose of the policy is to give guidance to Council, developers and the general community on:

- Re-development, restoration or alteration to places of heritage significance;
- New developments within designated sites and precincts or other areas of historical significance;
- Public or private works on infrastructure such as roads, drainage channels, footpaths, lighting, parkland, and so on.
- The value and role of heritage in maintaining and enhancing the unique character of the varied localities within the Shire.

Heritage guidelines will also be developed to provide more certainty to permit applicants and council staff on development in heritage overlay areas and ultimately the policy should provide a more streamlined planning application process.

The revised Heritage Conservation Policy is attached (Attachment 5).

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Policy 16 – Heritage Conservation Policy has been reviewed to ensure relevance and consistency with legislation and other policies.

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The Heritage Conservation Policy provides information and certainty when considering work and development in places affected by heritage controls in the Hepburn Shire.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council's Heritage Advisor reviewed and suggested an updated format in line with guidelines set by Heritage Victoria.

CONCLUSION

The revised Heritage Conservation Policy is recommended for adoption.

OFFICER'S RECOMMENDATION

That Council:

- 10.4.1 Adopts Policy 16 – Heritage Conservation Policy – June 2014,
- 10.4.2 Makes Policy 16 – Heritage Conservation Policy – June 2014 available for public inspection on Council's website.

MOTION

That Council:

- 10.4.1. Adopts Policy 16 – Heritage Conservation Policy – June 2014,*
- 10.4.2. Makes Policy 16 – Heritage Conservation Policy – June 2014 available for public inspection on Council's website.*

Moved: Councillor Kate Redwood
Seconded: Councillor Greg May
Carried.

ATTACHMENT 5 - REVISED POLICY 16 – HERITAGE CONSERVATION POLICY

POLICY NUMBER:	16
NAME OF POLICY:	HERITAGE CONSERVATION
DATE AMENDED:	June 2014
DATE OF NEXT REVIEW:	June 2018
DATE ADOPTED:	17 June 2014
RESPONSIBLE OFFICER:	Manager Planning

REFERENCES:

In dealing with the heritage assets of Hepburn Shire, Council will defer to the information and provisions of the following documents.

- *Planning and Environment Act 1987.*
- The Hepburn Shire Planning Scheme, in particular the Heritage Overlay [Cl. 43.01] and the Schedule to the Heritage Overlay.
- The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance, 2013. Draft Heritage Guidelines HV [the Burra Charter].
- The Heritage Overlay – Guidelines for Assessing Planning Permit Applications, Public Draft, February 2007 [Heritage Victoria and The Heritage Council of Victoria].
- Creswick Conservation Study 1991 - Lester Tropman & Associates
- Talbot and Clunes Conservation Study 1985 - Richard Aitken (Architect and Conservation Consultant)
- Daylesford / Hepburn Springs Conservation Study 1985 - Perrott Lyon Mathieson Pty. Ltd.
- Daylesford Streetscape Study 1996
- Recommendations of Daylesford Streetscape Study 1998
- Heritage Guidelines

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.

Purpose

The Policy is intended to provide guidance to Council, developers, public agencies and the general community on:

- Re-development, restoration or alteration to places of heritage significance.
- New developments within designated sites and precincts or other areas of historical significance.
- Public or private works on infrastructure such as roads, drainage channels, footpaths, lighting, parkland, and so on.
- The value and role of heritage preservation in maintaining and enhancing the unique character of the varied localities within the Shire

Policy Objectives

It will be Council's policy to:

Guiding Principles

- Encourage the conservation and enhancement of all of the Shire's heritage assets, while having due regard to economic, employment and social considerations.

- Encourage the development of appropriate policies and guidelines as incorporated or referral documents in the Hepburn Planning Scheme.
- Maintain a Heritage Advisory Service through employment of a qualified and experienced Heritage Adviser.
- Not accept past inappropriate actions in the Heritage Overlay as a basis for lesser standards in dealing with new works.
- Discourage faux historic designs and encourage the introduction of new character to heritage places through contemporary design excellence and innovation that may be valued in the future.
- Ensure that in the development of heritage places, the authentic heritage elements remain the dominant publicly visible feature of the site and that new elements do not overwhelm them by either bulk or character.
- Seek to balance commercial interests, particularly in business signage, with heritage objectives for the commercial precincts within the Shire in order to achieve high aesthetic and environmental standards that are attractive for the community and visitors.
- In dealing with heritage places that demonstrate development over their history, respect each significant phase of the development of the place.

Council Awareness

- Enhance the awareness of Council staff in heritage issues and their engagement in achieving good and comprehensive outcomes in Council's own works in the Heritage Overlay.
- Maintain and enhance Council's own heritage places as exemplars of good conservation practice.
- Maintain and support a Council Heritage Advisory Committee and to respond appropriately to its recommendations.
- Seek to comprehensively survey and analyse the heritage assets of the Shire and to include in the schedule to the Heritage Overlay.
- Support the display of Council approved plaques that explain the history and significance on the Shire's publicly accessible heritage places.
- Seek to provide complementary enhancement of public places and infrastructure within Council control that are included in heritage overlay precincts.

- Where necessary, to take steps to protect heritage places, such as the imposition of Interim Demolition Controls.
- Maintain a Heritage Loans Policy for the provision of low interest loans to fund the restoration of places of heritage and conservation significance in Hepburn Shire.
- Make nominations, where appropriate, for places to be included on the Victorian Heritage Register.
- Support and integrate the preparation of heritage data-bases and photographic collections by local historical societies.
- Ensure and/or encourage the retention of important trees with heritage value for historic places through the adoption of the Significant Tree Register.
- Defer to appropriate organisations and experts in relation to indigenous heritage.

Statutory Planning

- Refer Planning Applications in the Heritage Overlay to the Heritage Adviser for comment for input into the assessment of the application in association with other relevant planning issues.
- Make available through planning staff and the Heritage Adviser, advice to potential purchasers of properties in the Heritage Overlay. This will include the providing guidelines which will provide more specific guidance to Council, residents and developers in the restoration and/or development in places within a Heritage Overlay.
- Encourage pre-application consultation on projects in the Heritage Overlay with a view to facilitating the issue of timely and collaborative planning permits.
- In certain circumstances, require bonds or bank guarantees to be lodged against the proper conduct of proposed works.

Education

- Enhance community awareness of heritage matters and the responsibilities of owners as custodians of heritage places, including encouraging the production of published material and electronic web-sites in association with the Shire's tourism and community development strategies.

Compliance and Enforcement

- Where the provisions of the Planning Scheme have not been followed and where consultation breaks down, to take enforcement action under the Planning and Environment Act 1987 to require that appropriate permits be obtained and/or the works to be made compliant with any permit issued. Where compliance is resisted or not achieved, to take the appropriate action

11. OFFICERS' REPORTS

11.1. BUDGET 2014/15

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 to present the 2014/15 Budget for Council's consideration. In accordance with the *Local Government Act 1989*, Council is required to prepare and adopt a budget for the forthcoming financial year. At the Ordinary Meeting of Council on 15 April 2014, the Proposed Budget 2014/15 was endorsed for public submissions. The 2014/15 Budget now requires formal adoption.

BACKGROUND

Section 127(1) of the *Local Government Act 1989* requires that Council prepares a budget for each financial year and that it be adopted by 31 August each year (Section 130 (3) of the Act).

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

ISSUE/DISCUSSION

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.

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 2014/15 is attached (Attachment 6 – Issued under Separate Cover).

Budget Process

Budget process	Timing
1. Officers update Council's current year forecast	Dec
2. Officers prepare operating and capital budgets	Jan/Feb
3. Councillors consider draft budgets at informal briefings	Mar/Apr
4. Proposed budget submitted to Council for approval	15-Apr
5. Public notice advising intention to adopt budget	19-Apr
6. Budget available for public inspection and comment	19-Apr
7. Public submission process undertaken	19-Apr
8. Submissions period closes (28 days)	19-May
9. Submissions considered by Council	26-May
10. Budget and submissions presented to Council for adoption	17-Jun
11. Copy of adopted budget submitted to the Minister	Jul

Budget Summary

The 2014/15 budget includes an increase in revenue raised from rates of 4.0%, raising total revenue received from rates to \$14.785 million, including \$160,000 generated from supplementary rates. In addition, \$2.303 million will be raised from the waste management charge and the kerbside collection charges.

The budgeted operating result for the 2014/15 year is a surplus of \$1.428 million, compared to a forecasted result of \$1.674 million in 2013/14.

Total cash and investments are forecast to increase by \$580,000 to \$13.282 million as at 30 June 2015. There are three primary drivers of this change. The estimated value of recreational land contributions provided by property developers during the year is transferred directly to the Resort and Recreation Reserve is \$80,000. A \$250,000 financial asset (a bank bill with a maturity of greater than 90 days) will be converted to cash during the year.

Council has a strategy of increasing cash on hand by \$250,000 per annum to improve the working capital ratio. This amount represents the net budgeted cash surplus of the Council rates budget for 2014/15.

Differential Rates

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

The Rate Differentials that will be applied are as follows:

Type or class of land	2013/14		2014/15		Change
	cents/\$CIV	Differentials	cents/\$CIV	Differentials	
General rate	0.004254	100%	0.004057	100%	-4.6%
Farm rate	0.002765	65%	0.002637	65%	-4.6%
Commercial rate	0.004935	116%	0.004706	116%	-4.6%
Industry rate	0.004935	116%	0.004706	116%	-4.6%
Mixed use rate	0.004935	116%	0.004706	116%	-4.6%
Vacant land rate - township	0.005318	125%	0.005071	125%	-4.6%
Vacant land rate - other	0.004254	100%	0.004057	100%	-4.6%
Trust for nature rate	0.002127	50%	0.002029	50%	-4.6%
Recreational rate	0.002127	50%	0.002029	50%	-4.6%

Charges

The service charges are as follows:

Type of Charge	Per Rateable Property	Per Rateable Property	Change
	2013/14	2014/15	
	\$	\$	
Kerbside collection (Garbage)	130.00	126.00	-3.08%
Kerbside collection (Recycling)	54.00	55.00	1.85%
Commercial garbage charge	273.00	280.00	2.56%

Waste management charge	120.00	129.00	7.50%
Total	577.00	590.00	2.3%

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. It is equitable that all properties pay for this charge.

These charges are set to recover the costs associated with the waste management across the Shire.

Capital Works Program

The cost of Council's Capital works program for 2014/15 is \$7.985 million. This is the fourth year of a four year funding program for Country Roads and Bridges and Local Government Infrastructure Fund 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 \$4.814 million
- Netball Court resurfacing at Doug Lindsay Recreation Reserve funded by \$60,000 under the LGIF program
- Pedestrian Bridge over Slaty Creek funded by \$80,000 in grants and \$40,000 from Council
- Stage 1 of the Multipurpose Facility at Daylesford Victoria Park \$350,000
- Stage 1 of the Trentham Community Hub \$250,000
- Storage Shed at the Glenlyon Recreation Reserve \$38,110
- Relocation of the Creswick Skate Park funded by \$40,000 in grants and \$20,000 from Council
- Daylesford Basin Reserve facility improvements funded by \$100,000 under the LGIF program

- Implementation of stage 1 of streetscape plans in Clunes, Creswick, Trentham, Glenlyon and Hepburn Springs (\$100,000 Council and \$300,000 grants)
- Suburban Street, Clunes upgrade \$80,000
- Construction of a pedestrian footbridge in the Hepburn Mineral Springs Reserve \$100,000.

Other Initiatives

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

- Introduction of a social enterprise at the transfer stations to reduce waste to landfill (\$175,000)
- Design and document the rail trail from Lyonville to Bullarto (\$35,000)
- Celebrate the 150 anniversary of the Hepburn Mineral Springs Reserve (\$7,000)
- Trentham Childcare feasibility study and business plan (\$20,000)
- Development of the Wombat Hill Botanic Gardens Master Plan (\$25,000)
- Investigate the business case for pay and display parking meters in Daylesford (\$10,000)
- Commence rolling out street banner brackets in all major towns (\$15,000)
- Allocate funds to community planning groups to progress priorities from their community plans (\$10,000)
- Replace street lighting with energy efficient LED lighting across the Shire (\$35,000).

Submissions

Five submissions were received during the public advertising period. Submissions were heard on Monday 26 May 2014 and have been considered by Council.

No changes have been made to the Proposed Budget as a result of submissions.

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

A financial summary of the 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.

Council provides an additional rebate of \$21 to eligible pensioners in addition to the State Government rebate.

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 budget to be used to increase the cash balance and consequently increase Council's liquidity. This is part of a key objective of the 10 Year Financial Plan.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

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

The Proposed Budget and prescribed information was available for inspection from Friday 18 April 2014 at Council's offices in Daylesford and Creswick, at all Hepburn Library branches and from Council's website www.hepburnshire.com.au

Information was included on Council's page in *The Advocate* during late April and May. Five community budget information sessions were conducted in each ward of the Shire.

Any person was able to make a submission to the Council on any proposal contained in the budget or submit a new proposal. Submissions received by the Council before 5pm on Monday 19 May 2014 were considered for impact on the budget.

At a Special Council Meeting on Monday 26 May 2014, Council formally met to consider submissions received and to hear any person who had indicated that they wished to be heard in support of their submission.

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

The final Council Budget for 2014/15 will be placed on Council's website and copies will be made available for viewing at Council's administration offices.

CONCLUSION

The Budget 2014/15 has been developed through an extensive consultation process and aligned with the Council Plan 2013:2017. The 2014/15 Budget, as tabled for consideration, 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 requirements of the Local Government Act 1989 and Local Government Regulations 2004 regarding the method of preparation and content of the Budget for the 2014/15 financial year:

- 11.1.1 Determines that the Budget for the 2014/15 year, as presented to this meeting, be adopted.
- 11.1.2 Makes the following declarations in relation to the 2014/15 Budget, which commences 1 July 2014:
 - As at 30 June 2014 the total amount borrowed by Council will be \$4.427 million.
 - \$500,000 will be borrowed during the 2014-15 financial year.
 - The total amount of borrowings projected to be repaid during the year will be \$615,000.
 - The total amount of borrowings at 30 June 2015 is projected to be \$4.312 million.

- The expected cost of servicing the borrowings during the financial year is \$290,000.

11.1.3 Declares that rates and charges be in accordance with the following statement:

DECLARATION OF RATES AND CHARGES

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

- An amount of \$17,088,000 be declared as the amount which Council intends to raise by general rates and annual service charges (all later described in this resolution) which amount is calculated as follows:
General Rates \$14,785,000
Annual Service Charge - Waste Management \$1,329,000
Annual Service Charge - Garbage Collection \$628,000
Annual Service Charge - Recycling Collection \$291,000
Annual Service Charge - Commercial Garbage Collection \$55,000.
- A general rate be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.
- It is further declared that the general rate be raised by the application of differential rates.
- It be recorded that Council considers a differential rate will contribute to the equitable and efficient carrying out of Council functions.
- The differential rate be applied by multiplying the capital improved value of the rateable land by the rate cents in the dollar indicated on the following table:

Category	Rate Cents in \$
<i>Residential (General)</i>	0.004057
<i>Farmland</i>	0.002637
<i>Commercial</i>	0.004706
<i>Mixed Use</i>	0.004706
<i>Industrial</i>	0.004706
<i>Vacant Land- township</i>	0.005071
<i>Vacant Land – other</i>	0.004057
<i>Recreational</i>	0.002029
<i>Trust for Nature</i>	0.002029

ANNUAL SERVICE CHARGES

- An Annual Service Charge (here after described as the 'Service Charge – Waste Management (improved)') be declared for the period commencing on 1 July 201 and concluding on 30 June 2015.

