



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

TUESDAY 18 MARCH 2014

GLENLYON HALL

BARKLY STREET

GLENLYON

6:00PM

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MINUTES

TUESDAY 18 MARCH 2014

Glenlyon Hall
Barkly Street, Glenlyon
Commencing 6:00PM

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AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
18 MARCH 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, Coliban Ward Councillor Sebastian Klein, Creswick Ward Councillor Greg May, Holcombe Ward Councillor Bill McClenaghan.

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

STATEMENT OF COMMITMENT

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

3. APOLOGIES

Nil

4. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Bill McClenaghan declared an indirect Conflict of Interest – conflicting duty in **Agenda Item 10.1 – Planning Application 273, Seeking an Amendment to Conditions of Planning Permit 10479 (conditions 3, 4, 5 and 6) at 211 Wheelers Hill Road, Musk** as a Director of The Central Highlands Tourist Railway as the Board has objected to any amendments.

Councillor McClenaghan left the meeting at 6:37 pm and returned to the meeting at 6:47 pm. Councillor McClenaghan was absent while these matters were considered

Councillor McClenaghan declared a direct Conflict of Interest in **Agenda Item 11.2 – Budget Fees and Charges 2014-2015** proposed for the 2014-2015 Council budget, as a self-employed waste management contractor.

Councillor McClenaghan left the meeting at 6:37 pm and returned to the meeting at 6:47 pm. Councillor McClenaghan was absent while these matters were considered.

Councillor Sebastian Klein declared an indirect Conflict of Interest – conflicting duty in **Agenda Item 11.3 – Daylesford ARC Management** as an employee of the organisation (Daylesford Neighbourhood Centre Inc) managing the Daylesford ARC facility.

Councillor Klein left the meeting at 6:37 pm and returned to the meeting at 6:47 pm. Councillor Klein was absent while these matters were considered

5. CONFIRMATION OF MINUTES

RECOMMENDATION

- 5.1 That the Minutes of the Ordinary Meeting of Council held on 18 February 2014 (as previously circulated to Councillors) to be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOTION

5.1. That the Minutes of the Ordinary Meeting of Council held on 18 February 2014 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

Moved: Councillor Kate Redwood

Seconded: Councillor Neil Newitt

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

Last month I neglected to inform Council that I represented the Shire and laid a wreath at the Prisoners of War Memorial in Ballarat. This was a moving event and stories told of the great sacrifices made by some very young Australians on our behalf. This is a national memorial and a credit to those who had the vision to create this wonderful tribute. People travelled from many parts of Australia to attend.

I attended the Central Highlands Mayors and CEOs Forum where such things as regional priorities were discussed. Items of interest to us in particular were black spot funding and the creation of a transport regulator. Council will have to make sure we identify roads that will be used by the transport industry in order to secure funding to compensate for damage.

The FinPro (Financial Professionals) Conference was held at the Forest Resort in Creswick. Of great interest was that Jeff Kennett was the guest speaker and was in fine form suggesting that we should all tighten our belts and spend less on wages and salaries for staff and tell our ratepayers to expect less. I did remind him that he was in a town where the Amalgamated Shearers' Union was formed and plans for the ACTU were laid out. Quite frankly, I did not see much value in most of his suggestions and thought that his thinking was 20 years out of date.

Ballarat Trades Hall Council invited me to their annual dinner. I attended at no cost to Hepburn Shire Council. I was invited as a part President of the Trades Hall Council.

I must pay tribute to the International Women's Day Committee for putting on an excellent event this year again. A highlight was the announcement that Council had named the Women's Honour Roll after a former Councillor and Mayor Heather Mutimer. Heather has made a great contribution to the cause of women in this Shire and refused to accept nomination onto the roll in the false belief that she had not earned her place. It is not an easy task to be placed on this roll. I must commend our staff including CEO Aaron van Egmond and General Manager Kathleen Brannigan who served drinks. A great team effort.

We welcomed some visitors from New Zealand: Mr Hugh Vercoe retired Mayor who outlined to us how he became associated with the Hepburn Shire. One of my colleagues will report on this so I won't say too much more other than that we were highly praised for what we had done in sharing the knowledge about our spa and wellness because the area he comes is a spa centre in New

Zealand. They developed a lot of their tourist information and activities about what he had learnt in Hepburn Shire, He is now retired and came back to revisit old friends.

Presentation of Gift

Cr Henderson presented CEO Mr Aaron van Egmond with a book *The Waikato – Green Heartland of New Zealand* which was presented to Hepburn Shire Council by Mr Hugh Vercoe on 11 March 2014 and inscribed:

‘To Mayor Don and all your Councillors

In appreciation of your support and friendship over many years and looking forward to the future close relationship between our two communities.

Hugh Vercoe ONZM, ASM, ED, JP’

This year again saw a very well attended ChillOut weekend. There is a photo of myself with Dolly Diamond. I guess this will surface when least expected. People of all ages enjoyed the festivities.

The CEO and I had a very constructive meeting with The Committee for Ballarat and agreed that we needed to work together to promote projects of mutual benefit. The opportunity exists because of the nearness of the western region of the Shire, particularly Clunes and Creswick. The Regional Growth Plan was discussed with emphasis on future employment and housing opportunities.

Last week Bendigo was the venue for the Municipal Association of Victoria (MAV) Strategic Planning Consultation discussions which covered a wide range of subjects including public transport, planning issues and once again road funding. MAV informed us that Roads to Recovery Program would continue in the immediate future.

The launch of the discussions around a new headquarters for the Shire was launched last Friday and certainly attracted great interest. Thanks to Crs Redwood, Niclas and McClenaghan for attending, along with staff, to answer questions. I did state the need to consult widely as any proposal will affect the whole Shire financially.

On Saturday we were treated to a ride on the train to Bullarto to see the fine work that had been done by Spa Country Railway volunteers in repairing the track and the construction of the station.

This is something that should have attracted the Daylesford and Macedon Ranges tourism as the Rail is one of the real attractants of visitors to the area. The event was attended by the member for Ballarat East Geoff Howard who

had new candidate for the area, Maryanne Thomas, with him. Cr McClenaghan outlined the scope of works that had been undertaken. Crs Niclas, Redwood and I were welcomed at Bullarto by a good contingent of Coliban Ward residents.

I had the privilege of attending the official opening of the new lights at the Trentham Sports complex and afterwards had a good discussion around how we might be involved in a positive way, particularly with sporting activities. Many expressed appreciation of the watering that has taken place, although Trentham did turn on some cold weather and rain for the event. No one was aware of how the Council had found the contribution from Hepburn Shire to supplement Government funding and a huge local community effort to enable this project to happen.

I also attended the 60th Annual Championships at the Kingston Showgrounds of the Country Fire Authority Region 15 fire fighting demonstrations. Hepburn Shire Council was a sponsor of this event.

There were two events yesterday in Creswick: a briefing on the stabilisation works at St Georges Lake and the need to drain the lake. This will disrupt the fun had by many families who use the venue in the absence of any safe swimming pool in the major population centre of the Shire.

Creswick Online was launched. This is a website to promote the whole Creswick Ward and inform residents of events in the area. This website was developed by the Creswick and District Residents Association (CADRA) using a community grant from the Shire. CADRA certainly acknowledged the support given. This is an important step, given that Creswick no longer has any group to drive the Creswick Ward Plan forward. Maybe we could see a Creswick Forum emerge since Council has allowed the Creswick Ward Community Committee to lapse without any planning group to replace it.

Lastly, Council had the privilege of meeting with the Dja Dja Wurrung people. The whole of Hepburn Shire is now Dja Dja Wurrung country following the recent settlement of their native title claim. The Dja Dja Wurrung presented Council with a plaque stating:

*'We are proud to acknowledge
Dja Dja Wurrung as the
Traditional Owners of this Country'*

Presentation of Plaque from Dja Dja Wurrung

Cr Henderson presented to CEO Mr Aaron van Egmond the abovementioned plaque.

Presentation of Book from Australian Associated Press

Cr Henderson presented to CEO Mr Aaron van Egmond correspondence and the book '*Australian War Stories – Albert Challenor – World War I Australian Imperial Force 1914 – 1915*' for Council to consider as a special community-focused initiative to commemorate the Anzac Centenary.

Councillor Neil Newitt, Cameron Ward

No report.

Councillor Sebastian Klein, Coliban Ward

It's been a busy month at home and away with numerous issues taking our attention at the Victorian Local Governance Association (VLGA). Thanks to those who took part in our recent survey. The results are being collated to help shape the direction of the councillor focused peak body. State Government moves on the Victorian State and Local Government Agreement have kept us busy looking to achieve a meaningful agreement with good outcomes for the local government sector. The performance reporting framework, new legislation that effects how the sector operates and the Petro Georgiou review of Local Government Elections are areas that I hope Councillors might have a chance to review as these will affect us all.

Expressions of Interest have closed for a casual board vacancy at the VLGA. The Board opted for this process to encourage diverse representation, particularly women, Western metro and rural councillors.

We are also getting to know a new Minister for Local Government after the state cabinet reshuffle. Minister Tim Bull, like Minister Jeanette Powell is a national party member, and I look forward to working with him on issues relevant to the sector as a whole.

Great to welcome our sister town representatives from Matamata-Piako District here in Coliban Ward. I would like to thank the Red Beard Bakery and the Diggers Club for the hospitality they showed our cousins from across the ditch, who in turn previously showed such hospitality to Sue Waters, the Leonard's Hill CFA Captain, when she visited them after the 2009 fires.

I attended the launch of the Trentham Recreation Reserve Lights. It was great to see the spirit of the Trentham Community and the Council at its highest that I think I have ever seen it in my time on Council. This event reminded me that it is in our words and attitudes, as well as in our actions, that good will is

demonstrated. I hope that this new spirit of dialogue and mutual appreciation of both community and municipal efforts can be continued.

I completed a project I have been working on, namely breaking down the last 13 years' budgets to understand what proportion of new projects and capital works had been spent in each ward:

Birch	\$14 136 675	57%
Creswick	\$5 994 430	24%
Cameron	\$3,077,143	12%
Coliban	\$747,175	3%
Holcombe	\$297,000	1%

Projects other than Coliban and Holcombe Ward - \$547,600 - 2%

Other events I have attended this month included:

- Incredible Edibles meeting
- Bullarto Community Planning Group BBQ
- Mulcahys Road development meeting
- MAV 2014-2015 Strategic Planning Consultation Session - service sharing and defined benefits legacy/ group borrowing
- Ward meeting - streetscape, hub, equity
- Trentham Streetscape consultation
- Trentham Community FORUM meeting
- Committee for Ballarat - Sustainable Living Task team.

Councillor Greg May, Creswick Ward

In the weeks since our last Council meeting, I have attended several meetings and held discussions with quite a few ratepayers on a variety of Council related matters as I'm sure we all have. One of those meetings was in Creswick to discuss the Creswick streetscape, some of the ideas proposed and the processes being put in place to seek input and ideas from local people.

Another of those meetings was with representatives from the Central Highlands Agribusiness Forum or CHAF. CHAF is one of several agribusiness forums throughout the state and like its counterparts, exists to support the growth in agribusiness and agricultural activities in its area. Currently CHAF is supported

by the Hepburn Shire, City of Ballarat as well as the Moorabool and Pyrenees Shires. One new initiative CHAF will be introducing in the near future is an on-line 'My Farm Store' project. It will facilitate connection between agricultural producers and consumers enabling more streamlined marketing.

Also I recently attended, along with several fellow Councillors, a morning tea at the Daylesford Council Chamber for Mr Hugh Vercoe and his fellow New Zealand visitors. I presented Mr Vercoe with some rather good local wine as a memento of his visit.

A recent local event worthy of mention is a bowls tournament held on 16 February in Smeaton. While bowls tournaments are not a great novelty, this one was a little different. The participants in this tournament were CFA members from many of the CFA brigades in Region 15 who were all trying to win the event, not just for the prestige but for the generous prize money their particular brigade would receive if victorious. The prize money was raised largely by Smeaton CFA and Smeaton Bowling Club member Mr. Tommy Middlemiss who over a period of time conducted small raffles at the local hotel. The eventual winners were the Slater – Kooroocheang CFA team who won \$500 for their brigade, second was Taylor – Smeaton CFA team who collected \$200 and third was the May – Kingston CFA team who won \$100. This event was a great example of community good will and enthusiasm for community facilities.