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

The Service Charge - Waste Management (improved) be the sum of \$129 for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

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

- An Annual Service Charge (here after described as the 'Service Charge – Waste Management (vacant)') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.

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

The Service Charge - Waste Management (vacant) be the sum of \$129 for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

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

- An Annual Service Charge (here after described as the 'Service Charge – Garbage Collection (residential)') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.
- The Service Charge - Garbage Collection (residential) be declared for the collection, removal and disposal of domestic refuse and rubbish.
- The Service Charge - Garbage Collection (residential) be the sum of \$126 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.
- All residential and mixed use land within the designated collection areas upon which are erected buildings which are occupied or obviously adapted to be occupied, will be liable for the Service Charge - Garbage Collection (residential).
- An Annual Service Charge (hereafter known as the 'Service Charge - Garbage Collection (commercial)') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.

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

The Service Charge - Garbage Collection (commercial) be the sum of \$280 per unit for each area of rateable and non-rateable

land (or part thereof) in respect of which an annual service charge may be levied.

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

- An Annual Service Charge (hereafter known as the 'Service Charge - Recycling Collection') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.

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

The Service Charge - Recycling Collection be the sum of \$55 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

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

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

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

- 11.1.4. That interest be charged on all overdue rates in accordance with section 172(2) of the Local Government Act 1989.
- 11.1.5. That pursuant to section 167(1) of the Local Government Act 1989, Council resolves that all rates and charges levied as a result of this declaration must be paid by four instalments payable on the dates fixed by the Minister under section 167(2).
- 11.1.6. Determine that those persons who have made submissions be responded to thanking them for their comments and advising them of the outcomes.

MOTION

That Council, having complied with the requirements of the Local Government Act 1989 and Local Government Regulations 2004 regarding the method of preparation and content of the Budget for the 2014/15 financial year:

- 11.1.1. *Determines that the Budget for the 2014/15 year, as presented to this meeting, be adopted.*
- 11.1.2. *Makes the following declarations in relation to the 2014/15 Budget, which commences 1 July 2014:*
 - *As at 30 June 2014 the total amount borrowed by Council will be \$4.427 million.*
 - *\$500,000 will be borrowed during the 2014-15 financial year.*
 - *The total amount of borrowings projected to be repaid during the year will be \$615,000.*
 - *The total amount of borrowings at 30 June 2015 is projected to be \$4.312 million.*
 - *The expected cost of servicing the borrowings during the financial year is \$290,000.*
- 11.1.3. *Declares that rates and charges be in accordance with the following statement:*

DECLARATION OF RATES AND CHARGES

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

- *An amount of \$17,088,000 be declared as the amount which Council intends to raise by general rates and annual service charges (all later described in this resolution) which amount is calculated as follows:*

General Rates \$14,785,000

Annual Service Charge - Waste Management \$1,329,000

Annual Service Charge - Garbage Collection \$628,000

Annual Service Charge - Recycling Collection \$291,000

Annual Service Charge – Commercial Garbage Collection \$55,000.

- *A general rate be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.*
- *It is further declared that the general rate be raised by the application of differential rates.*
- *It be recorded that Council considers a differential rate will contribute to the equitable and efficient carrying out of Council functions.*
- *The differential rate be applied by multiplying the capital improved value of the rateable land by the rate cents in the dollar indicated on the following table:*

Category	Rate Cents in \$
<i>Residential (General)</i>	<i>0.004057</i>
<i>Farmland</i>	<i>0.002637</i>
<i>Commercial</i>	<i>0.004706</i>
<i>Mixed Use</i>	<i>0.004706</i>
<i>Industrial</i>	<i>0.004706</i>
<i>Vacant Land- township</i>	<i>0.005071</i>
<i>Vacant Land – other</i>	<i>0.004057</i>
<i>Recreational</i>	<i>0.002029</i>
<i>Trust for Nature</i>	<i>0.002029</i>

ANNUAL SERVICE CHARGES

- An Annual Service Charge (here after described as the 'Service Charge – Waste Management (improved)') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.

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

The Service Charge - Waste Management (improved) be the sum of \$129 for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

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

- An Annual Service Charge (here after described as the 'Service Charge – Waste Management (vacant)') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.

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

The Service Charge - Waste Management (vacant) be the sum of \$129 for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

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

- An Annual Service Charge (here after described as the 'Service Charge – Garbage Collection (residential)') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.

- *The Service Charge - Garbage Collection (residential) be declared for the collection, removal and disposal of domestic refuse and rubbish.*
- *The Service Charge - Garbage Collection (residential) be the sum of \$126 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.*
- *All residential and mixed use land within the designated collection areas upon which are erected buildings which are occupied or obviously adapted to be occupied, will be liable for the Service Charge - Garbage Collection (residential).*
- *An Annual Service Charge (hereafter known as the `Service Charge - Garbage Collection (commercial)') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.*

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

The Service Charge - Garbage Collection (commercial) be the sum of \$280 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

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

- *An Annual Service Charge (hereafter known as the `Service Charge - Recycling Collection') be declared for the period commencing on 1 July 2014 and concluding on 30 June 2015.*

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

The Service Charge - Recycling Collection be the sum of \$55 per unit for each area of rateable and non-rateable land (or part thereof) in respect of which an annual service charge may be levied.

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

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

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

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

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

11.1.6. Determine that those persons who have made submissions be responded to thanking them for their comments and advising them of the outcomes.

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

**ATTACHMENT 6 - BUDGET 2014/15
(ISSUED UNDER SEPARATE COVER)**

11.2. TEN YEAR FINANCIAL PLAN 2014-2024, INCORPORATING THE STRATEGIC RESOURCE PLAN 2014-2018

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 to present the 10 Year Financial Plan 2014-2024, incorporating the Strategic Resource Plan 2014-2018 to Council for consideration.

BACKGROUND

Council is required to complete a Strategic Resource Plan as part of the development of the Council Plan in accordance with Section 126 of the *Local Government Act 1989*. In conjunction with this, Council has completed a 10 Year Financial Plan.

At the Ordinary Meeting of Council on 18 June 2013, Council adopted the 10 Year Financial Plan 2014-2024, incorporating the Strategic Resource Plan 2014-2018.

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

ISSUE / DISCUSSION

Summary

The 10 Year Financial Plan, incorporating the Strategic Resource Plan, has been developed in conjunction with the Council Plan 2013-2017 and the Annual Budget 2014-2015.

The 10 Year Financial Plan, incorporating the Strategic Resource Plan identifies a number of fundamental objectives:

- 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 fundamental 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:

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

Key financial aspects of the 10 Year Financial Plan are:

- An annual operating surplus
- A reducing annual underlying deficit
- A positive cash flow from operations
- An improving working capital position
- An improving asset renewal position.

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 Council Plan 2013-17 identifies the following Key Strategic Activity:

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.

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 a key objective of the 10 Year Financial Plan.

RISK IMPLICATIONS

The development of a 10 Year Financial Plan mitigates the risk of making short term decisions that do not consider the long term financial sustainability of the Shire. 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'.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As per the Hepburn Shire Community Engagement Framework, level 1 engagement was undertaken.

The final 10 Year Financial Plan 2014-2024, incorporating the Strategic Resource Plan 2014-2018 will be placed on Council's website and copies will be made available for viewing at Council's administration offices.

CONCLUSION

The Proposed 10 Year Financial Plan 2014-2024, incorporating the Strategic Resource Plan 2014-2018 has been developed through an extensive consultation process linked with the Council Plan. The 10 Year Financial Plan as tabled for consideration, sets out Council's key financial goals over the next ten years and provides guidance for Annual Budget setting.

OFFICER'S RECOMMENDATION

That Council, having complied with the Local Government Act 1989 and Local Government Regulations 2004 regarding the method of preparation and content of the Strategic Resource Plan 2014-2018:

- 11.2.1 Determines that the 10 Year Financial Plan 2014-2024, incorporating the Strategic Resource Plan 2014-2018, as presented to this meeting, be adopted.

MOTION

That Council, having complied with the Local Government Act 1989 and Local Government Regulations 2004 regarding the method of preparation and content of the Strategic Resource Plan 2014-2018:

- 11.2.1. Determines that the 10 Year Financial Plan 2014-2024, incorporating the Strategic Resource Plan 2014-2018, as presented to this meeting, be adopted.*

Moved: Councillor Kate Redwood

Seconded: Councillor Pierre Niclas

Carried.

**ATTACHMENT 7 - 10 YEAR FINANCIAL PLAN 2014-2024, INCORPORATING
THE STRATEGIC RESOURCE PLAN 2014-2018
(ISSUED UNDER SEPARATE COVER)**

11.3. DEBT REDUCTION PROPOSAL

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 a lump sum debt reduction payment funded from savings achieved in the 2013/14 financial year.

BACKGROUND

Through prudent financial management and organisational restructure, Council has made some significant one-off operational savings in the 2013/14 financial year. As at 30 June 2013 Hepburn Shire Council had \$3.636 million in borrowings. During 2013/14, Hepburn Shire Council borrowed \$1.423 million to fund the defined benefits superannuation shortfall. The estimated borrowings balance as at 30 June 2014 is \$4.427 million. The Victorian Auditor-General's Office (VAGO) measures debt levels using the indebtedness ratio (non-current liabilities as a percentage of own sourced revenue). VAGO states that a Council with an indebtedness ratio of less than 40% is at a low risk and has no concern over their ability to repay debt from own-sourced revenue. Based on the current borrowings estimate for the 30 June 2014, Hepburn Shire Council will have an indebtedness ratio of 18% which is well below the 40% benchmark for low risk. Although Hepburn Shire Council has very low levels of debt, accelerated repayment of debt will save money in the future and support low future rate rises.

ISSUE / DISCUSSION

Sustainable Financial Management and Innovative Corporate Systems is a Strategic Objective of the Hepburn Shire Council. Through the implementation of sustainable financial practices and policies, Council can ensure the long term financial sustainability of the Shire. Throughout the year, savings have been identified with the goal to use these savings to reduce debt. The reduction of debt provides a number of benefits to the Shire. These benefits include reduced interest payments in the future, reduced principal payments in the future for loans that are completely paid out and increased flexibility in the future to take advantage of opportunities that may arise.

One-off operational savings and increased revenue achieved during the 2013/14 year are as follows:

Saving	Value
Additional interest income	\$50,000
Procurement salary savings	\$18,000
Reduction of one General Manager	\$140,000
Reduction in Planning legal fees	\$20,000
Reduction in Planning consultant fees	\$20,000
Compliance salary savings	\$31,000
Tourism salary savings	\$21,000
Economic Development salary savings	\$30,000
Youth salary savings	\$70,000
Total	\$400,000

It is proposed that the \$400,000 of one-off savings be used to reduce debt in a one-off debt reduction payment.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective – Sustainable financial management and innovative corporate systems

Key Strategic Activity:

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

FINANCIAL IMPLICATIONS

The \$400,000 one-off debt reduction payment will reduce future interest payments and reduce future principal payments where the loan is completely paid off. Officers will determine the most financially advantageous debt reduction repayment considering loan term, interest rate and early payment penalties.

RISK IMPLICATIONS

No risk implications noted.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

No environmental, social or economic implications noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Operational item not requiring community or stakeholder engagement.

CONCLUSION

It is proposed that \$400,000 of one-off operational savings be used to repay debt in a one-off debt reduction payment. The benefits of this debt reduction payment are that it will save future interest payments and future principal payments for loans completely paid off.

OFFICER'S RECOMMENDATION

11.3.1 That Council resolves to use the one-off operational savings to reduce Council debt in the most financially beneficial manner.

MOTION

11.3.1. *That Council resolves to use the one-off operational savings to reduce Council debt in the most financially beneficial manner.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Kate Redwood

Carried.

**11.4. HEPBURN COMMUNITY AND COUNCIL SERVICES HUB
CHIEF EXECUTIVE OFFICER**

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

PURPOSE

The purpose of this report is to recommend that Council endorses progressing to concept design and detailed feasibility for development of the Hepburn Community and Council Services Hub at the Daylesford Town Hall site.

BACKGROUND

In July 2013, Council was successful in gaining \$150,000 in grant funding from the Victorian State Government for the planning and design phase for the Hepburn Community and Council Services Hub ('the Hepburn Hub') project. The project was approved as part of the 2013/14 Council Budget with a Council contribution of \$100,000, resulting in a total budget of \$250,000. The project seeks to improve services shire wide and integrate Council services to achieve cost savings. Council awarded Contract H441-2013 Planning and Design Services - Hepburn Community and Council Services Hub to ClarkeHopkinsClarke Architects at its October 2013 meeting.

ISSUE / DISCUSSION

The aims of the Hepburn Hub project are to:

- improve library, visitor information, early years and customer services and address unmet needs in Daylesford;
- improve library and customer services in Creswick;
- achieve compliance and better amenity of its community spaces in Creswick and Daylesford;
- improve the environmental performance and efficiency of its buildings to deliver these services; and
- reduce its ongoing operational costs through integrating these services together with Council office operations.

The first stage of the project involved needs analysis and site investigation.

A broad range of sites were identified and assessed against the above aims.

Following initial examination, a short list of eight sites was further investigated.

These were:

- The Lost Children's Reserve
- Daylesford Lawn Tennis Club (part)
- Old Hepburn Depot
- Daylesford Town Hall
- The Rex Arcade
- Daylesford Historical precinct
- Council's Duke Street offices
- Daylesford Depot.

The Sites and Spaces consultation aimed to inform the community about the Hepburn Hub concept, get their views about the preferred site and what should be included.

Key findings from the Sites and Spaces consultation were that:

- the Daylesford Town Hall was the preferred site, without early years services due to both financial and amenity issues. There was an interest in incorporating the outdoor pool area with the Hepburn Hub.
- Proximity and accessibility were the most important considerations for location of Hepburn Hub

The operators of the Daylesford Museum Reserve and the Daylesford and District Historical Society have advised that they do not support development of the Hub at the historical precinct.

The Daylesford Town Hall site, without early years services, will deliver improved services and enhance community spaces in the centre of town. It is in a central location and is an opportunity to revitalise an existing historic asset.

At its 20 May 2014 ordinary meeting Council resolved to revisit the location of the Hepburn Hub at the Daylesford Town Hall site, reconsider other sites and obtains some additional details and costings for further workshopping the matter. Architects, Clarke Hopkins Clarke and officers completed additional concept plans, financial analysis and assessment of strengths and weakness of a number of options. These were workshopped with Councillors at a briefing session on 10 June 2014.

The Sites and Spaces consultation process has reconfirmed that there is a demonstrated unmet need for childcare in Daylesford. Although the Hepburn Hub at the Daylesford Town Hall will not address this, it remains an important issue for this project to consider. A more detailed needs analysis is required and consideration of the impact of any new service on the Daylesford Community Childcare Centre business model. It is proposed to

investigate options and feasibility for addressing early years needs in Daylesford, separate to the Hepburn Hub at the Daylesford Town Hall.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective – High Performing Organisation

Key Strategic Activity:

27. Review Council's future office accommodation needs with a view to improving service delivery, environmental efficiency and universal access while progressing the rationalisation of redundant Council assets.

FINANCIAL IMPLICATIONS

The planning, concept and detailed design phases of this project are funded in the 2013/14 budget by a combination of State Government funding – \$150,000, and Council's contribution – \$100,000.

RISK IMPLICATIONS

This project is significant and complex. Consequently, a detailed risk management plan has been prepared. This plan is continually monitored and is used to inform the actions taken throughout the process.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The project seeks to achieve benefits across environmental, social and economic areas. The Hepburn Community and Council Services Hub will deliver improved Council services and community outcomes, will be more cost efficient for Council, will be accessible to all and will demonstrate the highest levels of environmental sustainability.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Sites and Spaces consultation included a variety of community engagement processes:

- Key stakeholder consultation – current facility issues and needs
- Hepburn Hub website – project information and comment
- Sites and Spaces Community Event and Workshops – project information, displays and workshop sessions and seeking input about preferred site
- OurSay Forum - community ideas, comments and voting

- Hard copy feedback forms with drop boxes at the Daylesford Town Hall and Daylesford Library.

CONCLUSION

Based on community feedback, site and financial analysis, it is considered that the Hepburn Hub Planning and Design project should proceed to concept design and detailed feasibility of the Daylesford Town Hall site. This will involve further investigation into:

- site layout and functionality;
- planning and heritage;
- traffic and parking; and,
- integration with the pool site.

OFFICER'S RECOMMENDATION

11.4.1 That Council endorses proceeding to concept design and detailed feasibility for the Hepburn Community and Council Services Hub at the Daylesford Town Hall site.

MOTION

11.4.1. *That Council endorses proceeding to concept design and detailed feasibility for the Hepburn Community and Council Services Hub at the Daylesford Town Hall site.*

Moved: Councillor Pierre Niclas

Seconded: Councillor Neil Newitt

Carried.

11.5. DOMESTIC WASTEWATER MANAGEMENT PLAN

CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to adopt the Hepburn Shire Domestic Wastewater Management Plan (DWMP) June 2014.

BACKGROUND

The Hepburn Shire Council DWMP aims to reduce the environmental, health and economic risks, to the council and the community, posed by domestic wastewater.

ISSUE / DISCUSSION

The DWMP will provide the Hepburn Shire Council with:

- a strategic planning tool to allow long term strategies to be developed for wastewater system management,
- a framework for enforcement and compliance options and;
- a framework for liaison between council, the community, Water Corporations and Catchment Management Authorities.

DWMP's allow for a relaxing of the one dwelling per 40 hectare ruling, which restricts development when the density of dwellings is more than 1:40ha. By adopting and implementing a DWMP, assessment for dwellings in unsewered areas will be able to be determined on a scientifically based risk assessment using Land Capability Assessments and the provisions of the Hepburn Planning Scheme.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective - Sustainable Environment and a Vibrant Economy

Key Strategic Activity:

13. Review Council's Compliance and Development functions with a focus on improving safety and legislative compliance, reducing processing times and increasing levels of customer satisfaction.

Action: Complete and activate a Domestic Wastewater Management Plan.

FINANCIAL IMPLICATIONS

The development of the DWMP was funded by Council. There are no additional funding requirements in order to implement the DWMP.

RISK IMPLICATIONS

The Ministerial Guideline for assessing planning applications in potable open water supply catchment areas puts emphasis on the need for a DWMP. The DWMP requires:

- The effective monitoring of the condition and management of On-site Wastewater Treatment System (OWTS);
- The results of monitoring being provided to stakeholders;
- Enforcement action where non-compliance is identified;
- Councils are required to demonstrate that suitable resourcing

Development will continue to be restricted if Council does not adopt and implement a DWMP.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

One of the primary objectives of the DWMP is the protection of environment to which domestic wastewater is discharged. The threat from wastewater can affect:

- Public health through infectious disease transmission and exposure;
- the Natural Environment (Surface water quality, stream biodiversity, and groundwater quality);
- Amenity (Visual, recreational and odour) and;
- Economic (Development potential and property values)

Residents in high density area's as identified in the DWMP will be required to submit a one off compulsory status report on the age, location and function of their On-site Wastewater Treatment System.

This is an important part of the DWMP and one which has the full support of the relevant water corporations.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The DWMP was prepared in consultation with:

External Stakeholders

- Coliban Water
- Central Highlands Water
- Department of Environment and Primary Industries (Grampians Region)

- Environment Protection Agency (North West Regional Office – Bendigo)
- Goulburn Murray Water
- North Central Catchment Management Authority
- Southern Rural Water
- Western Water.

Internal Stakeholders (Hepburn Shire Council)

- Building Department
- Environmental Health Department
- Infrastructure Department
- Information Technology (IT)
- Planning Department.

CONCLUSION

The Domestic Wastewater Management Plan has been developed by Council in conjunction with the relevant water corporations to ensure that On-site Wastewater Treatment Systems are maintained and monitored as outlined in the action plan section of the Domestic Wastewater Management Plan.

OFFICER'S RECOMMENDATION

That Council:

- 11.5.1 Adopts the Hepburn Shire Council Domestic Wastewater Management Plan – June 2014.
- 11.5.2 Commences the implementation of the Hepburn Shire Council Domestic Wastewater Management Plan – June 2014.
- 11.5.3 Writes to the relevant Water Corporations seeking their endorsement of the Hepburn Shire Council Domestic Wastewater Management Plan – June 2014.

MOTION

That Council:

- 11.5.1. *Adopts the Hepburn Shire Council Domestic Wastewater Management Plan – June 2014.*
- 11.5.2. *Commences the implementation of the Hepburn Shire Council Domestic Wastewater Management Plan – June 2014.*
- 11.5.3. *Writes to the relevant Water Corporations seeking their endorsement of the Hepburn Shire Council Domestic Wastewater Management Plan – June 2014.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Kate Redwood

Carried.

**ATTACHMENT 8 - HEPBURN SHIRE COUNCIL
DOMESTIC WASTEWATER MANAGEMENT PLAN (DWMP) – JUNE 2014
(ISSUED UNDER SEPARATE COVER)**

**11.6. COMMUNITY GRANTS – ADDITIONAL RECOMMENDATION – ROUND TWO
2013/14**

GENERAL MANAGER COMMUNITY SERVICES

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

PURPOSE

The purpose of this report is to recommend the allocation of the remaining community grant funding from Round Two of the 2013/14 Community, Sustainability, Landcare and Anzac Centenary Grants.

BACKGROUND

For Round Two of the 2013/14 Community, Sustainability, Landcare and Anzac Centenary Grants there was \$29,579 funding available for community grant applications. Council received 37 community grant applications seeking \$63,415 in funding.

At the May Council meeting, 15 community grant applications were approved, providing funding of \$24,670. A further 3 community grant applications were provided conditional funding of \$3,000, subject to the provision of additional information. A balance of \$1,909 community grant funding remained unallocated and Council resolved to refer the balance of community grants funding to the Assessment Panel for further consideration of unsuccessful applications.

ISSUE / DISCUSSION

Each of the 19 unsuccessful community grant applications were provided to Council's Community, Sustainability and Landcare Grants panel for re-assessment (Attachment 9).

Five panel members responded as follows:

- Two members supported providing the remaining funding to the Daylesford Secondary College – Stage 1: Pop Up (Platypus) Garden.
- Three members supported 'rolling the funding over' into the next financial year and did not support allocation of funds to the non-recommended applications.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective – Active and Engaged Communities

Key Strategic Activity:

1. Work with and support communities and residents to implement community driven projects through community planning, provision of advice, information and community grants, acknowledging the significant contribution made by community volunteers.

FINANCIAL IMPLICATIONS

Following the May Council meeting, there is \$1,909 of community grant funding unallocated.

In the proposed 2014/15 budget, there is an allocation of \$40,000 for community grants.

RISK IMPLICATIONS

All successful applicants are required to sign grant terms and conditions prior to receiving the grant allocation.

There is a system in place for Council Officers to monitor receipt of acquittals and follow up of any outstanding acquittals.

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 2013/14 Community, Sustainability, Landcare and Anzac Centenary Grants was advertised in *The Advocate*, in local newsletters, through Council email networks, via grant information sessions and on Council's website.

CONCLUSION

Due to the short timeframes involved and a number of assessment panel members unable to re-assess the unsuccessful community grants, it is recommended that the unallocated funding be carried forward to Round One 2014/15 Community Grants.

OFFICER'S RECOMMENDATION

- 11.6.1 That Council carries forward the remaining community grants funding from 2013/14 of \$1,909 to the 2014/15 community grants program.

MOTION

11.6.1. That Council carries forward the remaining community grants funding from 2013/14 of \$1,909 to the 2014/15 community grants program.

Moved: Councillor Pierre Niclas

Seconded: Councillor Neil Newitt

Carried.

**ATTACHMENT 9 - COMMUNITY GRANTS APPLICATIONS – ROUND TWO –
2013/14 – NOT RECOMMENDED**

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Not Recommended - Community Grants					
Daylesford Folk & Blues Festival	Daylesford Folk & Blues Festival 2014	Arts & Culture	<p>Provides quality entertainment, workshops to residents. Opportunity to attend w/shops & perform in concerts alongside professional musicians.</p> <p>Reason: This was originally recommended for funding by the assessment panel, however the event has been funded a number of times previously and as such should be sustainable without continued grant funding.</p>		\$ -
Daylesford Secondary College	Stage 1: Pop Up (Platypus) Garden	Arts & Culture	<p>Yrs 11 & 12 VCAL students engage with community to redesign outdoor Arts & Culture learning space & garden. Space to be used for community gatherings eg., small concerts, talks & choirs.</p> <p>Reason: Solid application, assessment panel unsure about on-going community access.</p>		\$ -
Kingston Agricultural Society Inc.	Safety Equipment for Kingston Agricultural Society Inc	Small Equipment	<p>Reviewing of OHS/Risk Management procedures show we need to purchase equipment to ensure safety of organisations using the showgrounds. We require battery megaphone, 1st aid kit, horn (signal emergency), laminating machine & rubbish bins.</p> <p>Reason: Recommended funding Kingston Agricultural Society event application.</p>		\$ -
Mainteater (auspiced: Multicultural Arts Victoria)	Urat Jagat (Veins of the Universe)	Arts & Culture	<p>Presentation In Hepburn of Indonesian/Australian performance installation 'Urat Jagat' (veins of the Universe) alongside workshops created by Mainteater - collaboration of Vic & Indonesian artists, present by Multicultural Arts Victoria & featuring Daylesford artist Morgan Williams.</p> <p>Reason: Grant application failed to clearly identify project objectives and benefits.</p>		\$ -
Daylesford Highland Gathering Comm. Inc	Promotion and Advertising of the Daylesford Highland Gathering	Community Events	<p>Seeking funding to further promote the Daylesford Highland Gathering to increase attendance.</p> <p>Reason: Poor application with limited budget detail.</p>		\$ -
Dean Hall & Mechanics Institute Inc	Dean Hall Burlesque Show	Community Event	<p>Dinner & Performance Evening. Troupe 6 performers - event tailored to suit audience. Burlesque is theatrical, musical work of art.</p> <p>Reason: Assessment panel felt that event should be funded out of ticket prices.</p>		\$ -

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Creswick Primary Parents Club	Creswick Fair	Community Events	State School is host to Parent Club Fundraiser in Autumn. Fete has grown into a Fair. Will become grass root event for Autumn Festival next year. Reason: Creswick Primary School recommended to receive a sustainability grant in this round. Potential to fund this event through Creswick Four Seasons.		\$ -
Creswick Neighbourhood Centre	A Happy Small Town Market	Community Strengthening	Monthly Creswick Market has expanded significantly in last 6 months. Market is managed by volunteers & now believe Project Worker is required for continuing success. Reason: Small equipment application recommended for funding. Application didn't adequately meet community strengthening criteria.		\$ -
ClaySpace	Purchase Slab Roller	Small Equipment	Require Slab Roller which enables creation of range of ceramic objects - functional & sculptural. Reason: Unclear on cost of equipment.		\$ -
Jim Crow Planning Group	Connecting Along The Creek	Community Strengthening	To strengthen communities in Yandoit, Franklinford & Clydesdale & those living near Jim Crow Creek. Project in line with community plan priorities & focuses on 'where to go to get it' - register of local skills, knowledge etc. To celebrate "Connecting along the creek" community fair in Sept/Oct 2014. Reason: Current outstanding grant acquittal		\$ -
Franklinford Community Purposes Reserve	Reclaiming Franklinford's Reserve(0512685) for Community Purposes	Community Strengthening	To collaboratively develop Master Plan. Represents 1st step in multi-stage endeavour to reconnect Franklinford community to its history. Envisage innovative garden of 'plant tales'. Reason: Application lacked sufficient detail to be confident of a clear direction. Unsure about auspice arrangements.		\$ -
Daylesford Wheel Suckers-Murray to Moyne Cycle Team	Community Crockery	Community Strengthening	Purchase crockery, glassware, cutlery for community group use - 200 people. Available for hire. Reason: On-going management and storage of the equipment hasn't been clarified.		\$ -
Clunes Neighbourhood House	Grasslands	Arts & Culture	Outdoor site responsive visual theatre performance. Ecological & social dig through time. Explored through dance, puppetry, photography & film. Hillside of native grasses as canvas for live performance. Reason: Application lacked detail to allow adequate assessment.		\$ -

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Daylesford Community Brass Band Inc., auspice for Neil Adam, 76 Newlyn Reservoir Rd., Newlyn	The Kingston Avenue of Honour Song - Recording Project	Arts & Culture	Neil Adam established song writer with history of writing songs to celebrate Aust country life. Has received national recognition. We plan to record this song for public release. Reason: Project outcomes questioned by assessment panel, also seeking more funding than is allowed.		\$ -
Daylesford Football Netball Club	DFNC Netball Grant	Small Equipment	Known as family club, importance of maintaining enthusiasm of newest members to hone skills. Require up-to-date equipment. Reason: Funding sought for equipment that assessment panel felt was a core component normally funded by membership.		\$ -
H.E.L.P.A.R. (auspice Daylesford N/Hood Centre)	Hepburn Environment Local People Action Relief	Community Strengthening	Project to renew walking track between Cains Bridge & Fourth St, Hepburn Springs. Enabling walking access & future landcare along Spring Creek Gully. Reason: Unrealistic costings, no permissions in place and inadequate supervision arrangements for project workers.		\$ -
Bullarto Community Planning Group	Bullarto Community Development Plan	Community Strengthening	Purchasing portable BBQs, 1st aid kit, portable fire extinguisher. Relocation community noticeboard, Printing costs & Hall Hire. Reason: No approvals in place re land use.		\$ -
St Augustine's Primary	Community Garden	Community Strengthening	To build two elevated garden beds to grow vegetables & flowers. Process supported by teaches & parent volunteers. Vegetable harvesting will enable school to forge new relationships with Creswick edlerly citizens & community kitchen attached to Creswick Railway Station. Reason: Project budget lacks detail with income and expenditure not matching. Costs inconsistent with recent garden developments at the School.		\$ -
Creswick Museum	Video: Making the State School Honour Board	Arts & Culture	Converting tape made by Jack Lambert (dec) on his school day memories of constructing honour board at Creswick State School to present day media. DVD can then be used in Museum, website during centenary. Reason: Other application recommended for funding through Anzac grants and cost of project questioned by assessment panel.		\$ -
Daylesford Community Breakfast Club	Daylesford Community Breakfast Club	Community Strengthening	Community breakfast one day per week and monthly breakfast at Daylesford Primary School. Reason: Late application - not assessed		\$ -

**11.7. LIABILITY MUTUAL INSURANCE SCHEME (PUBLIC AND PRODUCTS LIABILITY INSURANCE AND PROFESSIONAL INDEMNITY INSURANCE) RENEWAL 2014-2015
GENERAL MANAGER INFRASTRUCTURE**

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

PURPOSE

The purpose of this report is for Council to approve the renewal of Council's Liability Mutual Insurance for 2014-2015 through MAV Insurance.