Another successful local event held recently was the annual Region 15 Volunteer Fire Brigades Victoria fire fighting demonstrations. This event was held at the Kingston Showgrounds and marked the 60th anniversary of the competition. Local volunteers competed against brigades from as far away as King Lake and Leopold.

Councillor Bill McClenaghan, Holcombe Ward

Firstly, a warm welcome for Council to the former Glenlyon Shire Hall built in 1890 from local timber by the former Glenlyon Shire but which was no longer required for municipal purposes after the 1966 amalgamation with the Borough of Daylesford. Compare the equity here between Daylesford and Glenlyon in terms of Shire Halls and there is no comparison. This hall has a new commercial kitchen and Daylesford doesn't. Also this hall has full disability access and Daylesford doesn't. So welcome all!

On Thursday 20th Feb, I had an opportunity to tour three metropolitan waste management installations with the Association of Victorian Regional Waste Management Groups.

The first was an organic composting facility at Bulla run by Veolia. Here green waste is trucked in, contamination removed and shredded by huge machines before being placed in a rectangular aerobic vessel for 10 days to dry out and cook up. There are 13 such vessels and the temperature and humidity levels are constantly monitored. At 60 degrees Celsius, all bugs are eliminated and the compost is then removed and stacked outside where it is turned for a period of 8 to 15 weeks depending on the weather. The compost is then sold to soil blenders to enrich their product or spread across broad acres to add additional nutrients to the land. The Bulla facility is one of two in Melbourne. The other one in Dandenong mixes organic and food waste in with the green waste. This requires a third waste bin as food waste must be kept separate from the garbage and recycling streams. One huge machine at Bulla stands on two enormous caterpillar tracks and is half as big as this hall. It came from South Australia where it was used to grind up horses. I have no doubt why the Mafia is into waste management as a way of making unwanted items disappear.

The second facility was the SKM super recycling centre or MRF in Coolaroo where truckload after truckload of recyclables were delivered during our visit. Many thousands of tonnes get delivered every day and everything delivered is processed that day. SKM run a day and afternoon shift and produce tonnes of valuable recovered materials. The most valuable commodity is aluminium and the least valuable are, surprisingly, steel and scrap plastic. Contamination is again a problem and damages the machinery in the plant where there are conveyer belts going everywhere and workers at various levels manually removing certain material passing by them. I will send Councillors some videos I took of this facility in operation.

The third facility was a super landfill at Wollert in an operating bluestone quarry. As the bluestone is removed, the empty space created is converted into huge landfill cells at a cost of about \$5 million each. The cells are lined with special cell liners of plastic and geo-textile and plumbed with pipes that collect methane gas from rotting organic waste. This gas is extracted through an elaborate network of piping and wells and used in an onsite power plant generating 6.6 megawatts of electricity from six motors. That's enough power to operate the whole quarry with extra power put back into the grid. The power plant runs 24/7, when the wind blows and when it doesn't and there's not a lump of brown coal to be seen.

It is interesting to note some statistics. There is room in this gigantic quarry for 50 million tonnes or 70 million cubic metres of garbage. In the mid 1970s a deal was done between Hanson Quarries and the old Whittlesea Shire that permitted the creation of a landfill in this quarry in exchange for free municipal tipping for the Shire – forever. What a deal - and it is still in force today despite attempts by lawyers to dismantle it. However, the Council still has to pay the

State's landfill levy although many other Shires would do anything to have a deal like this going.

It was a real eye-opener to see such waste management projects operating on such a grand scale and how the problem of waste disposal is tackled by large companies with the capital resources to do so.

Councillor Pierre Niclas, Birch Ward

24/02/2014 Audit and Risk Advisory Committee.

Cr Redwood and I attended the first of the 2014 Audit and Risk Advisory Committee meetings, this time held in the new The Warehouse - Clunes building.

This meeting was attended by various Committee members, our Internal Auditor representative from AFS & Associates and two representatives from the Victorian Auditor-General's Office (VAGO) with the meeting's main focus being on this Council's preparation for our Financial Report due to VAGO by the end of June this year.

It is worth mentioning the fantastic effort this Council's Officers have put in, in the area of confirming / reducing outstanding items (high, medium and low risk) sitting on our Risk Register. Both the internal and external auditors agreed the reduction of items listed in the high and medium risk section of our Risk Register was very pleasing.

P.S. What a great facility, one the Clunes Community should be very proud and grateful for.

26/02/2014 Daylesford Avenue of Honour Interpretive Sign Project

This was a very special event as it was made possible by the joint efforts of Hepburn Shire Council, the Daylesford RSL and also the Rotary Club of Daylesford. It was two years in the delivery and special because it is all about the recognition and celebration of our Australian men and women's contribution to the 1914 to 1918 WW1 effort.

Our Deputy Mayor, Cr Redwood, Cr McClenaghan and I attended along with other local dignitaries. We were enlightened with interesting stories and facts about the establishment of this Avenue of Honour and the very important reasons why we need to protect the existence of these places of celebration for many years to come.

27/02/2014 Hepburn Mineral Springs 150th Anniversary meeting

As this meeting was originally designated as the Hepburn Mineral Springs 150th Anniversary organisational meeting, the Committee felt it appropriate to take the meeting to the Springs.

The reserve looked beautiful; the weather was fantastic so we decided to hold the meeting out in the open in front of the Sound Shell which was the perfect location as it was also a great opportunity to see Sound Shell with the newly completed 'Birds in flight' work by Petrus Spronk. I can tell you all that the Sound Shell is stunning and certainly worth a look.

It is a testament to Petrus's community spirit that he has donated so many individual and beautiful works located throughout the reserve, many with interesting stories of the reserve and area.

I'm certain future generations who visit the reserve will come to enjoy these special works as much as we currently do.

14 & 15/03/2014 Hepburn Streetscape Community Consultation and the Daylesford (Hepburn) Hub Community Consultation

Both events were well attended by locals. There were a lot of diverse thoughts and ideas around what would best suit not only for the Hepburn Streetscape but also for the Hub.

15/03/2014 PM Return of the Daylesford Spa Country Railway rail service to Bullarto

Well what can I say about the fantastic return of this service to Bullarto and the work conducted by the volunteers to get this service back on track (pardon the pun).

We got the opportunity to enjoy the beautiful scenery that the Musk to Bullarto extension offers as well as the opportunity to enjoy all the strategically installed spine rattling bumps which brought back a few memories of my early days going to college in Adelaide.

As was well mentioned during the official part of this event, there were many generous supporters that made this happen. However, the most important recognition went to the volunteers who made this all possible.

Congratulations to them!

Councillor Kate Redwood AM, Birch Ward

This has been an exceptionally busy month. We've seen many things progressing well and a few things that have caused us to cringe.

The Hepburn Shire International Women's Day (IWD) function on 6 March was up to expectations and I felt proud to be associated with this event. I take this opportunity to acknowledge the hard work of the IWD Committee and a number of other volunteers including Marg Leunig who lent the community banner for the occasion. The speakers were excellent, particularly the two young women who spoke; Chloe Wrigley and Lotus Hackenberger. Their presentations are to be posted on the Council's website.

The development of the plans for the new facility in Victoria Park has been progressing well over the month and it is good to see support from all Vic Park user groups. We will be in a strong position to apply for external funding in the near future.

With such high expectations and initial positive responses, the resurfacing of Vincent Street has emerged as a huge disappointment. The actual and symbolic impact of the almost instant deterioration of the resurfacing has been the subject of a hundred conversations with residents, traders and visitors over the last month. A plan to rectify this disaster and a communication plan to retrieve some of the lost confidence in Council is required.

The issue of the Raglan Street trees continues to reverberate and will not go away until Council has in place a mechanism that allows the community to have some closer say in any changes to our natural or built form heritage.

Over the last month I have attended the following Council commitments:

18/02/2014	CEO/Mayor's meeting Councillor only time, Councillor/CEO meeting, Pre Council Briefing, Council Meeting
20/02/2014	Victorian Local Governance Association (VLGA) 'Being Deputy Mayor' (statewide meeting)
24/02/2014	Discussions with residents re protection of trees Audit and Risk Advisory Committee Meeting (Clunes)
25/02/2014	CEO/Mayor's meeting Castlemaine Radio interview
26/02/2014	Daylesford & Hepburn Springs Business and Tourism Association (BATA) meeting

	Rotary Club of Daylesford launch of Memorial Avenue
27/02/2014	IWD Advisory Committee Hepburn Honour Roll for Women Quilt meeting
28/02/2014	Vic Park meeting with architects
02/03/2014	Daylesford Museum 50 th anniversary function
03/03/2014	Daylesford ALP branch - council report
04/03/2014	CEO/Mayors meeting, Councillor briefing
06/03/2014	Hepburn Shire IWD function
08/03/2014	Launch Women's Photography exhibition, Bukah Gallery
09/03/2014	ChillOut Parade Bullarto Tractor Pull - assisted in judging vintage car competition
10/03/2014	CEO/Mayor's meeting Morning tea with visitors from New Zealand and Sue Waters 2014-15 Budget briefing
12/03/2014	ARC/DNC meeting re circus development at the ARC
14.03/2014	Launch Hepburn Hub Sites and Spaces
15/03/2014	Presentation Hepburn Hub Sites and Spaces Hepburn Streetscape Community Consultation Daylesford Spa Country Railway relaunch of Bullarto extension
	Trentham Recreation Reserve Lights launch
17/03/2014	Meeting re preliminary designs for Vic Park facility

RECOMMENDATION

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

MOTION

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

Moved: Councillor Bill McClenaghan

Seconded: Councillor Greg May

Carried.

9. PUBLIC PARTICIPATION TIME

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

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

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

Questions 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. PETITIONS

Nil

9.2. QUESTIONS

Questions: From Ms Brenda Blackmore, Denver

My name is Brenda Blackmore and I am a long term resident/ratepayer of the Hepburn Shire Council.

My questions relate to the disappearance of an important piece of timber which, is of both monetary and cultural significance, being the lower portion of the trunk of an English Oak c. 1898 which was felled due to significant storm damage.

- 1. Where is the lower portion of the trunk?**
- 2. What steps has the Council taken to investigate the disappearance of this valuable timber portion?**

3. **The only wood which has been taken has been taken from the “burn off” pile and there are no remnants of the large portion of the trunk, so the question is again, where is it?**
4. **Should you be unable to advise the whereabouts of this trunk, why then, should the theft of the timber, not be reported to Victoria Police for investigation?**

Answered by Mayor Cr Don Henderson

Answer 1:

Following the removal of the English Oak, all timber from the tree was left on site and no timber was removed by Council or our Contractor. Council has determined that the Butt Log remains on site and the timber above this was removed in small sections and was split as part of the damage which compromised the tree. The split in the tree continued internally down through the trunk beyond what was able to be observed. These pieces were also left on site and were placed with all the limbs and other timber which is referred to as the ‘burn pile’.

Answer 2:

Council has been in discussion with the Glenlyon Recreation Reserve Special Committee. It is Council’s understanding that the representatives of the Special Committee authorised the removal of some of the timber. It is understood that the timber removed includes some of the substantial limbs and the damaged trunk sections from above the primary log that remains on site.

Answer 3:

As per answers 1 and 2 above.

Answer 4:

Given Council’s current understanding that the Special Committee authorised the removal of some timber, there has not been any report made to Victoria Police. If it is further established that timber has been removed unlawfully, then this avenue will be pursued.

Question: From Mr Graeme Rattray, Glenlyon

Question from 15 October 2013:

I would like to know when the 600 metres of bitumen from the end of the existing bitumen in Holcombe Road will be completed?

I was told in 2011 that it would be soon, as the owner of Holcombe had paid his portion.

Answer 21 October 2013:

Council has been in discussions with the developer and their consultant regarding the progress of sealing works. Council's General Manager Infrastructure can confirm that Council has received approximately 45% of the financial contribution required. Unfortunately, the works are not able to proceed until 100% of the contribution has been received. Council will continue to pursue this matter in order to have the matter satisfactorily resolved. However, Council is not able to commit to a timeline until the financial contribution is received in full.