BACKGROUND

Under section 76A of the *Local Government Act, 1989* ('the Act'), Council is required to hold both public and products liability insurance and professional indemnity insurance. Council complies with this requirement by participating in the Liability Mutual Insurance Scheme approved by the Minister for Local Government (section 76A(2) of the Act) administered by MAV Insurance.

Broadly, these insurances cover Council in the event of claims by third parties for injury (including death), damages or other losses that may be suffered as a result of Council's negligence or breach of its duty of care.

ISSUE / DISCUSSION

Council has received a Renewal Proposal from MAV Insurance for 2014-2015. Proposal documentation has been completed and returned to MAV Insurance in order to determine premiums.

Under the Scheme, all councils are covered for \$400m public and products liability and \$300m for professional indemnity.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

As the Minister has approved the participation by Victorian councils in a mutual liability scheme, Council is not required to tender for this service even though the premium is likely to exceed \$150,000.

FINANCIAL IMPLICATIONS

The premium for these classes of insurance for 2014-2015 has not yet been determined by MAV Insurance. However, verbal advice received from MAV Insurance indicates that Council's anticipated premium increase will be 12-13% which will equate to an annual premium for 2014-2015 of \$172,500 to \$174,000 (excluding GST).

RISK IMPLICATIONS

Insurance is considered essential for the prudential management of Council's affairs and is a primary control in relation to the mitigation of many risk items on Council's Risk Register.

Major claims under these classes of insurance may run to several millions of dollars.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

No environmental/social/economic implications noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No community or stakeholder engagement required nor undertaken.

CONCLUSION

It is a statutory requirement for all Victorian councils to take out and maintain public and products liability insurance and professional indemnity insurance in order to protect the financial interests of all ratepayers.

OFFICER'S RECOMMENDATION

That Council:

- 11.7.1 Places Council's public and products liability insurance and professional indemnity insurance with MAV Insurance for the period 2014-2015; and
- 11.7.2 Approves the payment of the premium for public and products liability insurance and professional indemnity insurance for 2014-2015.

MOTION

That Council:

- 11.7.1. *Places Council's public and products liability insurance and professional indemnity insurance with MAV Insurance for the period 2014-2015; and*
- 11.7.2. *Approves the payment of the premium for public and products liability insurance and professional indemnity insurance for 2014-2015.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Kate Redwood

Carried.

11.8. APPLICATION FOR APPROVAL TO OPERATE B-DOUBLE AND HIGHER MASS LIMIT VEHICLES ON LOCAL COUNCIL ROADS
GENERAL MANAGER INFRASTRUCTURE

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

PURPOSE

The purpose of this report is for Council to consider applications for consent to use B-Double and/or Higher Mass Limit (HML) vehicles on local Council roads.

BACKGROUND

The following new referrals for consent to use B-Double and/or HML vehicles on local Council roads have been received from the National Heavy Vehicle Regulator (NHVR)

Ref	Organisation	Vehicles	Roads	Time Frame	Usage
10540	Uno Consulting Pty Ltd	B-Doubles at HML	Fairview Road, Clunes	Until 29/04/2017	3 times a week
12016	Clearwater Logging & Transport Pty Ltd	B-Doubles at HML	<u>Route 1</u> Water St, Moore St (North), Lees St & St Georges Lake Rd in Creswick <u>Route 2</u> Slade Road in Creswick <u>Route 3</u> Smokeytown Rd in Springmount, Frenchmans Rd & King St in Creswick <u>Route 4</u> Bowen St & Bridge St in Creswick <u>Route 5</u> Geddes Rd & Alfred St, Creswick	Until 19/05/2014	10 – 15 trips per week

ISSUE / DISCUSSION

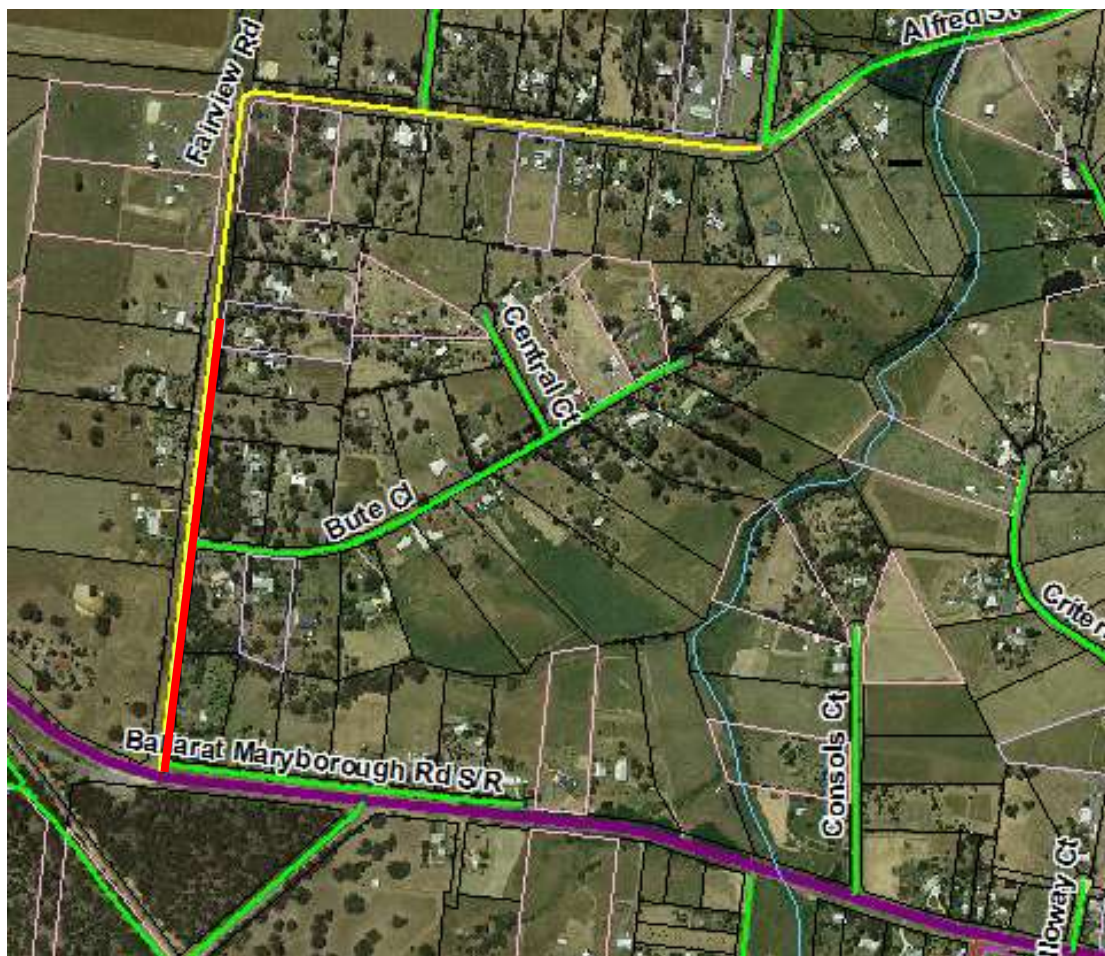
Council officers have assessed each application and the results are provided below.

Uno Consulting Pty Ltd

Mr Mayes (Director), Uno Consulting Pty Ltd resides at 65 Fairview Road, Clunes and is seeking access to his property with a B-Double/HML vehicle.

Fairview Road has both residential one zone and low density residential zone properties along it.

The section of the Fairview Road to be used 3 – times a week, is shown in red in the map below.



Council's Roads Inspection Officer inspected the roads and determined that access was possible and acceptable.

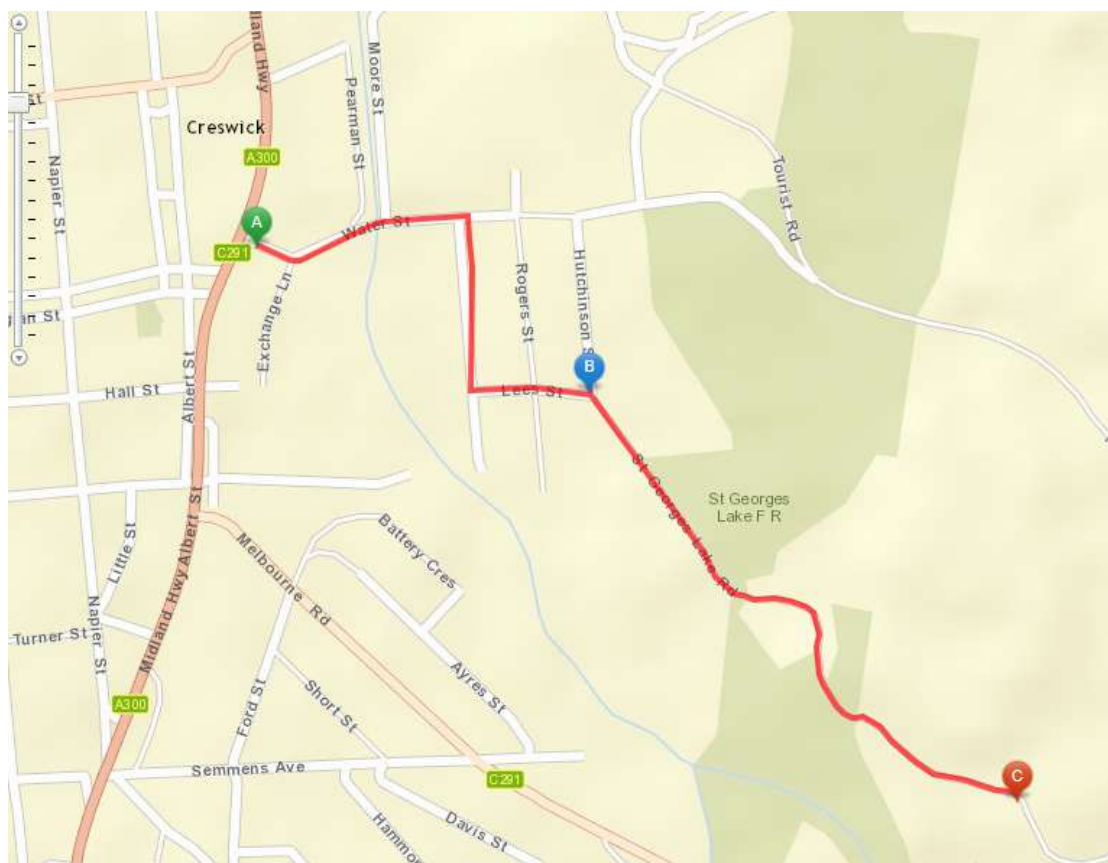
It is recommended that Council approves **Uno Consulting Pty Ltd** to use B-Double vehicles at HML on the specified roads, with the following conditions:

- Access and egress to the property shall be in a forward motion.
Vehicle turn around must be provided within the property.

Clearwater Logging & Transport Pty Ltd

Clearwater Logging & Transport Pty Ltd seeks Council's approval for using council roads for a period of 12 months. The request includes use of various routes to access the Hancock's Pine Plantation. Based on the inspections undertaken by the Council's Roads Inspection Officer, the following routes are all recommended for approval, subject to conditions and restrictions.

Route 1 - Water St, Moore St (North), Lees St & St Georges Lake Rd in Creswick

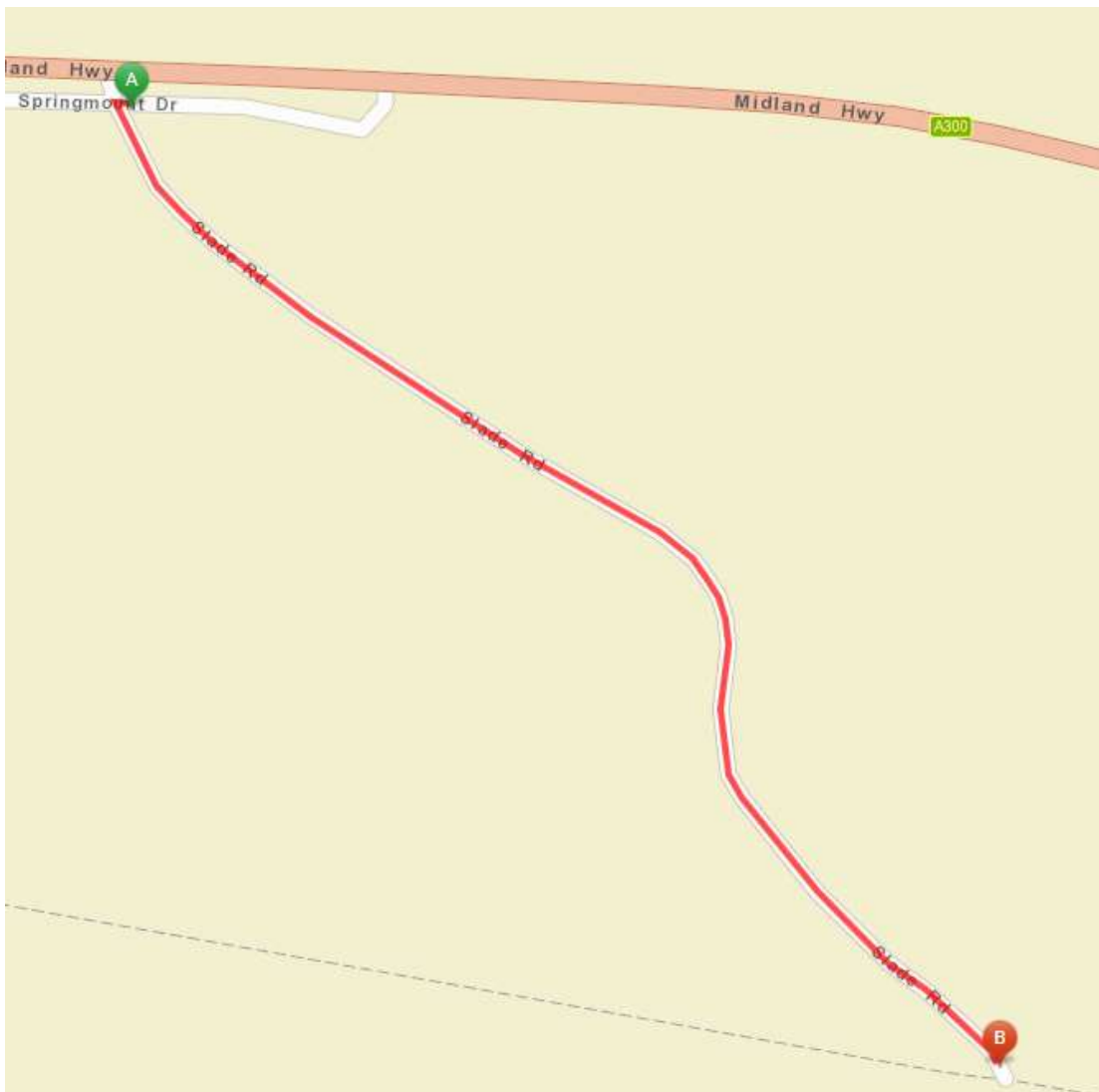


This proposed route is considered to be the best available option, although it does pass through some residential areas within the Creswick Township. Part of the route is on unmaintained tracks.

Therefore, it is recommended to approve the use of this route subject to the following conditions:

- Travelling time is to be limited to 9:00am to 6:00pm to minimise the disturbance to the residential area.
- It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
- Must not cut-down or trim any trees without Council's approval.

Route 2 - Slade Road in Creswick

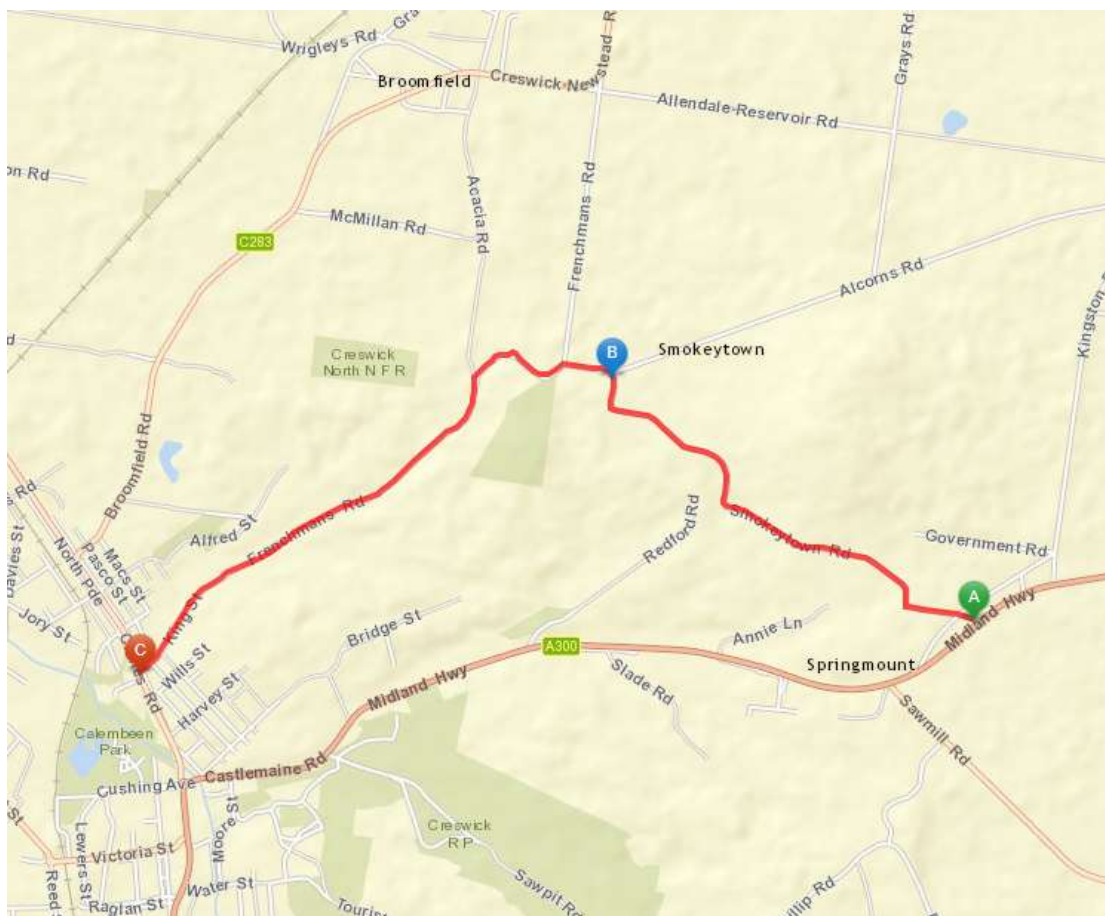


Most of the route is on unmaintained tracks. It is recommended to approve the use of this route subject to the following conditions:

- It is the responsibility of the permit holder to pay attention to:

- Overhead cables
- Overhanging trees
- Steep inclines/declines, tight corners and narrow roads.
- Must not cut-down or trim any trees without Council's approval.

Route 3 - Smokeytown Rd in Springmount, Frenchmans Rd & King St in Creswick



The King Street end of this route passes some residential properties, but sight lines are good on the road. It is recommended to approve the use of this route subject to the following conditions:

- Travelling time on King Street is to be limited to 9:00am to 6:00pm to minimise the disturbance to the residential area.
- It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
- Must not cut-down or trim any trees without Council's approval.

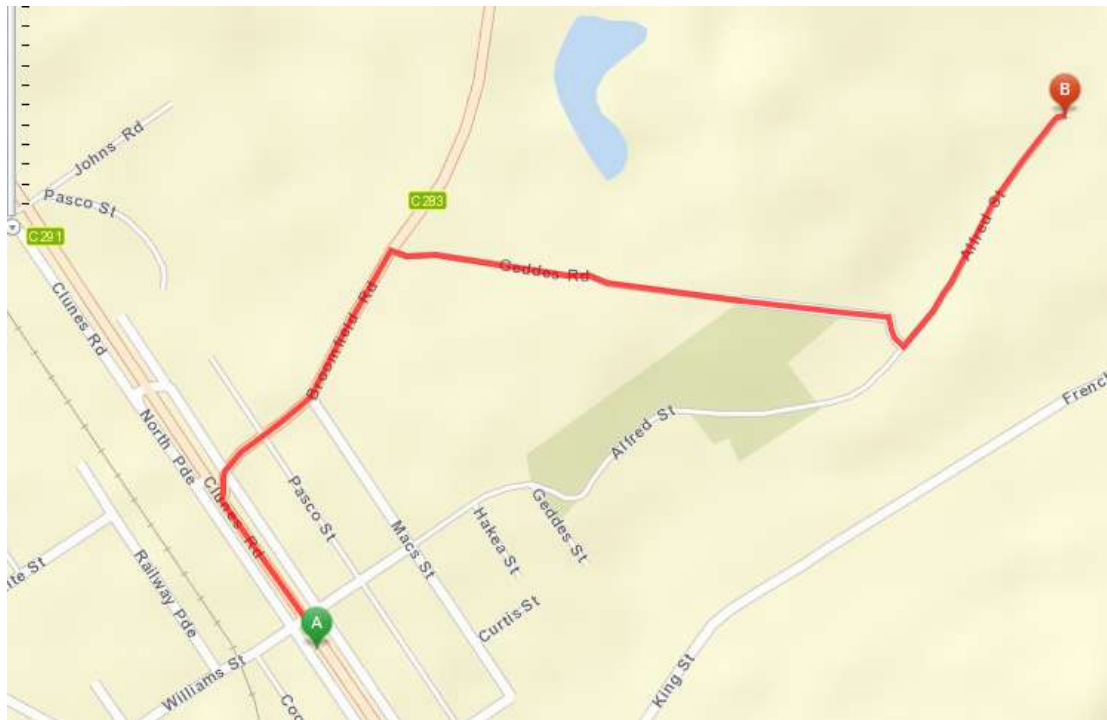
Route 4 - Bowen St & Bridge St in Creswick



Sections of the Bowen Street and Bridge Street are unmaintained road tracks of about 2.6m-2.8m width. Although this is just wide enough for vehicles up to 2.5m width, it is tight. It is recommended to approve the proposed route subject to the following conditions:

- It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
- Must not cut-down or trim any trees without Council's approval.

Route 5 - Geddes Rd & Alfred St in Creswick



No issues noted with the proposed route. It avoids residential areas and uses the arterial road network as much as possible. It is recommended to approve the use of this route subject to the following conditions:

- It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
- Must not cut-down or trim any trees without Council's approval.

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 Freight Strategy does have limited B-Double and HML routes, and the above requests are in addition to those listed.

From 10 February 2014, under the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation 2013*, all applications for permits to use B-Double or Higher Mass Limits vehicles on all roads are to be submitted to the newly established National Heavy Vehicle Regulator. The National Heavy Vehicle Regular will then refer applications for local Council roads to Hepburn Shire Council. Council is required to review the applications and either

approve or disallow the proposed use with the relevant justification. Council can also request conditions to be specified in any permit granted.

At Council's Ordinary Meeting on 20 April 2010, it resolved that all such requests for consent to operate B-Double or HML vehicles were to be presented to a formal Council meeting for determination.

FINANCIAL IMPLICATIONS

There may be some increased road maintenance needs from granting approval to Uno Consulting Pty Ltd and for Clearwater Logging & Transport Pty Ltd, however it is difficult to quantify any direct increase due to this.

RISK IMPLICATIONS

Uno Consulting Pty Ltd

Fairview Road is located in a low density residential zone and may have some impact on the roads and road users. However, the impact is believed to be minimal since the access will be only three times a week and there are good sight lines. The proposed conditions for Council's approval seek to minimise this risk.

Clearwater Logging & Transport Pty Ltd

Moore Street (North) and Lees Street are located in a residential area and may have some impact on the roads and road users. However, the impact is being managed through a proposed restriction on travelling times.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Possible environment impacts have been minimised by prohibiting any tree cutting or trimming.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No external engagement was undertaken in relation to these requests. Relevant internal roads staff have been involved in assessing these requests.

CONCLUSION

It is recommended that Council grants approval, with conditions, to both Uno Consulting Pty Ltd and Clearwater Logging & Transport Pty Ltd to use B-Double vehicles at HML on the routes described above.

OFFICER'S RECOMMENDATION

That Council:

11.8.1 Approves Uno Consulting Pty Ltd to use B-Double vehicles at HML on Fairview Road, Clunes, until 29 April 2017 with the following conditions:

- Access and egress to the property shall be in a forward motion. Vehicle turn around must be provided within the property.

11.8.2 Approves Clearwater Logging & Transport to use B-Double vehicles at HML on:

- Route 1 - Water St, Moore St (North), Lees St & St Georges Lake Rd in Creswick
- Route 2 - Slade Road in Creswick
- Route 3 - Smokeytown Rd in Springmount, Frenchmans Rd & King St in Creswick
- Route 4 - Bowen St & Bridge St in Creswick
- Route 5 - Geddes Rd & Alfred St in Creswick

until 19 May 2015 with the following conditions:

- Route 1
 - The hours of operation are limited to 9:00am to 6:00pm.
 - It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
 - The permit holder must not cut-down or trim any trees without Council's written permission.
- Route 3
 - Travelling time on King Street is to be limited to 9:00am to 6:00pm.
 - It is the responsibility of the permit holder to pay attention to:
 - Overhead cables

- Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
- The permit holder must not cut-down or trim any trees without Council's written permission.
- Routes 2, 4 & 5
 - It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
 - The permit holder must not cut-down or trim any trees without Council's written permission.

MOTION

11.8.1. *That Council approves Uno Consulting Pty Ltd to use B-Double vehicles at HML on Fairview Road, Clunes, until 29 April 2017 with the following conditions:*

- *Access to the property at 65 Fairview Road to be only from the Ballarat-Maryborough Road*
- *Access to be limited to between the hours of 6:00am and 10:00pm.*
- *Access and egress to the property shall be in a forward motion. Vehicle turn around must be provided within the property.*

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

MOTION

That Council:

11.8.2. Approves Clearwater Logging & Transport to use B-Double vehicles at HML on:

- Route 2 - Slade Road in Creswick
- Route 3 - Smokeytown Rd in Springmount, Frenchmans Rd & King St in Creswick
- Route 4 - Bowen St & Bridge St in Creswick
- Route 5 - Geddes Rd & Alfred St in Creswick

until 19 May 2015 with the following conditions:

- Route 3
 - Travelling time on King Street is to be limited to 9:00am to 6:00pm.
 - It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
 - The permit holder must not cut-down or trim any trees without Council's written permission.
- Routes 2, 4 & 5
 - It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
 - The permit holder must not cut-down or trim any trees without Council's written permission.

11.8.3. *Defers the consideration of Route 1 - Water St, Moore St (North), Lees St & St Georges Lake Rd in Creswick pending receipt of further and better particulars.*

Moved: Councillor Bill McCleghen

Seconded: Councillor Greg May

Carried.

11.9. HERITAGE ADVISORY COMMITTEE AND TERMS OF REFERENCE

CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to adopt the revised Terms of Reference for the Heritage Advisory Committee (HAC).

BACKGROUND

The HAC was first established in 1997. The Terms of Reference replaced the Operating Guideline first adopted by Council on 18 February 1997 and were subsequently amended on 21 August 2011, 17 August 2004 and 18 July 2006. The Terms of Reference have been updated to reflect heritage requirements in 2014.

The objective of the HAC is to provide advice and to report to Council on a range of Heritage and related matters, as required.

ISSUE / DISCUSSION

This report outlines the scope and committee membership of the HAC. More specific information relating to meeting schedules and election of members is in the attached Terms of Reference (Attachment 11).

Scope of the HAC

- To provide input/advice to Council/officers/consultants and others on specific heritage related project work
- To provide input/advice on to Council/officers/consultants on strategic heritage matters

Committee Members

- Councillors (2)
- Council staff (1)
- Heritage Advisor (1)
- Additional Panel Members (by appointment - minimum 3)

Councillor membership will vary according to the relevant project or strategic matter on which advice from the HAC is being sought. This is by agreement of Council.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Not applicable

FINANCIAL IMPLICATIONS

Not applicable

RISK IMPLICATIONS

Not applicable

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The HAC plays an important role in advising Council on heritage matters.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The HAC will call on experts to provide advice into specific projects which may have an impact on the heritage character of the Shire. This input will be reported to Council to assist in its decision making.

CONCLUSION

The Heritage Advisory Committee will continue to provide advice and guidance to Council on heritage related matters as required.

OFFICER'S RECOMMENDATION

11.9.1 That Council adopts the Heritage Advisory Committee – Terms of Reference – June 2014.

MOTION

11.9.1. That Council adopts the Heritage Advisory Committee – Terms of Reference – June 2014.

Moved: Councillor Kate Redwood

Seconded: Councillor Bill McClenaghan

Carried.