Question 18 March 2014:

Why hasn't my question dated 15 October 2013 and your answer dated 21 October 2013 been acted upon?

The property has been sold since my question was asked, and nothing has been done to get this matter solved.

This problem has been going on since 2010.

Answered by Mayor Cr Don Henderson

The requirement to upgrade Holcombe Road was identified in a previous planning permit and confirmed in correspondence from Council dated 2008. Part payment was received from the developer in July 2009 which equates to approximately 45% of the total contribution towards the road upgrade. Council has been continuing to action this item by meeting with the developer and their associates in December 2012. This is also detailed in written correspondence in December 2012 and October 2013 seeking the matter to be finalised

Council is aware that the property has recently changed ownership and has confirmed that the Planning Permit requirements apply to the land and subsequently remain valid and now become the responsibility of the new property owner. Until these permit conditions are met, the subdivision will not receive a Statement of Compliance.

Council is preparing correspondence to the new property owner in a further attempt to finalise the matter, however is not able to do so without the cooperation of the developer / landowner.

Questions: From Ms Liz Burns, Musk

- 1. Can Council please explain the rationale for allocating recent road works throughout Coliban Ward?**
- 2. Can Council please explain why it did not see fit to inform affected residents of road works outside their properties?**
- 3. Is Council aware of the Steve Marsh case in WA?**
- 4. Does Council have a register of certified Organic & Biodynamic farmers operating in their Shire?**
- 5. Are they aware of their obligations to protecting a farmers right to be a certified organic/BD farmer?**
- 6. Can Council please explain why a farmer has to pay twice as much for a permit to sell from their farm gate than any other business running from home?**

Answered by Mayor Cr Don Henderson

Answer 1:

The recent Bituminous Resealing works are part of an annual resealing program. Works are identified and prioritised based on road function and existing surface condition.

This year's program has included resurfacing in excess of 40km of sealed road network.

Answer 2:

The completed works were not expected to cause any significant disruption or inconvenience to residents. Therefore Council officers did not think it was necessary to advise residents of the specific works.

Answer 3:

Yes, Council is aware of the Steve Marsh case. I understand that this case relates to contamination of an organic farm by a neighbour's genetically modified crops.

Answer 4:

While Council does not have a register of organic farmers, we acknowledge the importance of agriculture to Hepburn Shire and, specifically, the links between organic and bio-dynamic farming and the food and wine offerings available in Hepburn Shire.

Answer 5:

Council is unaware of any obligation to protect a farmer's right to be certified organic or biodynamic.

Answer 6:

Under the *Planning and Environment Act 1987*, no permit is required for farm gate sales of produce in a farming zone, subject to meeting certain requirements.

A food safety permit may be required if farmers wish to sell value added products, such as jam. The cost of a Class 3 food safety permit is \$220.

9.3. REQUESTS TO ADDRESS COUNCIL

Nil

10. STATUTORY PLANNING REPORTS

Councillor Bill McClenaghan left the meeting at 6:50 pm due to an indirect Conflict of Interest in Agenda Item 10.1 and returned at 7:11 pm.

10.1. PLANNING APPLICATION 273, SEEKING AN AMENDMENT TO CONDITIONS OF PLANNING PERMIT 10479 (CONDITIONS 3, 4, 5 AND 6) AT 211 WHEELERS HILL ROAD, MUSK CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Planning Coordinator, I Louise Johnston have no interests to disclose in this report.

PURPOSE

The purpose of this report is to make a determination and recommendation on the application to amend conditions of Planning Permit 10479 that relate to road upgrades associated with the use of the land for a utility installation – water extraction at 211 Wheelers Hill Road, Musk.

BACKGROUND

Planning Permit 10479 was issued on the 13 December, 2011 at the direction of the Victorian Civil and Administrative Tribunal (VCAT) for the use and development of a utility installation. The use and development has been in operation since 2007.

The conditions of Planning Permit 10479 that relate to road upgrades that the applicant now seeks to amend or vary include conditions 3, 4, 5 and 6.

The amendments being sought can be summarised as follows:

- Remove the road upgrade on Wheelers Hill road south of the railway line (condition 3b)
- Sharing the cost of the revised upgrades equally between the Council and the Applicant/Owner (condition 3b, 4 & 6).
- Introduce a levy per load to provide the Shire with a maintenance fund for future road upgrades as needed.
- Road side drains alongside the pavement between Coopers Road and the Railway line – cost shared equally between the Applicant/Owner and the Council (condition 4 & 6).

- New time frame for the above works to be undertaken.

In support of the above amendments, the Applicant has provided a report by Mr Keith Altmann, Consultant Engineer, outlining the justification for the reduced road upgrade requirements as outlined in Planning Permit 10479.

The report concludes that:

- *‘South of the railway line, the road is coping well with the additional traffic. North of the railway line, the wear on the road, particularly shoulders and at the curve, indicates all users would benefit from additional improvements beyond those currently proposed.*
- *It would be more reasonable for a payment to be provided to Council on a per load basis as an acknowledgment of the additional impact over an extended time period south of the railway line.’*

Essentially, this amendment seeks to reduce the road upgrade of Wheelers Hill/Quines Road to north of the Railway line and seeks to have the cost of this upgrade shared equally between the Applicant and Council and to introduce a levy per load for future maintenance as required.

ISSUE / DISCUSSION

VCAT determined to approve this use and the conditions attached to this permit. There is no planning reason or altered circumstance to amend these requirements. Road safety and the need for road upgrades were key issues in debate and under discussion in this case. VCAT determined that upgrading of the road was required and that was not in dispute by any of the parties. The extent of the upgrading and who contributes was also debated. VCAT concluded that:

‘The evidence before us in this case is that road works are necessary in order to accommodate the nature, volume and frequency of additional truck movements on the road network, associated with the use of the land for a utility installation as proposed.

The applicant submits they ought to be required to make only a contribution toward those works. We consider that the applicant is or has introduced a use which generates additional truck traffic comprising both higher loads and movements that are beyond that which is generated by activity in the local area. Accordingly, we consider that it is appropriate to require the applicant to carry out the works identified by the evidence as being necessary to accommodate the proposed use. We note that those works do not extend to full construction of existing roads, but rather an upgrading of those roads. In that context we have concluded that the applicant should be required to bear the costs of that upgrading.’

The Applicant is now relying on the same expert Engineer to justify the amendment to these requirements with no changed circumstances or planning grounds to do so. The use continues to operate on the land as a utility installation for water distribution, with the same volumes and frequency of truck movements on the existing road network. It was clear from the previous decision, that the use of the land for a utility installation has introduced a use generating additional truck movements and traffic beyond what is generated by activity in the local area. VCAT determined it was the responsibility of the Owner to carry out the road upgrade works identified.

In support of a levy per load, in lieu of the road upgrades as required by the permit, the applicant also relies on a recent decision of the Tribunal in a similar case to the subject site for a bulk water extraction facility. In this decision, (VCAT ref No P3595/2010), Myrtleford Springs Pty Ltd vs Alpine Shire, the Tribunal agreed that in this case a levy was appropriate as a means of provision of a maintenance fund for future road upgrade to accommodate the proposed truck size and volumes associated with the use of the land for water extraction.

However, it is clear from that determination that the current condition of the road in question did not need immediate attention and was described as being in 'sound' condition and 'adequate' and there was evidence of road widening and road improvements over the past two to three decades.

Road safety and road upgrades were identified as a key issue of the Wheelers Hill Road appeal given the increased truck traffic associated with the use of the land for water extraction. Given the different conditions of the two roads in question, the Tribunal have applied relevant road upgrades as required based on the evidence before them. Therefore, as there have not been any changes in circumstances since the issue of this permit, over two years ago that warrant amending the conditions contained within Permit 10479, the amendments being sought should be refused.

Council Engineers did not support the amended application. Five objections have been received, all objecting to the amended changes as sought in the application and objecting to the applicant not under taking any of these requirements of the planning permit. This reinforces the decision of VCAT and conditions associated with the road upgrades.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

Any decision of Council may be appealed at VCAT. An Enforcement Order has been lodged with VCAT against the Applicant for failure to comply with conditions in the permit within specified timeframes.

RISK IMPLICATIONS

Not applicable

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Not applicable

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

The amendments being sought should be refused. Council should not bear any costs associated with the upgrade in the road to support a private business and the use of trucks to haul the water extracted from the site.

The original decision of VCAT was clear that the applicant should bear the costs of any upgrades to the Council's road network.

OFFICER'S RECOMMENDATION

10.1.1 That Council having caused notice of Planning Application PA 273 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 amend conditions contained within Planning Permit 10479 relating to road upgrade requirements in respect of the land known and described as 211 Wheelers Hill Road, Musk for the application dated 14/10/2013 for the following reasons:

- The decision of the Victorian Civil and Administrative Tribunal clearly identified the applicant was required to bear the costs of the upgrading and works as identified in Planning Permit 10479 associated with the use of the land for water extraction.
- There is no planning reason or altered circumstance to amend these requirements since the issue of the planning permit.

- The proposal is not in accordance with the orderly planning of the area.

The Applicant, Mr Tim Carey, Musk Springwater Pty Ltd, addressed Council in support of his application.

The following objectors addressed the Council to speak against the application and to support the Officer's Recommendation:

Dr Gregory Heath

Ms Heather Mutimer

Mr Ken Warren.

A submission from The Central Highlands Tourist Railway (Daylesford Spa Country Railway) Board of Directors objecting to the application was also tabled at the meeting.

MOTION

10.1.1. *That Council having caused notice of Planning Application PA 273 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 amend conditions contained within Planning Permit 10479 relating to road upgrade requirements in respect of the land known and described as 211 Wheelers Hill Road, Musk for the application dated 14/10/2013 for the following reasons:*

- *The decision of the Victorian Civil and Administrative Tribunal clearly identified the applicant was required to bear the costs of the upgrading and works as identified in Planning Permit 10479 associated with the use of the land for water extraction.*
- *There is no planning reason or altered circumstance to amend these requirements since the issue of the planning permit.*
- *The proposal is not in accordance with the orderly planning of the area.*

Moved: Councillor Kate Redwood

Seconded: Councillor Sebastian Klein

Carried.

ATTACHMENT 1 - CONDITIONS – PLANNING PERMIT 10479

CONDITIONS - PLANNING PERMIT 10479

Amended plans

1. Within two (2) months of the date of this permit, the applicant/owner must submit amended plans to the Responsible Authority for endorsement. The plans submitted must be drawn to scale and three copies must be provided and once endorsed will form part of the planning permit. The plans submitted must show:
 - a) Floor plans and elevations of all pumping sheds and water tanks, including setbacks from boundaries.

Layout not altered

2. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Road requirements

3. Within 3 months of the issue of this permit, unless written consent to an extension is provided by the Responsible Authority, the applicant shall prepare and submit professionally prepared plans by a suitably qualified engineer for the design and construction of roadworks and vehicle crossovers to the Responsible Authority for approval. Construction shall not commence until the plans have been approved by the Responsible Authority. All road construction and/or widening shall be carried out in accordance with the approved plans. The plans shall show the following works:
 - a) The Daylesford-Trentham Road and Quines Road/Wheelers Hill Road intersection pavement repaired and strengthened to meet AustRoads design requirements and surfaced in accordance with the requirements of VicRoads (see Condition 21);
 - b) Upgrading of Quines Road and Wheelers Hill Road from the Daylesford-Trentham Road to the entrance to the subject land based on a width of 4.5 metres sealed to 4.0 metres with a further 0.5 metre shoulder on each side, i.e. a total of 5.5 metres. The design for pavement width and shoulder widening and strengthening shall allow for heavy traffic on shoulders, and based on the type and number of trucks originating from the utility installation (water distribution);
 - c) Wheelers Hill Road widened and strengthened from at the entrance to and including the egress from the development and for a distance of 30 metres north of the entry to meet AustRoads design requirements and shall be surfaced with a minimum 20mm asphalt surface.
4. All roadworks shall be designed and constructed at the applicant/owner's cost and in accordance with the approved plans referred to in Condition 3, and such work shall be undertaken within 6 months of the approval of all plans, or within some other time frame agreed to in writing by the Responsible Authority. The cost of road works shall be borne by the applicant/owner.