**ATTACHMENT 10 - HERITAGE ADVISORY COMMITTEE -
TERMS OF REFERENCE - JUNE 2014**

HERITAGE ADVISORY COMMITTEE

DATE AMENDED:	June 2014
DATE OF NEXT REVIEW:	June 2018
DATE ADOPTED:	17 June 2014
RESPONSIBLE OFFICER:	Manager Planning Services

Introduction

Council is committed to working with the community to maximise retention, protection and enhancement of our heritage.

Purpose

The Heritage Advisory Committee (HAC) will provide advice to assist Hepburn Shire Council make decisions on a range of heritage and related matters, as required.

Scope

- To provide input/advice to Council/officers/consultants and other on Council projects, e.g. heritage impacts of streetscape work;
- To provide input/advice on to Council/officers/consultants on strategic heritage matters.

Principles

The HAC will act as an advisory body to Council and make recommendations to Council for consideration. Final decision making will rest with the Council.

Meetings

Meetings will be held as required and will be dependent on projects that require HAC input.

Committee support will be provided by a nominated Council officer.

Council's Heritage Advisor will attend meetings as required by the Committee

Chair

The Chair will be one of the Councillors appointed to the committee and will be appointed by agreement between the Councillors.

Members of Committee

Councillor membership of the HAC will vary according to the relevant project or strategic matter on which advice from a Committee is sought. Councillor membership is by agreement of Councillors. Permanent members will be:

- Councillors (2)
- Council Staff – Manager Planning or deputy
- Heritage Advisor.
- Non permanent members will be:
- Panel Members, (minimum 3).

Additional Panel Members

A panel of experts that are not full time members, that do not have to be endorsed by Council; however who will be sought for input into specific projects, i.e. a local community member from Creswick who may have some expert knowledge that would contribute to the streetscape project. Such a panel member could be called upon to provide their input for a one off project. (Targeted consultation).

Legal Coverage for Members of Committee

Council's Insurance provides indemnity coverage for members of Council Committees who are acting on behalf of Council in good faith and in accordance with the relevant terms of reference.

Quorum

For voting purposes a quorum will consist of a majority of those present at the HAC meeting.

Reporting

The HAC will forward minutes of meetings and any recommendations on all projects to be noted by Council at Council Ordinary Meetings. Council officers will facilitate reporting requirements.

11.10. RECORD OF ASSEMBLIES OF COUNCILLORS – MAY 2014

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 receive and note Assemblies of Councillors.

BACKGROUND

The Local Government Act 1989 defines Assembly of Councillors as
...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -

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

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

Assemblies of Councillors		
Date	Location	Committee Name
6 May 2014	Council Chamber, Daylesford	Councillor Briefing
13 May 2014	Council Chamber, Daylesford	Councillor Briefing
20 May 2014	The Warehouse - Clunes	Councillor/CEO Meeting
20 May 2014	The Warehouse - Clunes	Pre Council Meeting Briefing
30 May 2014	Council Chamber, Daylesford	Public Art Panel 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

- 11.10.1 That Council receives and notes the Records of Assemblies of Councillors for the month of May 2014.

MOTION

11.10.1. *That Council receives and notes the Records of Assemblies of Councillors for the month of May 2014.*

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

ATTACHMENT 11 - RECORDS OF ASSEMBLIES OF COUNCILLORS – MAY 2014

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing
Date: Tuesday 6 May 2014
Time: 10:30 am

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 checked="" type="checkbox"/> Cr Bill McClenaghan |
| <input checked="" type="checkbox"/> Cr Sebastian Klein | |

Members of Council Staff present:

- | | |
|---|--|
| <input type="checkbox"/> CEO Aaron van Egmond | Steve Millard, Projects Co-ordinator |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King | Marietta Thompson, Human Resources Manager |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | Adam McSwain, Manager Community & Economic Development |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | Kate Gerritsen, Community & Cultural Development Officer |
| <input checked="" type="checkbox"/> Other, please specify:
Grant Schuster, Manager Strategic Asset M'ment
Karen Ratcliffe, Property Officer | Justin Fiddes, Manager Planning |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Cr Klein Item 8	Left 2:24 Returned 2:52
Cr Redwood Item 9	Left 4:09 Returned 4:22

*Cr Klein left at 4:45pm

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"/> Other, please specify: |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |

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 6 May 2014



Tuesday 6 May 2014 10:30 am		Council Chamber Daylesford Town Hall	
Chair	Mayor	Cr Don Henderson	
Attendees	Councillors	Cr Pierre Niclas, Cr Kate Redwood AM, Cr Neil Newitt, Cr Sebastian Klein, Cr Greg May, Cr Bill McClenaghan	
	Officers	Chief Executive Officer, General Manager Corporate Services, General Manager Community Services, General Manager Infrastructure, and other officers as required	
Apologies			

Time		Title	Action Officer		
1.	10:30 am	Report Clunes Caravan Park – Proposed Lease Assignment	General Manager Infrastructure, Manager Strategic Asset Management Property Officer	Page 3	
				Attachment 1	Page 7
				Attachment 2	Page 8
				Attachment 3	Page 34
2.	11:00 am	Report Offer of Sale – Former Clunes Library – 53 Fraser Street, Clunes	General Manager Infrastructure Manager Strategic Asset Management Property Officer	Page 37	
3.	11:30 am	Report Expression of Interest for the Operation of the Boathouse Cafe and/or Paddle Boat Hire at Lake Daylesford Reserve	General Manager Infrastructure Manager Strategic Asset Management Projects Co-ordinator	Page 39	
4.	12:00 pm	Verbal Presentation Review of Advisory Committees	Executive Team	Page 41	
	12:45 pm	Lunch Break Lunch will be provided			
5.	1:15 pm	Verbal Presentation Review of Policy 33 (C) – Respectful Behaviours Policy	General Manager Corporate Services Manager Human Resources	Page 42	
				Attachment 4	Page 43

Confidential
Councillor Briefing Agenda
Tuesday 6 May 2014



Time		Title		Action Officer	
6.	1:45 pm	Report	Appointment of Public Art Panel	General Manger Community Services Manager Community and Economic Development Community & Cultural Development Officer	Page 55
			Attachment 5		Page 56
			Attachment 6		Page 60
7.	2:15 pm	Report	Donation of Sculpture from Musk Farm	General Manager Community Services Community & Cultural Development Officer	Page 64
			Attachment 7		Page 66
8.	2:45 pm	Verbal Presentation	Youth Programs	General Manger Community Services	Page 68
9.	3:15 pm	Verbal Presentation	Community, Sustainability, Landcare and Anzac Centenary Grants Recommendations - Round Two 2013/14	General Manager Community Services Manager Community and Economic Development	Page 69
10.	3:45 pm	Verbal Presentation	Food Sampling 2013/14	Chief Executive Officer Manager Planning	Page 70
11.	3:30 pm	Report	Swiss Mountain Hotel	Chief Executive Officer Manager Planning	Page 71
12.	3:50 pm	Verbal Presentation	Significant Tree Register – Update	Chief Executive Officer Manager Planning	Page 73
13.	4:10 pm	Verbal Presentation	Tree Protection Procedure	Chief Executive Officer Manager Planning	Page 74
14.	4:30 pm	Verbal Presentation	Domestic Wastewater Management Plan	Chief Executive Officer Manager Planning	Page 75
15.	5:00 pm		CLOSE OF MEETING		Page 76

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Sebastian Klein hereby disclose a conflict of interest in the following matter Youth Programs Briefing

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 6-5-14

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

- Indirect interest - close association (section 78)
- Indirect financial interest (section 78A)
- Indirect interest – conflicting duty (section 78B)
- Indirect interest – applicable gift(s) (section 78C)
- Indirect interest – party to matter (civil proceedings) (section 78D)
- Indirect interest – impact on residential amenity (section 78E)

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 employed by an organisation that potentially stands to gain from a council decision.

Print Name: SEBASTIAN KLEIN
 Signed: [Signature]
 Date: 6-5-14

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Kate Redwood hereby disclose a conflict of interest in the following matter application for a

community grant of funds of
Cornish Hill, + Daybrynd Football
Netball Club

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 5/5/2014

The class of the interest is (tick appropriate box)

- a direct interest

OR

- an indirect interest (see below)

Please select from the following types of indirect interest:

- Indirect interest - close association
(section 78)
- Indirect financial interest
(section 78A)
- Indirect interest – conflicting duty
(section 78B)
- Indirect interest – applicable gift(s)
(section 78C)
- Indirect interest – party to matter (civil proceedings)
(section 78D)
- Indirect interest – impact on residential amenity
(section 78E)

NB All references to sections are references to sections in the *Local Government Act 1989*.

The nature of the interest is as follows:

am on the committees of Daybrynd
Netball Football Club + on the committee
of funds of Cornish Hill

Print Name: KATE REDWOOD

Signed: Kate Redwood

Date: 5/5/2014

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Sebastian Klein hereby disclose
 a conflict of interest in the following matter Community Grants

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 6-5-14

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

- Indirect interest - close association (section 78)
- Indirect financial interest (section 78A)
- Indirect interest – conflicting duty (section 78B)
- Indirect interest – applicable gift(s) (section 78C)
- Indirect interest – party to matter (civil proceedings) (section 78D)
- Indirect interest – impact on residential amenity (section 78E)

NB All references to sections are references to sections in the *Local Government Act 1989*.

The nature of the interest is as follows:

Employee of an organisation making application for grants

Print Name: SEBASTIAN KLEIN
 Signed: [Signature]
 Date: 6-5-14

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Special Councillor Briefing

Date: Tuesday 13 May 2014

Time: 1:00 pm

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

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"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King | Grant Schuster, Manager Strategic Asset M'ment |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | Adam McSwain, Manager Community & Economic Development |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

CR Klein left at 4-17pm.

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"/> Other, please specify: |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |

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 13 May 2014



Tuesday 13 May 2014 1:00 pm		Council Chamber Creswick Senior Citizens' Centre
Chair	Mayor	Cr Don Henderson
Attendees	Councillors	Cr Pierre Niclas, Cr Kate Redwood AM, Cr Neil Newitt, Cr Sebastian Klein, Cr Greg May, Cr Bill McClenaghan
	Officers	Chief Executive Officer, General Manager Corporate Services, General Manager Community Services, General Manager Infrastructure, and other officers as required
Apologies		

Time		Title	Action Officer
1.	1:00 pm	Verbal Presentation Streetscape Planning and Design – Stages 1 and 2	General Manager Community Services & Manager Community and Economic Development
2.	3:00 pm	Verbal Presentation Hepburn Community and Council Services Hub – Site Selection	General Manager Community Services & Manager Strategic Asset Management
3.	4:30 pm	CLOSE OF MEETING	

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: Tuesday 20 May 2014

Time: 2:00 pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – ~~Creswick Senior Citizens' Centre~~ *The Warehouse - Clunes*

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"/> Other, please specify: |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
<i>Cr Kate Redwood</i>	<i>3.39pm → 3.42pm</i>
<i>Hepburn Wind Rates.</i>	

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"/> Other, please specify: |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |

Signature: 

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

**AGENDA
COUNCILLOR / CEO MEETING**

Tuesday 20 May 2014 Commencing 2:00 pm		The Warehouse - Clunes 36 Fraser Street Clunes	
Chair:	Mayor	Councillor Don Henderson	
Attendees:	Councillors	Kate Redwood AM, Neil Newitt, Sebastian Klein, Pierre Niclas, Greg May, Bill McClenaghan	
	Officers	CEO, Aaron van Egmond	
Apologies:	Councillors		
	Officers		
COUNCILLOR ONLY TIME			
12:30 pm		Councillors Only	
AGENDA – COUNCILLOR / CEO MEETING			
2:00 pm		CEO & Councillors	
1.	Proposed rates - budget effects on local government.	Cr Don Henderson	
2.	Hepburn Health Services including: - Maternal & Child Health services - Early Years programs - Service now not provided in Clunes	Cr Kate Redwood AM	
3.	Plans for the old Creswick Bowling clubrooms once vacated.	Cr Greg May	
4.	MOU's - how they are initiated, why some organisations have one and other similar organisations don't, how the term of an MOU is decided etc.	Cr Greg May	
5.	Advocacy for Daylesford Secondary College Infrastructure funding	Cr Sebastian Klein	
6.	Contractor over servicing - fraud? Contractor taking less than full bins from transfer stations?	Cr Bill McClenaghan	

7.	EPA issues and enforceable undertaking negotiations update	Cr Bill McClenaghan
8.	Hepburn Wind Rates (listed for June Council briefing)	Cr Pierre Niclas
9.	CEO Appraisal - facilitator & dates	Aaron van Egmond
10.	Organisational Structure	Aaron van Egmond
3:30pm	Pre-Council Meeting Briefing 20 May 2014	Councillors and Officers
5:00 pm	Meal Break	
6:00 pm	Council Meeting – Clunes	

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Pre Council Meeting Briefing

Date: Tuesday 20 May 2014

Time: 3:30 pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – The Warehouse - Clunes

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 checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | <i>Adam McEwen</i> |
| | <i>Grant Schuster</i> |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
<i>Cr Redwood item 11.3</i>	<i>Left 4-14 Returned 4-34</i>
<i>Cr Klein item 11.5</i>	<i>Left 4-43 Returned 4-48</i>

Matters Considered:

Council Meeting Agenda – Tuesday 20 May 2014

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"/> Other, please specify: |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |

Signature: *Evan King*

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

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Kate Redwood hereby disclose
 a conflict of interest in the following matter Hepburn land values

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 20/05/2014

The class of the interest is (tick appropriate box)

a direct interest

OR

an indirect interest (see below)

Please select from the following types of indirect interest:

- Indirect interest - close association (section 78)
- Indirect financial interest (section 78A)
- Indirect interest – conflicting duty (section 78B)
- Indirect interest – applicable gift(s) (section 78C)
- Indirect interest – party to matter (civil proceedings) (section 78D)
- Indirect interest – impact on residential amenity (section 78E)

NB All references to sections are references to sections in the *Local Government Act 1989*.

The nature of the interest is as follows:

was a board member of Hepburn land
until 2012 (August) and hold shares
in Hepburn land

Print Name: KATE REDWOOD

Signed: Kate Redwood

Date: 20/05/2014

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor J. Klein hereby disclose
 a conflict of interest in the following matter Community grants

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 20-5-14

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

- Indirect interest - close association (section 78)
- Indirect financial interest (section 78A)
- Indirect interest – conflicting duty (section 78B)
- Indirect interest – applicable gift(s) (section 78C)
- Indirect interest – party to matter (civil proceedings) (section 78D)
- Indirect interest – impact on residential amenity (section 78E)

NB All references to sections are references to sections in the *Local Government Act 1989*.