5. The access and egress from Wheelers Hill Road to the development must be designed and constructed with an asphalt surface from Wheelers Hill Road to the property line. The design and construction must prevent loose material from within the property being washed or tracked onto Wheelers Hill Road. The access and egress must be signed to indicate the entrance and exit.
6. All roads and drains shall be designed and constructed in conformance with the following documents:
 - a) Australian Rainfall and Runoff Vol 1, A Guide to Flood Estimation, The Institution of Engineers Australia;
 - b) Pavement Design; A Guide to the Structural Design of Road Pavements, Austroads 1992;
 - c) Pavement Design; A Guide to the Design of New Pavements for Light Traffic;
 - d) Austroads APRG Report No 21 (Supplement to Austroads Pavement Design);
 - e) VicRoads Road Design Guidelines; Part 2 Horizontal and Vertical Geometry; Part 3 Cross Section Elements; Part 7 Drainage, VicRoads Design;
 - f) EPA Publication No 480; Environmental Guidelines for Major Construction Sites; and
 - g) EPA Publication No 275; Construction Techniques for Sediment Pollution Control.
7. The Supervising Consulting Engineer shall provide a supervision report to Council verifying that the road and drains have been constructed in compliance with the Consulting Engineers Design including details of inspections at hold points, tests carried out and test results. The works must pass tests and onsite inspections by the Responsible Authority.
8. After all necessary engineering works pertaining to the development have been completed, the site shall be resurveyed and a set of the "As Constructed" work drawings submitted to Council for Council's records.
9. All works required must be completed within six months of the issue of the permit unless written consent to an extension is provided by the Responsible Authority.

Rail crossing and intersection signage

10. Within 60 days of the date of this permit, the applicant/owner shall arrange with VicRoads and/or Council, as appropriate and at its cost for any additional signage and line marking to be put in place at the railway crossing and appropriate warning signage on the approaches to the cutting located on Wheelers Hill Road 1.6 kilometres from the Daylesford-Trentham Road to improve vehicle safety to the satisfaction of the Responsible Authority.

Vehicles

11. Vehicles associated with the utility installation (water distribution) must only use Wheelers Hill Road - Quines Road to access the site to the satisfaction of the Responsible Authority.

Hours of operation

12. Without the prior written consent of the Responsible Authority, the hours of operation (deliveries) shall not exceed Monday to Saturday 7.00am to 10.00pm. No deliveries are permitted on Sunday.

Maximum water distribution volume

13. The maximum volume of water that may be carted from the site is 70 megalitres without further consent of the Responsible Authority.

Vehicle restriction

14. Vehicles used for water cartage must not have a capacity greater than 38,000 litres and not more than the following load limits without the further consent of the Responsible Authority:
 - a) 60 tanker loads per week.
 - b) 200 tanker loads per month.
15. The operator must keep and maintain compliance records showing the weekly and monthly tanker loads and provide a copy to the Responsible Authority upon request.

Noise control

16. Noise emitted from the site must comply with and be in accordance with the Environment Protection Authority's Interim Guidelines for Control of Noise from Industry in Country Victoria – N3/89 – dated April 1989 or any successor.

External lighting

17. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

General amenity provision

18. The use approved under this permit must not adversely affect the amenity of the locality by reason of the processes carried on, the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, the presence of vermin, or otherwise to the satisfaction of the Responsible Authority.

Department of Sustainability and Environment

19. Any clearing or construction activity associated with water supply infrastructure must be carried out in accordance with Construction Techniques for Sediment Pollution Control, (Environment Protection Authority, 1991), to the satisfaction of the Responsible Authority.

20. No polluted and/or sediment laden run-off must be discharged directly or indirectly into nearby water courses.

Vic Roads

21. The Daylesford-Trentham Road and Wheelers Hill Road intersection must have a minimum of a 20 mm asphalt overlay, 20 metres either side of the centre of the Wheelers Hill Road on the Daylesford-Trentham Road, and including the bell mouth back to the property line of Wheelers Hill Road and:
- a) The contractor must be VicRoads prequalified at R1 level.
 - b) The contractor must not commence any works in, on, under or over the Daylesford-Trentham Road reserve without having first applied for and received written consent from VicRoads for those works in accordance with Section 63 of the *Road Management Act 2004*.
 - c) There will be no costs to VicRoads.
 - d) The works must be to the satisfaction of VicRoads.

--- End of Conditions ---

**This item was deferred at the Ordinary Meeting of Council held on
18 February 2014.**

**10.2. PLANNING APPLICATION PA 0127, 110 FOULKES CRESCENT CLUNES
CHIEF EXECUTIVE OFFICER**

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

PURPOSE

The purpose of this report is for Council to determine the application for Home Occupation - (research/production of wood heating pellets) at 110 Foulkes Crescent, Clunes.

BACKGROUND

A motion carried at the 18 February 2014 Ordinary Meeting of Council deferred this item for consideration for a period of one month. This followed a failed motion supporting the Officer's Recommendation.

The permit applicant has been operating a small industry researching and developing production of composite wood pellets for specialised wood heating appliances at his home. The research and development was being carried out, without planning approval, in shipping containers present on the land. An application for a planning permit was lodged for home occupation on 3 June 2013.

Clause 52.11 (Home Occupation) of the Hepburn Planning Scheme is defined as 'an occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a brothel'. For the purposes of Home Occupation, the dwelling is understood to include outbuildings normal to a dwelling.

Council requested further information in relation to accurate and scaled site plans and dimensions of buildings. Further plans were submitted. These plans were considered to have shortcomings as they were not dimensioned or scaled.

The application was advertised to adjoining and adjacent landowners and occupiers in accordance with the requirements of section 52 of the *Planning and Environment Act 1987*.

Council was notified by a neighbour who had concerns that the application was not correctly advertised. Council officers investigated this and confirmed that the advertising was carried out by the applicant in accordance with our

instructions. Council received the applicant's statutory declaration showing advertising had been carried out on 23 September 2013. An objection from an adjoining neighbour was received by Council on 14 October 2013.

The applicant was provided an opportunity to re-submit plans which are appropriately scaled and dimensioned and advised on 25 November 2013 that the application would need to go to a Council meeting, as the officer recommendation was for refusal. The applicant was also offered the opportunity to withdraw the application, with a full fee refund. This offer has not been taken up, and no further plans have been received to date. The plans submitted with the application are attached (refer Attachment 2).

ISSUE / DISCUSSION

The purpose of Clause 52.11 (Home Occupation) is:

- to ensure that the amenity of the neighbourhood is not adversely affected by an occupation conducted in or from the dwelling.

The requirements to be met when assessing an application include, but are not limited to:

- The occupation must not adversely affect the amenity of the neighbourhood in any way including:
 - The appearance of any building, works or materials used.
 - The parking of motor vehicles.
 - The transporting of materials or goods to or from the dwelling.
 - The hours of operation.
 - Electrical interference.
 - The storage of chemicals, gasses or other hazardous materials.
 - Emissions from the site.

The decision guidelines of Clause 52.11-2 state that in deciding on an application:

- consideration needs to be given to whether the site is suitable for the particular home occupation and is compatible with the surrounding use and development.

As in all planning applications, consideration must also be given under the provisions of clause 65 to the purpose of the zone, the amenity of the area, the orderly planning of the area and to any matters raised by objectors.

A visit to the site established that the use is of a small scale industrial character, with machinery capable of causing noise nuisance required during the hours of operation. The machinery noise expected from the use is not of

the “occasional” nature such as might be expected from a hobby use of machinery, or normal domestic cutting of firewood.

Surrounding uses are limited to residential uses, consistent with the low density residential zoning of the land. No evidence was found of other small scale industrial uses in the immediate vicinity.

Adjoining occupiers have objected to the proposed use. Matters raised in objection which are considered valid planning concerns are:

- the noise associated with the use and;
- the unsightly nature of machinery and outbuildings associated with the use.

The proposed use of the land is for research, development and production of composite wood based pellets for domestic fuel. This use is not supported by the purpose of the zone, and is not considered to be compatible with surrounding uses.

The application for home occupation involves the running of machinery capable of causing noise concerns during unspecified hours of operation. This is considered to have an unacceptably adverse effect on the amenity of the neighbourhood. The amenity of the neighbourhood is also considered to be adversely affected by the appearance of buildings (shipping containers) and materials used for the proposed home occupation.

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 the requirements of Section 52 of the *Planning and Environment Act 1987*.

CONCLUSION

The application for home occupation will lead to a loss of amenity to the area and adjoining property owners and is not compatible with surrounding land uses. It is recommended that the application be refused.

OFFICER'S RECOMMENDATION

10.2.1. That Council having caused notice of Planning application PA 0127 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 52.11 of the Hepburn Planning Scheme in respect of the land known and described as 110 Foulkes Crescent, Clunes for the Home Occupation with the application dated 3/6/2013 for the following reasons:

- The proposal will have an adverse effect on the amenity of the area.*
- The proposal is not in accordance with the orderly planning of the area.*

MOTIONS FROM MINUTES OF ORDINARY MEETING OF COUNCIL – 18 FEBRUARY 2014

MOTION

10.2.1. *That Council Having caused notice of Planning Application PA 0127 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 52.11 of the Hepburn Planning Scheme in respect of the land known and described as 110 Foulkes Crescent, Clunes for the Home Occupation with the application dated 3 June 2013 for the following reasons:*

- *The proposal will have an adverse effect on the amenity of the area.*
- *The proposal is not in accordance with the orderly planning of the area.*

Moved: Councillor Kate Redwood

Seconded: Councillor Neil Newitt

Lost.

MOTION

10.2.2. *That Council defers consideration of Planning Application PA 0127 110 Foulkes Crescent, Clunes for one month.*

Moved: Councillor Kate Redwood

Seconded: Councillor Bill McClenaghan

Carried.

OFFICER'S RECOMMENDATION

10.2.1 That Council having caused notice of Planning application PA 0127 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 52.11 of the Hepburn Planning Scheme in respect of the land known and described as 110 Foulkes Crescent, Clunes for the Home Occupation with the application dated 3/6/2013 for the following reasons:

- The proposal will have an adverse effect on the amenity of the area.
- The proposal is not in accordance with the orderly planning of the area.

Mr Webb addressed the Council at its Ordinary Meeting on 18 February 2014 in support of his application and answered questions from Councillors.

The Applicant, Mr Andrew Webb, was given the opportunity to again address Council.

Ms Leanne Gunn addressed the Council to speak against the application and ask Council to support the Officer's Recommendation.

MOTION

10.2.1. *That Council having caused notice of Planning application PA 0127 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 52.11 of the Hepburn Planning Scheme in respect of the land known and described as 110 Foulkes Crescent, Clunes for the Home Occupation with the application dated 3/6/2013 for the following reasons:*

- *The proposal will have an adverse effect on the amenity of the area.*
- *The proposal is not in accordance with the orderly planning of the area.*

Moved: Councillor Neil Newitt

Seconded: Councillor Kate Redwood

Lost.

MOTION

10.2.2. *That Council Having caused notice of planning application PA 0127 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, issues a Notice of Decision to Grant a Permit under the provisions of clause 52.11 of the Hepburn Planning Scheme in respect of the land known as 110 Foulkes Crescent, Clunes for the Home Occupation (research and product development of wood heating pellets) with the application dated 3/6/2012 subject to the following conditions:*

10.2.2.1. Permitted Use

The use hereby permitted is for research and development of wood heating pellets. Retail or wholesale of pellets is not permitted on the land. No manufacture, sale, repair or distribution of the associated heating appliances is to take place on the land.