The nature of the interest is as follows:

I work with one of the projects mentioned for funding in an external professional capacity

Print Name: SEBASTIAN KLEIN

Signed: [Signature]

Date: 20-5-14

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Kate Redwood hereby disclose
 a conflict of interest in the following matter Victoria Park Facility
community contribution

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 20/05/2014

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

- Indirect interest - close association
(section 78)
- Indirect financial interest
(section 78A)
- Indirect interest – conflicting duty
(section 78B)
- Indirect interest – applicable gift(s)
(section 78C)
- Indirect interest – party to matter (civil proceedings)
(section 78D)
- Indirect interest – impact on residential amenity
(section 78E)

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 secretary of the Daylight Football Netball
club which is a major user of any facility
at Victoria Park

Print Name: KATE REDWOOD

Signed: Kate Redwood

Date: 20/05/2014

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Sebastian Klein hereby disclose
 a conflict of interest in the following matter Community Grants

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 20-5-14

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

- Indirect interest - close association (section 78)
- Indirect financial interest (section 78A)
- Indirect interest – conflicting duty (section 78B)
- Indirect interest – applicable gift(s) (section 78C)
- Indirect interest – party to matter (civil proceedings) (section 78D)
- Indirect interest – impact on residential amenity (section 78E)

NB All references to sections are references to sections in the *Local Government Act 1989*.

The nature of the interest is as follows:

One of the projects recommended for funding is one I work on in a professional capacity

Print Name: SEBASTIAN KLEIN
 Signed: [Signature]
 Date: 20-5-14

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor DON HENDERSON hereby disclose
 a conflict of interest in the following matter 11.7 LEASE OF
CRESWICK TOWN HALL CARPENTERS COTTAGE.

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 20/5/2014

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

- Indirect interest - close association (section 78)
- Indirect financial interest (section 78A)
- Indirect interest – conflicting duty (section 78B)
- Indirect interest – applicable gift(s) (section 78C)
- Indirect interest – party to matter (civil proceedings) (section 78D)
- Indirect interest – impact on residential amenity (section 78E)

NB All references to sections are references to sections in the *Local Government Act 1989*.

The nature of the interest is as follows:

PRESIDENT OF CRWA.

Print Name: MR. DON HENDERSON

Signed: [Signature]

Date: 20/5/2014

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Public Art Panel Meeting
Date: Friday 30 May 2014
Time: 1:00 pm

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 AM | <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 checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Evan King | Manager Community and Economic |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | Development, Adam McSwain |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | Community and Cultural Development Officer, Kate Gerritsen |

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 checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Evan King | Community and Cultural Development |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | Officer, Kate Gerritsen |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: 

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



PUBLIC ART PANEL AGENDA

Friday 30 May 2014
12.00 pm – 3.00pm
Council Chambers Town Hall, Daylesford

AGENDA

Attendees: Cr Kate Redwood, Brad Hooper, Carol Oliver, Elizabeth Liddle, Frances Guerin, Glenn Mack, Kareena Hodgson, Kim Percy, Louiseann Zahra-King, Corey Pugh, Sue Walker
Apologies: Ian Head, Petrus Spronk

Item No.	Time	Agenda Item	Presenter
		Formal meeting to begin after lunch and welcome from 12.00pm-1.00pm	
1	1.00pm	Welcome & Apologies	Cr Kate Redwood
2	1.05pm	Circulation of Council documents and policies relating to Public Art Panel <ul style="list-style-type: none"> - Public Art Policy - Public Art Panel Terms of Reference - Respectful behaviours policy 	Cr Kate Redwood
3	1.15pm	Candidate nominations for PAP Chair - discussion with decision to be made within the next two meetings	All
4	1.25pm	Assessment of candidates for the Daylesford Laneway Commission	All
5	2.10pm	Potential sculpture donation for the Wombat Hill Botanic Gardens	All
6	2.40pm	Potential sculpture for inclusion in Smeaton Park masterplan	All
7	2.50pm	Conclusion and close	Cr Kate Redwood

12. COUNCIL SPECIAL COMMITTEES (SECTION 86)

12.1. 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 Committees, as provided by the Committees over the past month, for your information:

- Minutes from the Dean Recreation Reserve and Tennis Courts Special Committee – 06/02/2014.
- Minutes from the Lyonville Hall Special Committee – 15/04/2014.
- Minutes from Creswick Museum Special Committee – 05/05/2014.
- Minutes from the Lee Medlyn Home of Bottles Special Committee – 07/05/2014.
- Minutes from the Glenlyon Recreation Reserve Special Committee – 21/05/2014.
- Minutes from Drummond Hall Special Committee – 30/05/2014.

These minutes have been previously 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

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

MOTION

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

Moved: Councillor Greg May
Seconded: Councillor Bill McCleaghan
Carried.

13. COUNCIL ADVISORY COMMITTEES

13.1. 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:

- Audit and Risk Advisory Committee – 26/05/2014.
- Public Art Panel – 30/05/2014.

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

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

MOTION

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

Moved: Councillor Neil Newitt
Seconded: Councillor Kate Redwood
Carried.

**13.2. REVIEW OF AUDIT AND RISK ADVISORY COMMITTEE CHARTER AND INTERNAL
AUDIT CHARTER**

CHIEF EXECUTIVE OFFICER

This recommendation to Council is based on a resolution by the Audit and Risk Advisory Committee from a meeting on 26 May 2014.

PURPOSE

The purpose of this report is to recommend that Council adopts the reviewed Audit and Risk Advisory Committee Charter and the Internal Audit Charter.

BACKGROUND

As an advisory committee to Council, the Audit and Risk Advisory Committee ('the Committee') is required to function pursuant to a charter that includes a 'purpose' and 'terms of reference'.

The development and maintenance of an Internal Audit Charter is a key component of the Council's governance framework in accordance with Part 7 of the *Local Government Act, 1989* (Financial Management).

In accordance with the Committee's Standing Rotational Agenda for May, the Audit and Risk Advisory Committee Charter and Internal Audit Charter are required to be reviewed.

The Committee, at its meeting on 26 May 2014, resolved to endorse the Audit and Risk Advisory Committee Charter and the Internal Audit Charter to enable adoption by Council.

ADVISORY COMMITTEE'S RECOMMENDATION

- 13.2.1 That Council adopts the reviewed Audit and Risk Advisory Charter and the Internal Audit Charter as endorsed by the Committee at its meeting on 26 May 2014

MOTION

13.2.1. *That Council adopts the reviewed Audit and Risk Advisory Charter and the Internal Audit Charter as endorsed by the Committee at its meeting on 26 May 2014.*

Moved: Councillor Kate Redwood

Seconded: Councillor Neil Newitt

Carried.

ATTACHMENT 12 - AUDIT AND RISK ADVISORY COMMITTEE CHARTER

AUDIT AND RISK ADVISORY COMMITTEE CHARTER

DATE AMENDED: May 2014

DATE OF NEXT REVIEW: April 2015

DATE ADOPTED: 17 June 2014

RESPONSIBLE OFFICER: General Manager – Corporate Services

REFERENCES:

- Local Government Act 1989
- Council's Audit and Risk Advisory Committee Charter

Purpose

The Audit and Risk Advisory Committee ('the Committee') is an independent advisory committee to Council. The primary objective of the Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Committee is appointed to assist the co-ordination of relevant activities of management, the internal audit function and the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner.

The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate and improve decision making by Council in relation to the discharge of its responsibilities.

As part of Council's governance obligations to its community, Council has constituted the Committee to facilitate:

- The enhancement of the credibility and objectivity of internal and external financial reporting,

- Effective management of financial and other risks and the protection of Council assets,
- Compliance with laws and regulations as well as use of best practice guidelines,
- The effectiveness of the internal audit function; and
- The provision of an effective means of communication between the external auditor, internal audit, management and the Council.

Terms of Reference

General

The Committee is a formally appointed committee of the Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial or other responsibilities or powers. The Committee does not have any management functions and is therefore independent of management.

Membership

- (a) The Committee will comprise of five members – two Councillors and three external independent persons. Council's Chief Executive Officer or delegate (as required) and General Manager Corporate Services will attend the meeting in an advisory capacity. Council staff attending in this capacity will not have decision voting rights.
- (b) External independent persons will ideally have senior business or financial management/reporting knowledge and experience, demonstrated commitment to local communities or be conversant with financial and other reporting requirements. The Chief Executive Officer and General Manager Corporate Services will undertake the evaluation of potential members taking into account the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills and will make a recommendation to Council for appointment to the Committee. Council's External Auditor will be approached to advise the Committee as required by the Committee where appropriate.

- (c) Members will be provided the opportunity to attend technical and professional development courses as appropriate.
- (d) Appointments of external persons shall be made by Council after public advertisement and be for a term of four years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives. A sitting member is able to reapply and be appointed for subsequent terms, subject to the evaluation process set out in clause 2.2(b) and subject to maintaining the ratio of Councillors to external members.
- (e) If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so, provide the reason(s) for such removal and provide that member with the opportunity to be heard at a Committee meeting if that member so requests.
- (f) A meeting allowance will be paid to each independent member of the Committee. The fee will be paid per meeting with the level of remuneration set by Council at the commencement of each term of appointment.
- (g) The Chairman shall be appointed by the Committee from the external members of the Committee. In the absence of the appointed Chairman from a meeting, the Committee will appoint an acting Chairman from the members present.
- (h) A quorum shall be three members of the Committee.
- (i) The internal auditor (whether a member of staff or contractor), General Manager Corporate Services and the Manager Finance should attend all meetings wherever possible, except when the Committee chooses to meet in camera. Other members of Council or Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required. Only members of the Committee will have decision voting rights.
- (j) Guests may be invited from time to time as appropriate. An invited guest will not have decision voting powers.
- (k) Representatives of the external auditor should be invited to attend at the discretion of the Committee but must attend meetings considering the draft annual financial report and results of the external audit.
- (l) Council shall provide secretarial and administrative support to the Committee.

Meetings

- (a) The Committee shall meet at least quarterly.
- (b) A schedule of meetings will be developed and agreed to by the members. As an indicative guide, meetings would be arranged for February, May, September and November to coincide with relevant Council reporting deadlines, for example, in September to coincide with the approval of the statutory accounts.
- (c) Additional meetings shall be convened at the discretion of the Chairman or at the written request of any member of the Committee, internal or external auditor.
- (d) Management, including the Chief Executive Officer, may be asked to leave meetings at any time. In addition, the agenda for each meeting shall include general business for Committee members to raise other matters.
- (e) At each Committee meeting time will be set aside with internal and external auditors for the purpose of open discussion.
- (f) At any other time the Committee, without management present, may decide to meet separately with the internal and external auditor to discuss issues of mutual interest.
- (g) An agenda will be issued in the week prior to each meeting and will include relevant supporting documentation.
- (h) Minutes will be taken by the Governance Officer and signed by the Chairman.
- (i) Draft minutes will be distributed within 14 days of each meeting

Reporting

- (a) The Committee shall after every meeting forward its Minutes to the next Ordinary Meeting of the Council. The Minutes will contain any recommendations and key outcomes including the following:
- (b) Information about the audit process and the results of internal and external audits;
- (c) An annual review of the Committee's charter and its achievement against the charter;
- (d) Other matters the Committee believes need to be reported to the Council; and
- (e) Any recommendations requiring Council action and/or approval.
- (f) The Committee through the Chair shall report annually to the Council summarising the activities of the Committee during the previous financial year.

- (g) Management will report any incidents of actual or suspected fraud and any material error in any financial statements to the Committee immediately it becomes known.
- (h) Management will report any risk or incident that may lead to substantial loss to the Committee immediately it becomes known.

Duties and responsibilities

The following are the duties and responsibilities of the Committee in pursuing its Charter:

1. Monitor the effectiveness of the risk management framework
2. Monitor the quality and integrity of the financial management and reporting systems
3. Monitor operation of internal controls as reported in audit management letters
4. Review accounting policies and reporting requirements
5. Review external financial reports
6. Determine scope, quality and action taken on internal audit activities.
7. Meet with external auditors, discuss their plans and audit results
8. Monitor action taken by management on all matters raised by the Committee and auditors
9. Review compliance with ethical values and legislative requirements
10. Regularly report to Council on scope, activities, findings and outcomes of all audits.
11. As required under clause 10 of the Internal Audit Charter, evaluate the performance of the Internal Auditor annually at the final meeting of each calendar year.

The Committee, through the Chief Executive Officer and following authorisation from the Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern

Induction of new members

An adequate induction package will be provided for new members. Insofar as they have not received and/or retained the following information as Councillors, the new

member is provided with information, and where required a briefing, in the following areas:

Induction Kit for new Committee members

- Copy of the Audit and Risk Advisory Committee Charter
- List of fellow committee members and contact details
- Copy of Council's Organisational Chart
- Copy of the most recent Annual Report and Quarterly Report
- Copy of the most recent adopted Budget
- Copy of Council's Current Council Plan
- Details of Council's Insurances
- List of Council's Policies
- List of Council's Local Laws
- Copy of Council's Local Law No 1 (Meeting Procedures)

New members will meet with key management and internal and external auditors as soon as practical following their appointment.

Rights to obtain information

The Committee may obtain information from any relevant external party. Contact with management or other personnel must be via the Chief Executive Officer.

The Committee will have reasonable right of access to the Chief Executive Officer.

Performance Monitoring

The Committee will assess its performance as a Committee and as individual members at the final meeting of each calendar year against the criteria outlined in Appendix A and Appendix B respectively as responded to by each member.

Dispute Resolution

In situations where a dispute arises it will be dealt with in accordance with an appropriate dispute resolution process determined by the Dispute Settlement Centre of Victoria (Department of Justice

Adopted by the Audit and Risk Advisory Committee and the Hepburn Shire Council on
..... day of 2014.

Signed for and on behalf of)
Hepburn Shire Council:)

Cr Don Henderson
Mayor

.....
Aaron van Egmond
Chief Executive Officer

Signed for and on behalf of)
the Audit & Risk Advisory)
Committee:)

.....
Jim Paulyshyn
Chairman

.....
Member

APPENDIX A

COMMITTEE PERFORMANCE MONITORING

	ASSESSMENT CRITERIA	RESPONSE/COMMENT
a)	Has the Committee taken action on each of its responsibilities in the past year?	
b)	Has the action taken been effective?	
c)	Has the Committee achieved all elements of its charter?	
d)	Are there functions to which more time or effort should have been devoted?	
e)	Does the Committee receive from management: Adequate information about Council's performance of its statutory functions; All the information it needs to allow it to discharge its function effectively and efficiently?	
f)	Can Committee agendas be improved: By including additional matters on a regular basis; or By considering matters less frequently; or By changing the order in which items are considered; or In any other way?	
g)	Can the conduct of meetings be improved?	

h)	<p>Can papers for meetings be improved: By providing additional information in any area; or Being shorter or more detailed; or In any other way?</p>	
i)	<p>Should there be more oral briefings from Council officers?</p>	
j)	<p>Can oral briefings received from Council officers be improved?</p>	
k)	<p>Can meeting arrangements be improved: By holding longer or shorter meetings; By holding meetings at different times; or By inviting visitors; or In any other way?</p>	
l)	<p>Are there other ways in which the Committee could increase its effectiveness?</p>	

APPENDIX B

SELF ASSESSMENT GUIDELINES

This guide takes the form of a series of assertions which should be awarded a rating on a scale of 1 to 5 by individual committee members, or by the committee as a whole. The matters highlighted should be discussed at the next committee meeting.