10.2.2.2. Amended Plans

Within one month of the issue of the permit, amended plans must be submitted to and approved by the responsible authority. These plans must be accurately dimensioned and drawn to scale. Once approved, these plans will be endorsed, and will then form part of the permit. The plans must be generally in accordance with the revised plans submitted on 7 June 2013, but modified to show:

- Accurately dimensioned plans and elevations, including distances to boundaries, showing the size and location of all buildings (including shipping containers) that are proposed to be used for the permitted home occupation.*
- Location and dimensions of vehicle parking and access associated with the permitted use.*

10.2.2.3. Control of Generator Noise

The building housing the generator is to be baffled for noise suppression to the satisfaction of the responsible authority, including that any noise emitted from the site complies with and is in accordance with the Environment Protection Authority's Interim Guidelines for Control of Noise from Industry in Country Victoria – N3/89 – dated April 1989 or any successor.

10.2.2.4. Noise testing

Within one month of the issue of the permit, a noise report must be submitted to and approved by the responsible authority. The report must be prepared by a suitably qualified professional, and must demonstrate that any noise emitted from the site complies with and is in accordance with the Environment Protection Authority's Interim Guidelines for Control of Noise from Industry in Country Victoria – N3/89 – dated April 1989 or any successor.

10.2.2.5. Hours of Operation

Without the prior written consent of the Responsible Authority, the hours of operation, including deliveries to and from the site, shall not exceed Monday to Friday 10.00am to 3.30pm.

10.2.2.6. External Lighting

External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

10.2.2.7. General Amenity Provision

The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:

- (a) transport of materials, goods or commodities to or from the land*

- (b) appearance of any building, works or materials*
- (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil*
- (d) presence of vermin.*

10.2.2.8. Expiry of Permit

The use of the land permitted will expire 3 months after the issue of the permit.

Moved: Councillor Bill McClenaghan

Seconded: Councillor Pierre Niclas

Carried.

**ATTACHMENT 2 - APPLICATION PLANS – PA 0127 –
110 FOULKES CRESCENT, CLUNES**



110 Foulkes Crescent, Clunes VIC 3585

Image © 2013 DigitalGlobe

Google earth

Google earth



MEDBURN SHIRE COUNCIL
File No:

Rec'd Date: - 7 JUN 2013

Rec'd By: EA

Action By:

Reg No:



- ① CONTAINER 20FT/6m. STORAGE
 FROM ROAD 51m. High 2.5m - 9FT.
 FROM SIDE FENCE 11m
- ② CONTAINER 40FT/12m STORAGE
 FROM ROAD 67m
 FROM SIDE FENCE 18m
 High 2.66m - 9.6 FT
- ③ CONTAINER 40FT/12m
 Home Occupation
 FROM ROAD 113m
 FROM SIDE FENCE 15m
 High 2.5m - 9FT.
- ④ Ground Elevated 1.5m
 with LARGE Boulders clay fill.
 DRIVEWAY GRAVEL leveled.
- ⑤ Ground Elevated 800mm.

WORKSHOP + COVERED AREA
 + 2 silos
 COVERED AREA 12m x 5m
 Steel webbed Flat Truss
 Steel posts concrete Footing
 Clear/Tint Roof Sheets



Department of Sustainability and Environment

Owners Corporation Search Report

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**OWNERS CORPORATION 1
PLAN NO. PS604563M**

The land in PS604563M is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 1, 2.

Limitations on Owners Corporation:

Limited to Common Property

Postal Address for Service of Notices:

110 FOULKES CRESCENT CLUNES VIC 3370
OC002371C 13/10/2008

Rules:

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:

NIL

Additional Owners Corporation Information:

OC002371C 13/10/2008

Notations:

NIL

Entitlement and Liability:

NOTE - Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	150	150
Lot 2	100	100
Total	250	250

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.

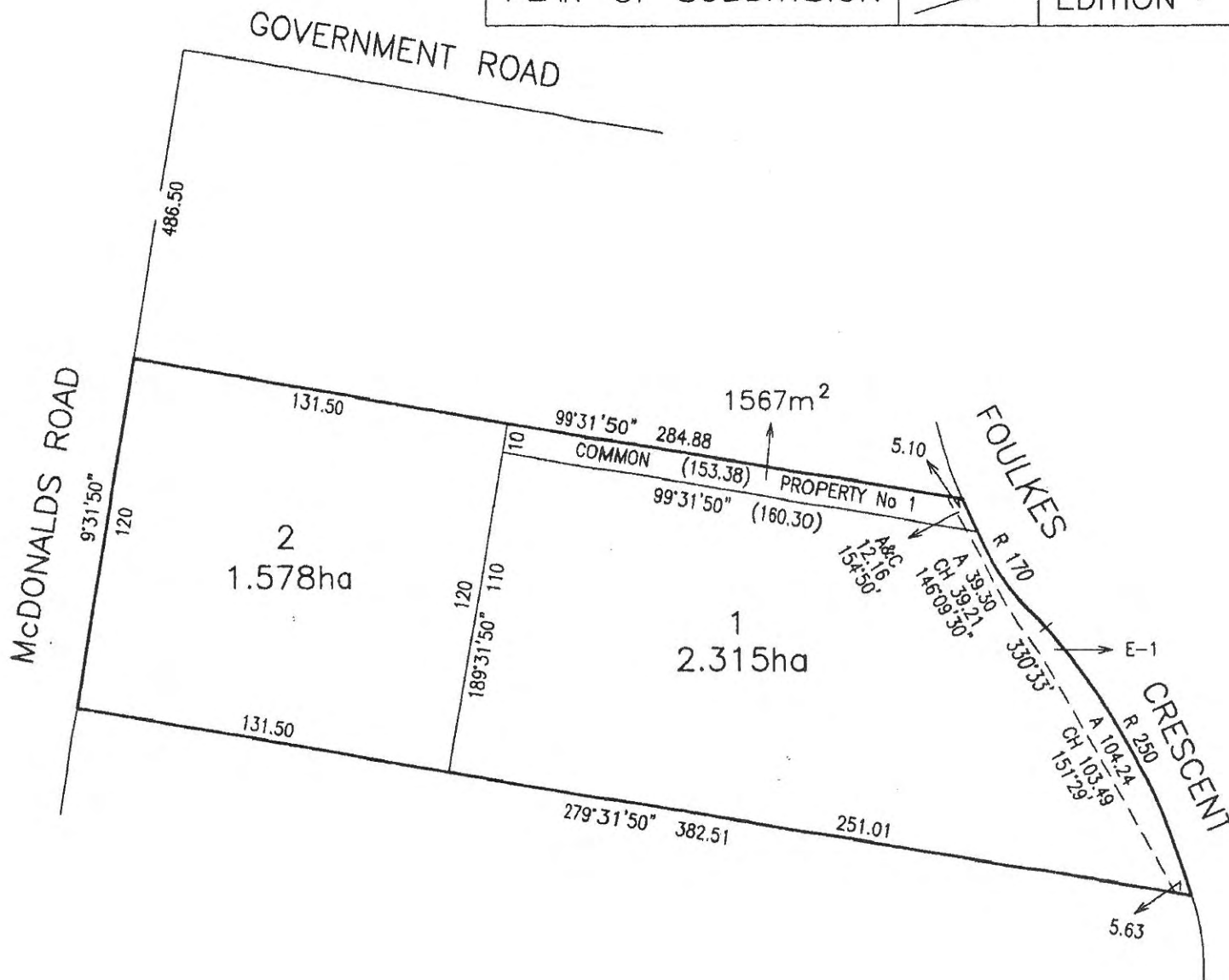
PLAN OF SUBDIVISION

STAGE NO.

LTO use only
EDITION

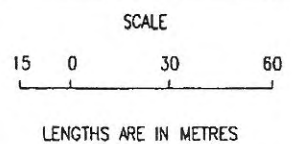
Plan Number
PS604563 M

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 mm



Sheet 2 of 3 Sheets

ICON SURVEYS PTY LTD
LICENSED LAND SURVEYORS
PO BOX 71, BEAUFORT 3373
p 5349 2658 f (03) 8660 2881
m 0417 509 656
iconsurveys@bigpond.com



ORIGINAL

SCALE	SHEET SIZE
1:1500	A3

LICENSED SURVEYOR (PRINT) BRIAN ANTHONY MCKINLEY

SIGNATURE..... DATE / /

Page 49 REF 570 VERSION 04

DATE / /

COUNCIL DELEGATE SIGNATURE

Original sheet size

VOLUME 11095 FOLIO 755

Security no : 124045777483U
Produced 11/05/2013 10:01 pm

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 604563M.
PARENT TITLE Volume 09233 Folio 675
Created by instrument PS604563M 10/10/2008

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
ANDREW DONALD WEBB of 110 FOULKES CRESCENT CLUNES VIC 3370
AG329591Q 05/02/2009

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS604563M FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 110 FOULKES CRESCENT CLUNES VIC 3370

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS604563M

DOCUMENT END

OWNERS CORPORATION SCHEDULE

Stage No.
 /

Plan Number

PS 604563 M

Owners Corporation **1**

Plan No. **604563 M**

Land affected by body corporate: **LOTS 1 , 2 & COMMON PROPERTY No 1**

Limitations of Owners Corporation: **Limited to Common Property**

Notations:

Lot Entitlement and Liability			Lot Entitlement and Liability			Lot Entitlement and Liability		
Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
1	150	150						
2	100	100						
TOTAL	250	250						

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LICENSED SURVEYOR (PRINT) BRIAN ANTHONY MCKINLEY

SIGNATURE DATE / /

REF 570 Page 51

VERSION 04

Sheet 3 of 3 Sheets

DATE / /

COUNCIL DELEGATE SIGNATURE

Original sheet size A3

11. OFFICERS' REPORTS

11.1. PETITION - RESPONSE TO PETITION- REDRESS THE DEMONSTRATED INEQUITY AND UNFAIR TREATMENT OF THE RATEPAYERS AND CITIZENS OF TRENTHAM AND COLIBAN WARD CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to consider the petition submitted by the Trentham Community FORUM Inc, tabled at the Ordinary Meeting of Council held on Tuesday 18 February 2014.

BACKGROUND

Council received the petition submitted by the Trentham Community FORUM Inc at the Ordinary meeting of Council held on Tuesday 18 February 2014.

Council resolved to:

- 9.1.1 Receives the petition requesting Council to redress the demonstrated inequity and unfair treatment of the ratepayers and citizens in Trentham and Coliban Ward and that the petition lay on the table for one month.*
- 9.1.2 Refers the petition to the Chief Executive Officer for preparation of a report for consideration at the March 2014 Council Meeting.*
- 9.1.3 Advises the head Petitioner of the above process.*

The petition was signed by 613 people of which 604 signatures were from local residents. As stated in the covering note to the petition, 589 signatures are considered valid in terms of the petitions wording.

The petition reads:

"TO THE COUNCILLORS AND CHIEF EXECUTIVE OFFICER, HEPBURN SHIRE COUNCIL

WE, the undersigned ratepayers and citizens of Trentham and Coliban, HEREBY PETITION the Hepburn Shire Council ('the Council') to redress the demonstrated inequity and unfair treatment of the ratepayers and citizens of our town and Ward by the Council over the past several years. WE THEREFORE ASK the Council to make formal and binding commitments to:

- Provide, on equitable basis, basic community facilities including, as a minimum, community hall (or equivalent), meeting venues and sportsgrounds;
- Provide recurrent and maintenance support for community facilities equivalent to other wards and towns across the municipality; and
- Provide other municipal services equivalent to those provided in to other wards and towns across the municipality.

WE FURTHER ASK the Council to commit the necessary resources to achieve full equity, as above, within the next 2 budget years.

WE ALSO CALL on our elected representatives, local, State and Commonwealth, together with the Trentham Community FORUM Inc and other community leaders to pursue all action necessary, including representations to the Minister for Local Government, to ensure action on this petition.”

ISSUE / DISCUSSION

In the 2012-13 Hepburn Shire Annual Report, Council’s total revenue (excluding flood related revenue) was \$30.6 million and total expenditure (excluding flood related expenditure) was \$27.3 million. Council also invested \$7.7 into capital works.

Council has \$201.2 million in assets (at written down value) made up of the following.

• Land	\$ 31.7 million
• Buildings	\$ 38.6 million
• Plant and Equipment	\$ 3.7 million
• Infrastructure (roads, bridges etc)	\$123.0 million
• Works in Progress	\$ 4.3 million.