1 = Hardly ever/Poor, 2 = Occasionally/Below average, 3 = Some of the time/Average, 4 = Most of the time/Above average, 5 = All of the time/Fully satisfactory

Behaviours	1	2	3	4	5
Understanding of core business All Audit & Risk Advisory Committee members have a good understanding of the different risks inherent in the group's business activities					
Focus on appropriate areas The Audit & Risk Advisory Committee focuses on the right questions and is effective in avoiding the minutiae.					
Quality of Interaction with external audit The Audit & Risk Advisory Committee actively engages with the external auditors regarding scope of work, audit findings and other relevant matters.					
Quality of interaction with internal audit The Audit & Risk Advisory Committee demonstrates an appropriate degree of involvement in the work of internal audit and its findings					
Understanding of key financial issues The Audit & Risk Advisory Committee understands the interaction between the various sources of assurance available to it					
Rigour of debate Audit & Risk Advisory Committee meetings encourage a high quality of debate with robust and probing discussions					
Reaction to bad news The Audit & Risk Advisory Committee responds positively and constructively to bad news in order to encourage future transparency					
Quality of chairmanship The chairmanship operates satisfactorily in terms of promoting effective and efficient meetings, with an appropriate level of involvement outside of the formal meetings					
Frank, open working relationship with senior Council staff The Audit & Risk Advisory Committee members have a frank and open relationship with the senior Council staff, whilst avoiding the temptations to become 'executive'					
Open channels of communication The Audit & Risk Advisory Committee has open channels of communication with company contacts which facilitates the surfacing of issues					
Perceived to have a positive impact There is an appropriate balance between the monitoring role of the Audit & Risk Advisory Committee and it being an "influencer for good"					

1 = Hardly ever/Poor, 2 = Occasionally/Below average, 3 = Some of the time/Average,
4 = Most of the time/Above average, 5 = All of the time/Fully satisfactory

Processes	1	2	3	4	5
Members with appropriate skills and experience The Audit & Risk Advisory Committee comprises members with an appropriate mix of skills and experience, including recent and relevant financial experience					
Clear terms of reference There are clear terms of reference, with clarity as to role vis a vis the Council as a whole					
Clear as to risk management responsibilities The Audit & Risk Advisory Committee is clear as to its role in relation to risk management					
Structured and appropriate annual agenda The number and length of meetings and access to resources is sufficient to allow the Audit & Risk Advisory Committee to fully discharge its duties.					
Concise, relevant and timely information Audit & Risk Advisory Committee papers are concise, relevant and timely and are received sufficiently far in advance of meetings					
Right people invited to attend and present at meetings Executive management and others are asked to present on topics, as appropriate					
Meetings held sufficiently far in advance of Council meetings Audit & Risk Advisory Committee meetings are held sufficiently far in advance of Council meetings to permit resolution of issues raised.					
Attendance and contribution at meetings All Audit & Risk Advisory Committee members have sufficient time and commitment to fulfil their responsibilities					
Sufficient time and commitment to undertake responsibilities All Audit & Risk Advisory Committee members have sufficient time and commitment to fulfil their responsibilities					
Ongoing personal development to remain up to date Audit & Risk Advisory Committee members undertake ongoing personal development activities to update their skills and knowledge					
Private meetings with internal and external auditors Private meetings of the Audit & Risk Advisory Committee, and not just its chairman, are held at least annually with both the external auditors and internal audit					
Role in relation to whistle-blowing The Audit & Risk Advisory Committee has been informed of the whistle-blowing procedures in place within the organisation and undertakes its defined role in relation to them					

ATTACHMENT 13 - INTERNAL AUDIT CHARTER

INTERNAL AUDIT CHARTER

DATE AMENDED:	May 2014
DATE OF NEXT REVIEW:	(when internal Audit Services specification is reviewed)
DATE ADOPTED:	17 June 2014
RESPONSIBLE OFFICER:	General Manager – Corporate Services

REFERENCES:

- Local Government Act 1989
- Council's Audit and Risk Advisory Committee Charter

Introduction

The Hepburn Shire Council ('the Council') has established the conduct of Internal Audits as a key component of the Council's governance framework in accordance with Part 7 of the Local Government Act 1989, Financial Management.

This charter provides the framework for the conduct of the internal audit function. It should be read in conjunction with the Audit and Risk Advisory Committee Charter.

The Council's Internal Audit function is outsourced to an independent professional service provider. This service is provided under the terms of a three year contract and subject to review by the Audit and Risk Advisory Committee.

Purpose

Internal audit provides an independent and objective assessment and advisory service to:

- Provide advice regarding Council's exposure to risk.
- Assess the controls in place and how systems are utilised to manage compliance with a selection of key risks relating to legislative requirements, and Council policies and programs.

- Test existing and new procedures to check their effectiveness in meeting objectives and managing risks.
- Make recommendations to the Audit and Risk Advisory Committee for changes to procedures/policies to more effectively and efficiently achieve internal control in relation to the risks assessed.
- Provide periodic monitoring of processes and procedures implemented in response to findings and recommendations.

Independence

The Internal Auditor shall have independent status within the Council and for that purpose shall:

- Be given full and free access at all reasonable times to all records and documents of the organisation. Officers and employees of the organisation will furnish internal audit staff with information, advice or explanation on such matters as may be requested and must render any assistance necessary for audit purposes.
- Have no executive or managerial powers, authorities, functions or duties except those relating to the execution of the internal audit function.
- Not be involved in the day to day operation of the accounting and financial management information and control systems or in the internal checking system.
- Be available for consultation in relation to, but not be responsible for, the detailed development or implementation of new systems and procedures.

The Internal Auditor reports to the General Manager Corporate Services and the Audit and Risk Advisory Committee.

The Internal Auditors have direct access to the Chief Executive, the Chair and the members of the Audit and Risk Advisory Committee.

Authority and Confidentiality

For the effective discharge of their duties, the Internal Auditor is authorised to have full, free and unrestricted access to all functions, premises, assets, personnel, records, and other documentation and information that the Internal Auditor considers necessary to enable them to meet its responsibilities.

All records, documentation and information accessed in the course of undertaking internal audit activities are to be used solely for the conduct of these activities. The Internal Auditor and staff are responsible and accountable for maintaining the confidentiality of the information they receive during the course of their work, including complying with privacy requirements.

Internal Audit reports are deemed to be confidential reports of the Council. However, the Council's appointed external auditors are able to have access to all relevant Council documents, including internal audit reports.

Roles and responsibilities

The Internal Auditor's responsibilities are influenced by the governance arrangements established by the Council. In the conduct of its activities, internal audit will play an active role in:

- Developing and maintaining a culture of effective corporate governance, accountability and integrity.
- Facilitating the integration of risk management into day-to-day business activities and processes.
- Promoting a culture of best value, self-assessment and adherence to high ethical standards.

While the Internal Auditor is responsible for examining and evaluating the adequacy and effectiveness of the controls over selected key risks, the Internal Auditor is not primarily responsible for the detection of fraud, errors or mistakes. That is management's responsibility. However, internal audit's activities may identify instances, potential for, or areas of high risk, of fraud, error or mistake.

Scope of internal audit activities

Internal audit activities include, but are not necessarily limited to:

Assessment Projects

These projects will assess one or more of the following aspects:

- Compliance with selected legislative requirements, Council policies, directives and procedures.
- The adequacy and effectiveness of internal controls (including manual, IT and IT-dependent manual controls) in place to manage selected key risk areas.
- The efficiency, effectiveness, and ethical conduct of selected business activities or systems of Council.

Advisory services

Internal audit is a valuable resource and can advise Council and management on a range of matters including:

New programmes, systems and processes

- Providing advice on the development of new programmes and processes and/or significant changes to existing programmes and processes particularly including the design of appropriate controls.
- Internal audit should be consulted prior to making changes to existing or new systems in order to confirm controls are sound.

Risk management

- Assisting management to identify risks and develop risk mitigation and monitoring strategies as part of the enterprise risk management framework.
- Assessing, monitoring and reporting on the implementation of risk mitigation controls and strategies as a part of its annual internal audit plan.

Fraud control

- Assisting management to identify the risks of fraud and develop fraud prevention and monitoring strategies.

In addition to the above, Internal Audit may be required to carry out special projects from time-to-time at the direction of the Chief Executive Officer or the Audit and Risk Advisory Committee.

Internal audit is also responsible for Monitoring the implementation of agreed recommendations, as reported to the Audit and Risk Advisory Committee. The Internal Auditor's responsibilities are influenced by the governance arrangements established by the Council. In the conduct of its activities, internal audit will play an active role in:

- Developing and maintaining a culture of effective corporate governance, accountability and integrity.
- Facilitating the integration of risk management into day-to-day business activities and processes.
- Promoting a culture of best value, self-assessment and adherence to high ethical standards.

While the Internal Auditor is responsible for examining and evaluating the adequacy and effectiveness of the controls over selected key risks, the Internal Auditor is not primarily responsible for the detection of fraud, errors or mistakes. That is management's responsibility. However, internal audit's activities may identify instances, potential for, or areas of high risk, of fraud, error or mistake.

Standards

Internal audit activities will be conducted in accordance with relevant professional standards including:

- Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.

- Standards relevant to internal audit issued by the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia.
- The Statement on Information Systems Auditing Standards issued by the Information Systems and Control Association.

In the conduct of internal audit work, internal audit staff shall comply with relevant professional standards of conduct and exercise due care when performing their duties.

Planning

Council staff (General Manager Corporate Services, Manager Finance and/or Manager Strategic Asset Management) and the Internal Auditor shall undertake an internal risk assessment and then prepare a three (3) year audit plan which:

- Focuses on a selection of the most significant risks (classified as 'high' or 'medium' in Council's Risk Register) identified in the risk assessment;
- Is sufficiently comprehensive to ensure the reasonable coverage of Council's risks and operations over a planned cycle; and
- In year one (1) the plan shall indicate the months in which the work will be completed.

Before each audit project, the scope of the project shall be agreed with the Project Sponsor (i.e. the relevant Manager/General Manager) and shall be formally "signed off" by the General Manager Corporate Services or delegate before the commencement of the project.

Reporting

At the conclusion of each project, a draft report shall be prepared and forwarded to the General Manager Corporate Services or delegate and the relevant line manager for discussion.

Draft reports shall be presented to management within 14 days of the completion of all field work and testing.

Responses are to be prepared by management within 14 days of receipt of draft report. If necessary, responses are to be discussed with the Internal Auditor.

The Internal Auditor is to provide a final report within 14 days of receiving management's responses.

The Final Report shall then be presented by General Manager Corporate Services to the Audit and Risk Advisory Committee at its next quarterly meeting.

The Internal Auditor will report to each meeting of the Audit and Risk Advisory Committee on:

- Audits completed; and
- The status of the implementation of agreed internal audit recommendations from past audits.

Evaluation of Internal Audit

Performance of the Internal Auditors will be evaluated by the Audit and Risk Advisory Committee on an annual basis, as detailed in the Audit & Risk Advisory Committee Charter.

Review of the Charter

This charter will be reviewed every three years (in conjunction with the specification for Internal Audit Services) or earlier if decided by the Audit and Risk Advisory Committee.

Any substantive changes will be formally approved by the Council on the recommendation of the Audit and Risk Advisory Committee.

**13.3. ADVICE FROM THE PUBLIC ART PANEL
GENERAL MANAGER COMMUNITY SERVICES**

Recommendations to Council are based on actions/outcomes from the Public Art Panel meeting held on 30 May 2014.

PURPOSE

The purpose of this report is to provide advice to Council from the Public Art Panel meeting held on 30 May 2014.

BACKGROUND

The Public art Panel provides advice to assist Hepburn Shire Council make decisions about public art projects and acquisitions.

Daylesford Laneway Commission

The Daylesford Laneway Commissions are temporary public art commissions that will take place in the heart of Daylesford in January and February 2015.

Hepburn Shire Council is supporting this project through an \$8,000 commission. If further funding through the Vic Arts Fund is successful, there will be the opportunity to commission three artists. The decision will be advised early June 2014.

Six artists submitted expressions of interest for this project.

Potential Sculpture Donation for Wombat Hill Botanic Gardens

The Rattle family has offered the Friends of Wombat Hill Botanic Gardens a bronze statue of a boy removing a thorn from his foot, *Boy with a thorn*, currently located in the sunken garden at Musk Farm. The Rattle family has expressed their desire that this work, that had sentimental significance for the late Stuart Rattle, be suitably placed in the Wombat Hill Botanic Gardens as a memorial to the considerable contribution Stuart Rattle made to the gardens.

ADVISORY COMMITTEE'S RECOMMENDATIONS

13.3.1 Daylesford Laneway Commission

The Public Art Panel recommends that Council commission Paul James Kalemba and Jhana Pheiffer-Hunt, 'The Resistance of Memory – Tales of Daylesford' for the Daylesford Laneway project.

13.3.2 Potential Sculpture Donation for Wombat Hill Botanic Gardens

The Public Art Panel considers the proposed donation of the sculpture 'Boy with a thorn' appropriate for the Wombat Hill Botanic Gardens and recommends that Council proceeds with the gift from the Friends of Wombat Hill Botanic Gardens.

MOTION

13.3.1. Daylesford Laneway Commission

That Council commissions Paul James Kalemba and Jhana Pheiffer-Hunt, 'The Resistance of Memory – Tales of Daylesford' for the Daylesford Laneway project.

13.3.2. Potential Sculpture Donation for Wombat Hill Botanic Gardens

That Council proceeds with the gift of the sculpture 'Boy with a thorn' from the Friends of Wombat Hill Botanic Gardens.

Moved: Councillor Kate Redwood

Seconded: Councillor Pierre Niclas

Carried.

14. CONFIDENTIAL ITEMS

14.1. 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

14.1.1 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:

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

Contract H511-2014 – Insurance brokerage and Associated Services and Insurance Renewals 2014-2015; and

14.1.2 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.

MOTION

14.1.1. *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:*

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

Contract H511-2014 – Insurance brokerage and Associated Services and Insurance Renewals 2014-2015; and

14.1.2. *89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.*

Moved: Councillor Kate Redwood

Seconded: Councillor Pierre Niclas

Carried.

The Meeting closed to Members of the Public at 8:52 pm.

15. RE-OPENING OF MEETING TO PUBLIC

RECOMMENDATION

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

MOTION

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

Moved: Councillor Bill McClenaghan

Seconded: Councillor Kate Redwood

Carried.

The Meeting re-opened to the Public at 9:04 pm.

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

That Council:

14.2.1 *Approves the option to extend Contract H409-2013 for the supply of quarried materials to support Council's planned maintenance requirements for a further twelve month period to 17 April 2015 for:*

- *Fulton Hogan Construction Pty Ltd*
- *Boral Construction Materials*
- *Hanson Construction Materials*
- *McClure Resources.*

14.3.1 *Awards Contract H511-2014 for Insurance Brokerage and Associated Services and Insurance Renewals 2014-2015 to Willis Australia Ltd for the combined total tendered sum of \$164,451 excluding GST.*

16. CLOSE OF MEETING

The Meeting closed at 9:04 pm.