Council’s approach to investment in these assets is primarily based on their condition. \$6.2 million of the \$7.7 million spent on assets was invested into the renewal of these assets in the 2012-13 financial year, with the assets in the worst condition receiving the majority of this investment.

More than 60% of Council’s assets are within the infrastructure asset class (as shown above, which consists of roads, bridges, drainage, kerb and channel, etc). Of this category, a portion of these infrastructure assets are within Trentham and the Coliban Ward.

In the case of Trentham, given the number of Council owned buildings is less than in other areas of the Shire, it has been argued that Council does not invest adequately in the Trentham Community.

It is important to note the following.

- Council currently bases its investment in assets on sound Asset Management principles, with condition assessments being a key driver.
- Approximately 80% of Council's operating expenses is unable to be attributed to a specific town, locality or ward within the Shire.
- Council does not own or manage a Town Hall, Community Building or Sportsground in Trentham.
- Council is currently working with the Trentham Community on the design of the Trentham Hub, which is identified in the Trentham Community Plan as the highest priority project.
- Council does own and maintain the following buildings:
 - Trentham Swimming Pool
 - Trentham Kindergarten.
- Council provides ongoing services to the following facilities:
 - Trentham Library
 - Trentham Swimming Pool.
- Council has invested in a number of projects based in Trentham over the past 4 years. Some of these include:
 - Trentham Sportsground Lighting upgrade
 - Trentham Sportsground Change room upgrade
 - Trentham BMX track
 - Trentham Library establishment
 - Trentham Railway Station repainting
 - Trentham Facilities Review
 - Trentham Hub Design
 - Domino Trail
 - Wombat Trail
 - Mulcahys Road sealing.
- Council has recently worked with representatives of the Trentham Community FORUM Inc to determine an improved approach to the development and implementation of Council/Community projects.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Not applicable

FINANCIAL IMPLICATIONS

There are no direct financial implications with this report, however, there will be financial implications should Council determine to take on additional asset

ownership or make contributions to Community infrastructure. This impact can be better quantified through the reports referred to in the officer recommendation.

RISK IMPLICATIONS

Not applicable

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Given the percentage of the Trentham Community that has signed the petition, the consideration by Council of the petition and the subsequent recommendations will have a significant impact on the community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Not applicable

CONCLUSION

The petition containing 613 signatures is a strong reflection from the Trentham Community as to their feelings about investment in their community by Council.

Significant attempts have been made to work with the Trentham Community on a range of projects and initiatives over past 4 years. This effort to work with the Community on priority areas should continue, as it should throughout the Shire.

Projects such as the Trentham Hub are an excellent example of how the future needs of the Trentham Community can be catered for. There are many other areas where Council and the Community can continue to work together.

OFFICER'S RECOMMENDATION

That Council:

- 11.1.1 Continues to progress the design of the Trentham Hub and considers an allocation to this project in the Budget for 2014-15.
- 11.1.2 Requests a further report from officers with consideration being given to increased support by Council at the Trentham Mechanics Institute and the Trentham Sportsground.
- 11.1.3 Meets with members of the Trentham Mechanics Institute Committee and the Trentham Sportsground Committee to assist in the preparation of the report referred to above by better understanding the needs of each facility into the future.

MOTION

That Council:

- 11.1.1. *Continues to progress the design of the Trentham Hub and considers an allocation to this project in the Budget for 2014-15.*
- 11.1.2. *Requests a further report from officers with consideration being given to increased support by Council at the Trentham Mechanics Institute and the Trentham Sportsground.*
- 11.1.3. *Meets with members of the Trentham Community FORUM and members of relevant community groups to assist in the preparation of a collaborative response to the February 2014 Petition on behalf of the Trentham community, to be formed between these parties by the next Council meeting (15 April 2014).*

Moved: Councillor Sebastian Klein

Lapsed.

MOTION

That Council:

- 11.1.1. *Continues to progress the design of the Trentham Hub and considers an allocation to this project in the Budget for 2014-15.*
- 11.1.2. *Requests a further report from officers with consideration being given to increased support by Council at the Trentham Mechanics Institute and the Trentham Sportsground.*
- 11.1.3. *Meets with members of the Trentham Mechanics Institute Committee and the Trentham Sportsground Committee to assist in the preparation of the report referred to above by better understanding the needs of each facility into the future.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Kate Redwood

Carried.

Councillor Bill McClenaghan called for a division.

Councillors that voted in favour of the motion: Councillor Greg May, Councillor Bill McClenaghan, Councillor Don Henderson, Councillor Kate Redwood, Councillor Pierre Niclas, Councillor Neil Newitt.

Councillors that voted against the motion: Councillor Sebastian Klein.

Councillor Bill McClenaghan left the meeting at 8:16 pm due to a direct Conflict of Interest in Agenda Item 10.1 and returned at 8:19 pm.

11.2. BUDGET 2014-2015 FEES AND CHARGES 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 consider the 2014-2015 Schedule of Fees and Charges.

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 (Section 130 (3) of the Act).

To facilitate the timely preparation and review of the 2014-2015 budget, the Schedule of Fees and Charges for 2014-2015 have been reviewed and updated by Council officers for Council's consideration.

ISSUE / DISCUSSION

Fees and charges are grouped by functional area and include the following:

- Visitor Information Centre
- Compliance
- Building Services
- Town Planning related information
- Environmental Health
- Domestic and Commercial Waste
- Daylesford - Victoria Park, Wombat Gardens & Lake Foreshore
- Creswick Town Hall
- Daylesford Town Hall
- Photocopying/Printing
- Rates Information
- Freedom of Information
- Community Housing
- Dishonoured Payments
- Home and Community Care Services

- Technical Services
- Community Hire Facilities.

Fees and charges are reviewed taking into consideration some or all of the following factors, depending on the category:

- Anticipated changes in costs associated with delivering the service
- Enterprise Bargaining Agreement 3.3%
- Consumer Price Index (CPI) 2.50%
- Statutory charge set by the State Government
- Benchmarking with other Councils.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council has a statutory responsibility to prepare and adopt a budget (Section 127(1)). Statutory fees and charges will be changed in accordance with legislation.

FINANCIAL IMPLICATIONS

Revenue estimates from the Schedule of Fees and Charges will be included in the Proposed Budget 2014-2015.

RISK IMPLICATIONS

There are no significant risk implications noted with this process

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

In most cases, where fees and/or charges have been increased it has been in line with increases in employee costs or CPI, therefore no significant social or economic implications noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Schedule of Fees and Charges, together with the other components of the Proposed Budget 2014-2015 will be publicly available as part of the budget submission process in accordance with Section 223 of the *Local Government Act 1989*.

A public communication plan will be developed in accordance with the Hepburn Shire Community Engagement Framework to coincide with the public display of the Proposed Budget 2014-2015.

CONCLUSION

The Schedule of Fees and Charges for 2014-2015 has been developed using a combination of anticipated changes in costs associated with delivering the

services, Enterprise Bargaining Agreement 3.3%, CPI 2.50%, statutory charges set by the State Government and benchmarking with other Councils.

OFFICER'S RECOMMENDATION

11.2.1 That Council approves the Schedule of Fees and Charges for 2014-2015 for inclusion in the Proposed 2014-2015 Budget.

MOTION

11.2.1. That Council approves the Schedule of Fees and Charges for 2014-2015 for inclusion in the Proposed 2014-2015 Budget.

Moved: Councillor Kate Redwood

Seconded: Councillor Pierre Niclas

Carried.

**ATTACHMENT 3 - PROPOSED SCHEDULE OF FEES AND CHARGES
2014-2015**

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
ENVIRONMENTAL HEALTH		
Registration		
CLASS 1: High risk unpackaged food supplied to vulnerable people Premises include: Child Care, Kindergartens, Aged Care and Nursing Homes	\$410	\$424
CLASS 2: Handling unpackaged high risk potentially hazardous foods		
2(A) Premises include: Cafes, Caterers, Supermarket, Groceries, Fast Food	\$358	\$370
2(B) Accommodation Centres, Food Vehicles	\$294	\$304
2(C) Community Groups, Sporting Clubs both serving full meals (½ Annual Fee of Class 2(B))	\$148	\$153
CLASS 3: Handling and supplying low risk unpackaged foods		
3(A) Milk Bars, Convenience Stores, Fruit Stall, Pre-packaged	\$220	\$227
3(B) Seasonal Kiosks, Community Groups, Sporting Clubs (½ Annual Fee of Class 3(A))	\$111	\$115
CLASS 4: Low risk to public health packaged food (includes Newsagents, Pharmacies, Video Stores)	Fee exempt	Fee exempt
Hairdressers, Beauty Parlours*	\$119	\$123
Skin Penetration*	\$258	\$267
Prescribed Accommodation – hotels/motels, recreation camps, B&Bs (NOT self contained or exclusive use of Units, Villas, Houses)*		
6 to 10 persons*	\$226	\$233
Over 10 persons*	\$280	\$289
Caravan Parks*	Fees for Caravan Parks are due on 1/1/2015 as they are 3 yearly registrations	
New Premises Registration	\$205	\$212
Transfer of Registration*	50% of annual registration fee	
Special Visit – Pre-purchase inspections*	\$174	\$180
New Septic Tank systems*	\$450	\$485
Alterations to Septic Tank systems*	\$225	\$232

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
ENVIRONMENTAL HEALTH		
New Fees		
Extension of Time for Septic Permit		\$135
Property Enquiries/Plan Search – Commercial (site history/copies of permits/copies of endorse plans/etc)*		\$80
Property Enquiries/Plan Search – Residential (site history/copies of permits/copies of endorse plans/etc)*		\$80
Written request for General Advice		\$80
Special request for inspection – septic, food premises		\$155
Class 2(D) one off community group activity – certificate		\$175

NOTES

Reduction of fees may be considered for Community Groups on application.

A late fee will apply for late applications and payments of annual registrations at a rate of 50% of the annual registration fee applicable if the application and/or fee is not received within 14 days of the due date.

Full registration fees are to be paid up until 31 August. Registrations after this date, i.e. from 1 September onwards are only required to pay 50% of the full fee.

Schedule of Fees and Charges 2014-2015

Description of Charge		Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
TOWN PLANNING			
Part 1: Prescribed Statutory Fees (subject to change by State Government)			
Applications for Planning Permits (Regulation 7)			
Class	Application Type		
1	Use Only	\$502	
To develop land or to use and develop land for a single dwelling per lot or to undertake development ancillary to the use of the land for a single dwelling per lot if the estimated cost of development included in the application is:			
2b	> \$10,000 ...\$100,000*	\$239	
3b	> \$100,001*	\$490	
To develop land (other than for a single dwelling per lot) if the estimated cost of development included in the application is:			
4c	< \$10,000*	\$102	
5d	> \$10,000 – \$250,000*	\$604	
6e	> \$250,001 – \$500,000*	\$707	
7e	> \$500,001 – \$1,000,000*	\$815	
8e	> \$1,000,001 – \$7,000,000*	\$1,153	
9e	> \$7,000,001 – \$10,000,000*	\$4,837	
10e	> \$10,000,001 – \$50,000,000*	\$8,064	
11e	> \$50,000,000*	\$16,130	
Subdivision			
12	To subdivide existing building*	\$386	
13f	To subdivide land into two (2) lots*	\$386	
14	To effect a realignment of a common boundary between lots or to consolidate two or more lots*	\$386	
15g	To subdivide land (3 or more lots)*	\$781	
16	To remove restriction (within the meaning of the <i>Subdivision Act 1988</i>) over land if the land has been used or developed for more than 2 years before the date of the applications in a manner which would have been lawful under the <i>Planning and Environment Act 1987</i> but for the existence of the restriction*	\$249	

Schedule of Fees and Charges 2014-2015

Description of Charge		Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
TOWN PLANNING			
Part 1: Prescribed Statutory Fees (subject to change by State Government)			
Class	Application Type		
17h	To create, vary or remove a restriction within the meaning of the <i>Subdivision Act 1988</i> ; or To create or remove a right of way*	\$541	
18h	To create, vary or remove an easement other than a right of way: or To vary or remove a condition in the nature of a easement other than a right of way in a Crown grant*	\$404	
Class Descriptions (Regulations 7 & 8)			
	Notes for classes of fees under Regulations 7 & 8, not additional fees		
a	Applications for permit under Section 47, other than an application under Section 96(1) of the <i>Planning & Environment Act 1987</i>		
b	Other than an application to subdivide land		
c	Other than an application to undertake development ancillary to the use of the land for a single dwelling per lot or an application to subdivide land		
d	Other than a Class 2 application; or a Class 3 application; or an application to subdivide land		
e	Other than a Class 3 application; or an application to subdivide land		
f	Other than a Class 12 application		
g	Other than a Class 12 application; or a Class 13 application; or a Class 14 application		
h	Other than a Class 16 application		
i	Other than a Class 4 application		
j	Other than a Class 5 application		
k	Other than a permit to develop land or to use and develop land for a single dwelling per lot or to undertake development ancillary to the use of the land for a single dwelling per lot		
l	Other than an application to subdivide land		
m	Other than a permit to undertake development ancillary to the use of the land for a single dwelling per lot where the total estimated cost of the development originally permitted and the additional development to be permitted by the amendment is not more than \$10,000 or an application to subdivide land		
n	Other than a Class 3 application or a Class 4 application		
o	Other than a class for application		

Schedule of Fees and Charges 2014-2015

Description of Charge		Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
TOWN PLANNING			
Part 1: Prescribed Statutory Fees (subject to change by State Government)			
Class	Application Type		
Combined Permit Applications			
The fee for an application for any combination of the classes of application outlined above is the sum arrived at by adding the highest of the fees, which would have applied if separate applications had been made, plus 50% of each of the other fees that would have applied if separate applications had been made		Fee to be determined dependant on the combination of application submitted	
Fees to Amend Applications after Notice has been Given (Regulation 8A)			
Amend an application for a permit after notice has been given under Section 52 for every Class of application (other than a Class 4 application) set out in the table in Regulation 8*		\$102	
Amend an application to amend a permit after notice has been given under Section 52 for every class of application (other than a Class 5 application) set out in the table in Regulation 8B*		\$102	
Applications for Amendments to Permits (Regulation 8B)			
	To amend a permit to use land if that amendment is to change the use of which the land may be used*	\$502	
2k	To amend a permit: a) To change the statement of what the permit allows; or b) To change any or all of the conditions which apply to the permit: or c) In any way not otherwise provide for in regulation 8B*	\$502	
Amended Plans Single Dwelling on a lot less than 500 square metres			
3l	To amend a permit to develop land or to use and develop land for a single dwelling per lot or to undertake development ancillary to the use of the land for a single dwelling per lot if the estimated cost of any additional development to be permitted by the amendment is:		
	< \$10,000*	\$102	
	> \$10,000 – \$100,000*	\$239	
	> \$100,001*	\$490	

Schedule of Fees and Charges 2014-2015

Description of Charge		Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
TOWN PLANNING			
Part 1: Prescribed Statutory Fees (subject to change by State Government)			
Amended Plans Two (2) or more dwellings or Industrial or Commercial Developments			
5m	To amend a permit to develop land if the estimated cost of any additional development to be permitted by the amendment is \$10,000 or less*	\$102	
To amend a permit if the estimated cost of any additional development to be permitted by the amendment is:			
	> \$10,000 – \$250,000*	\$604	
7o	> \$250,001 – \$500,000*	\$707	
8g	> \$500,000*	\$815	
Amendment to Permit & Plans Subdivision			
9	To amend a permit to: a) subdivide an existing building; or b) subdivide land into two (2) lots; or c) effect realignment of a common boundary between lots or to consolidate two (2) or more lots*	\$102	
Amendments to Planning Schemes (Regulation 6)			
Stage 1	<ul style="list-style-type: none"> Considering a request to amend a planning scheme; and Taking action required by Division 1 of Part 3 of the <i>Planning and Environment Act 1987</i>; and Considering any submissions which do not seek a change to the amendment; and If applicable, abandoning the amendments in accordance with Section 28* 	\$798	
Stage 2	<ul style="list-style-type: none"> Considering submissions which seek a change to a amendment and where necessary referring the submissions to a panel; and Providing assistance to a panel in accordance with Section 158; and Making a submission in accordance with Section 24(b) and 	\$798	

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee/Charge 2013-14 (inc GST)
TOWN PLANNING		
Part 1: Prescribed Statutory Fees (subject to change by State Government)		
Amendments to Planning Schemes (Regulation 6)		
	<ul style="list-style-type: none"> Considering the report in accordance with Section 27; and After considering submissions and the report in accordance with Section 27, if applicable, abandoning the amendment in accordance with Section 28* 	
Stage 3	<ul style="list-style-type: none"> Adopting an amendment or a part of a amendment in accordance with Section 29: and Submitting the amendment for approval in accordance with Section 31* 	\$524
Stage 4	<ul style="list-style-type: none"> Considering a request to approve a amendment in accordance with Section 35; and Giving notice of approval of an amendment in accordance with Section 36* 	\$798
	Note: Fees for Stages 1, 2 & 3 are paid to the planning authority by the person who requested the amendment. The fee for Stage 4 is paid to the Minister by the person who requested the amendment.	
Combined Permit Application and Planning Scheme Amendment		
The fee for an application for a planning permit combined with a request for amendment of a planning scheme, made in accordance with Section 96A, is the sum arrived at by adding the higher of the fees plus 50% of the lower of the fees which would have applied if separate applications had been made.		
If the application for a planning permit is for any combination of the classes of application outlined previously, the fee for the planning permit is for the purposes of this calculation is the higher of the fees which would have applied if separate applications for permits had been made.		
Certificates of Compliance (Regulation 10)		
Application for a Certificate of Compliance under Section 97N*	\$147	
Planning Certificates (Regulation 11)		
Application of a Planning Certificate under Section 198*	\$18.20	
Satisfaction Matters (Regulation 12)		
Determining a matter where a planning scheme specifies that the matter must be done to the satisfaction of a Responsible Authority or Referral Authority*	\$102	

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee/Charge 2013-14 (inc GST)
TOWN PLANNING		
Part 2: Administrative Charges (Non Statutory Fees)		
Enquiries		
Written request for Heritage Control advice	\$65.00	\$80.00
Written request for Demolition Control advice (Section 29A – Form 8)	\$65.00	\$80.00
Written request for General Planning advice	\$65.00	\$80.00
Request for email aerial photographs	\$26.50	\$30.00
Property Enquiries/Plan Search – Commercial (Site history/copies of permits/copies of endorse plans/etc)*	\$65.00	\$80.00
Property Enquiries/Plan Search – Residential (Site history/copies of permits/copies of endorse plans/etc)*	\$65.00	\$80.00
Extension of Time		
Extension of Time for permits – 1 st request	\$130.00	\$135.00
Extension of Time for permits – 2nd request	\$130.00	\$135.00
Extension of Time for permits – 3rd request	\$130.00	\$135.00
Subsequent requests	\$130.00	\$135.00
Refunds		
Cancellation of application when no work carried out	Refund $\frac{3}{4}$ of application fee	Refund $\frac{3}{4}$ of application fee
Cancellation after direction to advertise but before commenced	Refund $\frac{1}{2}$ of application fee	Refund $\frac{1}{2}$ of application fee
Cancellation after advertising commenced	No Refund	No Refund
Cancellation due to prohibited proposal	Full Refund	Full Refund
New Fees		
Secondary Consent		\$207.00
Advertising – A3 Notice		\$50.00
Advertising – Letters to adjoining owners		\$10.00
Advertising – Notice in Newspaper		Invoice to Applicant

NOTES

Statutory Fees

These fees are cumulative unless otherwise stated. If your application or request falls into several categories the highest fee and half the lower fee are payable.

Administrative charges for photocopying and printing

These charges are in accordance with those published by Hepburn Shire Council and subject to amendment. Please contact the Planning Customer Service for the list of charges

GST

Planning fees are exempt from GST unless otherwise denoted by an asterisk*

End Note

The preceding sections are a summary of the fees prescribed under the Planning and Environment (Fees) Regulations 2000, and is not a complete representation of these Regulations or other legislative provisions. Reference should be made to the Regulations to obtain the complete wording of individual fee Regulations and other Regulations (which include waiving and rebating provisions). Please visit www.dms.dpc.vic.gov.au or select link provided Victorian Law Today Statutory Rule for more details on amended Planning and Environment (Fees) Regulations 2000 setting out the new fees.

***Denotes statutory fees as determined by legislation and therefore subject to any change in legislation.**

Note

Fee for amending a planning permit application depends on the Schedule of fees as per the Planning & Environment Regulations (Fees).

Fee for lodging amended subdivision plans at certification stage depends on the schedule of fees as per the Planning & Environment Regulations (Fees).

The non-statutory fees are above the benchmark for the surrounding municipalities. A policy is to be formed to determine future non stat fees rises.

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
BUILDING SERVICES		
Residential		
New Dwelling	\$400 plus \$4.25 per m ² (plus levy & lodgement fee) (Minimum \$900)	\$413 plus \$4.36 per m ² (plus levy & lodgement fee) (Minimum \$930)
Alteration to Dwelling	\$400 plus \$4.25 per m ² (plus levy & lodgement fee) (Minimum \$900)	\$413 plus \$4.36 per m ² (plus levy & lodgement fee) (Minimum \$930)
Addition to Dwelling	\$350 plus \$4.00 per m ² (plus levy & lodgement fee) (Minimum \$500)	\$362 plus \$4.15 per m ² (plus levy & lodgement fee) (Minimum \$516.50)
Units	(Minimum \$900 per unit)	(Minimum \$930 per unit)
Garages/Carports up to \$10,000	\$400 (plus lodgement fee)	\$413 (plus lodgement fee)
Garages/Carports over \$10,000	\$450 (plus lodgement fee and levy)	\$465 (plus lodgement fee and levy)
Swimming Pools	\$400.00	\$413.00
Solid Fuel Heaters	\$175.00	\$181.00
Restump	\$250.00	\$258.00
Lodgement Fees (Payable on Council & Private Building Surveyor Projects)*	\$34.85	
Conducting an assessment for compliance under AS3959 (Bushfire Code)	\$220.00	\$227.00
Commercial/Industrial		
All works under \$5,000	\$350.00	\$362.00
Works valued \$5,000 – \$30,000	\$500.00	\$517.00
Works valued \$30,000 – \$250,000	\$Cost x 0.25% plus \$451 (Minimum \$550)	\$Cost x 0.25% plus \$466 (Minimum \$568)
Works valued \$250,000 – \$500,000	\$Cost x 0.25% plus \$902	\$Cost x 0.25% plus \$932
Works valued over \$500,000	\$Cost x 0.25% plus \$1,606	\$Cost x 0.25% plus \$1,659
Lodgement Fees (Commercial/Industrial)*	\$34.85	
Demolition		
Single Storey Building	\$300 plus (Sec 29A fee \$58.17)	\$310 plus (Sec 29A fee \$58.17)

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
BUILDING SERVICES		
Demolition		
Any other building more than one storey	\$275 per storey plus (Sec 29A fee)	\$284 per storey plus (Sec 29A fee)
Other Permits/Services		
Fences and signs	\$210.00	\$217.00
Swimming Pool Reports (Existing)	\$200 plus GST	\$207.00
Request for variation of siting*	\$232.93	
Permit to erect hoarding/public protection	\$120.00	\$124.00
Any other service not otherwise provided for	Hourly rate \$150 plus GST	Hourly rate \$155 plus GST
Extension of Time for a Permit	\$200.00	\$207.00
Amendment to a Building Permit	\$200.00	\$207.00
Inspection associated with lapsed permits	\$150 per inspection	\$155 per inspection
State Government Building Levy Cost recovery of levy*	1.28 per \$1,000 value of works (ie Cost of works x 0.00128)	
Requests for Information		
Property Certificates (last 10 years information)*	\$46.45	
Temporary Structures	\$250.00	\$258.00
Copies of Plans from Building files*	\$46.45	\$80.00
Written Advice		\$80.00
Inspection on behalf of other practitioner	\$110.00	\$114.00
Any other service	POA	POA

NOTES

1. Square metres calculated on total floor
2. Cost of works determined by Relevant Building Surveyor, unless contract applies.
3. All fees quoted (unless determined by legislation) are a minimum basis.

Denotes statutory fees as determined by legislation and therefore subject to any change in legislation.

The state average referred to is based on information collated from 35 Councils across the state.

Due to the competitive nature of the deregulated building industry, it is difficult to have direct comparison and benchmarking due to privacy of information and potential price collusion issues.

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
DOMESTIC & COMMERCIAL WASTE – TIPPING FEES		
Domestic and Commercial Waste		
Car/Boot Load (½ m³ max)	\$17,00	\$18.00
Utility/Small Trailer (1.0 m³ max)	\$34.00	\$36.00
Small Truck/Tandem Trailer (2.0 m³ max)	\$68.00	\$72.00
Other Loads that are non-commercial / m³	\$32.00	\$36.00
Commercial or Industrial Waste	N/A	Not accepted
Clean Green Waste / m³	\$17	\$18
Recyclables (2.0 m³ max)	No charge	No charge
Tyres		
Car	\$4.00	\$4.00
Light Truck	\$30.00	\$30.00
Truck	\$60.00	\$60.00
Tractor – Small	\$130.00	\$130.00
Tractor – Large	\$200.00	\$200.00
Rims only	No charge	No charge
Other		
Paint	No charge	No charge
Oil	No charge	No charge
Batteries	No charge	No charge
Scrap steel	No charge	No charge
Non ferrous metals	No charge	No charge
Car bodies	No charge	No charge
Refrigerators and freezers (Degassed)	No charge	\$10.00
Refrigerators and freezers (Gassed)	\$52.00	\$10.00
TV / E-Waste Item / Computer	\$5.00	\$6.00
Mattresses	\$24.00	\$25.00
Sale of Garbage Bins		
120 ltr bin	\$50	\$50
240 ltr bin	\$65	\$65

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
TECHNICAL		
Legal Point of Discharge*	\$56.45	
Consent to Work on Road where speed greater than 50 kph		
Works on road, shoulder or pathway (max speed greater than 50 kph)	\$577.80	
Road but NOT on roadway, shoulder or pathway	\$321.00	
Minor works on a road, shoulder or pathway	\$147.70	
Minor works but NOT on a road, shoulder or pathway	\$64.20	
Consent to Work on Road where speed not more than 50 kph		
Works on road, shoulder or pathway	\$256.60	
Road but NOT on roadway, shoulder or pathway	\$64.20	
Minor works on a road, shoulder or pathway	\$147.70	
Minor works but NOT on a road, shoulder or pathway	\$64.20	

Denotes statutory fees as determined by legislation and therefore subject to any change in legislation.

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
COMPLIANCE (Local Laws)		
Animal Registration Fees		
Dog – Full fee*	\$80.00	\$83.00
Dog – Discounted fee*#	\$27.00	
Cat – Full fee*	\$67.00	\$70.00
Cat – Discounted fee*#	\$23.00	
Replacement Tag	\$7.00	\$8.00
Domestic Animal Impound Release Fees		
Unregistered dog not desexed*	\$144.00	\$149.00
Unregistered dog desexed*	\$144.00	\$149.00
Registered dog not desexed*	\$144.00	\$149.00
Registered dog desexed*	\$144.00	\$149.00
Unregistered cat not desexed*	\$98.00	\$102.00
Unregistered cat desexed*	\$98.00	\$102.00
Registered cat not desexed*	\$98.00	\$102.00
Registered cat desexed*	\$98.00	\$102.00
Local Law Permits		
Permits issued in accordance with the provisions of General Local Law No 2	To range from \$10 to \$500, depending on permit requested	To range from \$10 to \$500, depending on permit requested
Fire Prevention		
Private grass slashing administration fee which is in addition to the contractor's charge	\$134.00	\$139.00
Parking Fines		
Overstaying time*	0.5 penalty unit	
In No Parking area*	0.5 penalty unit	
No within parking bay*	0.5 penalty unit	
Not completely within parking bay*	0.5 penalty unit	

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
COMPLIANCE (Local Laws)		
Other		
A-frame signage*	Daylesford CBD \$95 per year Outside Daylesford CBD \$48 per year	Daylesford CBD \$98 per year Outside Daylesford CBD \$50 per year
Table & two chairs*	Daylesford CBD \$175 per year in trading zone (up to 3 sets) Above 3 sets a further \$175 Outside Daylesford CBD \$87 per year in trading zone (up to 3 sets) Above 3 sets a further \$87	Daylesford CBD \$180 per year in trading zone (up to 3 sets) Above 3 sets a further \$180 Outside Daylesford CBD \$90 per year in trading zone (up to 3 sets) Above 3 sets a further \$90
Goods for Display or Sale*	Daylesford CBD \$154 per year Outside Daylesford CBD \$77 per year	Daylesford CBD \$159 per year Outside Daylesford CBD \$80 per year
Wind Barriers*	Daylesford CBD \$92 per year Outside Daylesford CBD \$46 per year	Daylesford CBD \$95 per year Outside Daylesford CBD \$48 per year
Cat Cage Hire*	\$52 Bond refundable on return of cage	\$50 Bond refundable on return of cage

The discounted fees are one-third of the full fee and only apply if the animal:

- is over ten years old
- is kept for working stock (dogs only)
- is kept for breeding on a registered premises
- has undergone obedience training (dogs only)
- is registered with the relevant association
- is permanently identified in the prescribed manner.

*Denotes statutory fees as determined by legislation and therefore subject to any change in legislation.

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
VISITOR INFORMATION CENTRE		
Level One VIC fees	\$108.00	\$115.00
Level One VIC fees (commercial property ratepayer)	\$0	\$0
Level Two VIC fees	\$159.00	\$165.00
Level Two VIC fees (commercial property ratepayer)	\$0	\$0
Level Three VIC fees	\$195.00	\$205.00
Level Three VIC fees (commercial property ratepayer)	\$36.00	\$40.00
Level Four VIC fees	\$369.00	\$385.00
Level Four VIC fees (commercial property ratepayer)	\$210.00	\$220.00
Level Five VIC fees	\$471.00	\$490.00
Level Five VIC fees (commercial property ratepayer)	\$312.00	\$325.00
Special Conditions VIC fees for Volunteers		
To be entitled to the discount, a business must provide a volunteer to be on the permanent roster, or complete a minimum of ten shifts per annum on the emergency roster		
Level One VIC Volunteer fees	\$0	\$0
Level Two VIC Volunteer fees	\$0	\$0
Level Three VIC Volunteer fees	\$67.00	\$70.00
Level Four VIC Volunteer fees	\$128.00	\$135.00
Level Five VIC Volunteer fees	\$184.00	\$190.00

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
SWIMMING POOLS		
Family Season Ticket	\$140.00	\$143.50
Adult Season Ticket	\$89.00	\$90.50
Child Season Ticket	\$58.00	\$59.00
Adult Entry	\$4.30	\$4.40
Concession Entry	\$3.80	\$3.90
Child Entry	\$3.30	\$3.40
Spectators	\$1.00	\$1.00
School Entry per student	\$1.60	\$1.60

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
DAYLESFORD ARC		
Court Hire		
Court 1 per hour	\$41.50	\$43.00
Court 2 per hour	\$41.50	\$43.00
Court 3 per hour	\$31.00	\$32.00
Spectator	Free	Free
Squash Court Rental	\$13.00	\$13.50
Racquet Hire	\$3.50	\$3.50
School Holiday Program per child	\$11.00	\$11.50
Sports Clinics	\$7.00	\$7.50
Group Fitness	\$12.00	\$12.50
Group Fitness Concession	\$10.00	\$10.50
Theatre		
Theatre – Community	\$42.00	\$43.50
Theatre – Commercial	\$57.50	\$59.50
Multipurpose Room – Community	\$27.00	\$28/00
Multipurpose Room – Commercial	\$33.00	\$34.00
Kiosk	\$27.00	\$28.00
Umpire/Meeting Room - Community	\$10.50	\$11.00
Umpire/Meeting Room - Commercial	\$13.50	\$14.00

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
LIBRARIES		
Fines	\$0.25 cents per day per item to a maximum of \$5	\$0.25 cents per day per item to a maximum of \$5
Holds	Free (Maximum of 30 holds)	Free (Maximum of 30 holds)
Inter Library Loans	\$2 plus other charges incurred*	\$2 plus other charges incurred*
Inter Library Loans - Universities	\$18.50	\$18.50
Replacement card	\$2.00	\$2.00
Photocopying A3	\$0.40	\$0.45
Photocopying A4	\$0.20	\$0.25
Colour printing A4	\$1.00	\$1.05
Colour printing A3	\$1.60	\$1.65
Scanning	\$0.50	Free
Fax receiving	\$0.40	\$0.45
Fax sending <ul style="list-style-type: none"> • 1st page • Additional pages 	\$2.20 \$1.10	\$2.25 \$1.15
Lost or damaged items	Cost of replacement	Cost of replacement and processing fee
Processing fee	\$5.50	\$5.50
Debt Collection charge	\$15.00	\$15.00
Book Covering	\$5.50 per item	\$5.50 per item
Book Club Package <ul style="list-style-type: none"> • Private Book Club • Library Book Club 	\$140.00 per club per year \$44.00 per person per year	\$140.00 per club per year \$44.00 per person per year
Book Sales	From \$0.20 per item	From \$0.20 per item
Events	Variable fee from Free to \$80.00	Variable fee from Free to \$80.00

Note GST is applicable unless it is the copying of official documents.

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
COMMUNITY SERVICES		
Marquee Hire		
6m x 6m	No charge	\$50.00
12m x 6m	No charge	\$100.00
BBQ Hire	\$70.00	N/A
Council Gateway Frames	No charge	No charge
Bonds		
Marquee*	\$310.00	\$320.00
BBQ*	\$44.00	Not applicable
Council Gateway Frames	No charge	No charge

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)			Fee Charge 2014-15 (inc GST)		
	Low*	Medium	High	Low*	Medium	High
HEPBURN COMMUNITY CARE HACC SERVICES						
Planned Activity Group*	\$13.20	\$13.20	\$18.00	\$13.65	\$13.65	\$19.00
Housekeeping*	\$5.60	\$13.20	\$28.50	\$5.80	\$13.60	\$30.00
Personal Care*	\$3.80	\$7.60	\$28.50	\$4.00	\$8.00	\$30.00
Respite Care*	\$2.80	\$4.20	\$28.50	\$3.00	\$4.40	\$30.00
Property Maintenance*	\$10.70	\$15.80	\$28.50	\$11.10	\$16.50	\$30.00
Delivered Meals*	\$7.70	\$7.70	\$7.70	\$7.95	\$7.95	\$7.95

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
COUNCIL RESERVES		
DAYLESFORD – VICTORIA PARK, WOMBAT HILL BOTANIC GADENS, LAKE DAYLESFORD FORESHORE		
All Reserves		
Personal training / year (2x/wk)	\$158.00	\$163.00
Victoria Park		
Function (1 Day)	\$775.00	\$800.00
Function (2 Days)	\$1,106.00	\$1,142.00
Function 2+ Days)	\$1,106.00 for first 2 days + \$280.00 per day thereafter	\$1,142.00 for first 2 days + \$290.00 per day thereafter
Daylesford Football Club	\$1,439.00	\$1,490.00
Daylesford Cricket Club	\$387.00	\$400.00
Insurance admin fee (if no Certificate of Currency is provided)	\$45.00	\$50.00
Bonds		
Keys*	\$50.00	\$50.00
Meetings*	\$500.00	\$500.00
Functions*	\$800.00	\$800.00
Functions with alcohol*	\$1,000.00	\$1,000.00
Wombat Hill Botanic Gardens		
Wedding	\$166.00	\$175.00
Lake Daylesford Foreshore		
Wedding	\$166.00	\$175.00

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
CRESWICK TOWN HALL		
Rehearsals/Regular user	\$34.00	\$35.00
Meetings	\$112.00	\$115.00
Functions – Use of Kitchen	\$132.00	\$135.00
Function with alcohol	\$156.00	\$160.00
Insurance admin fee (if no Certificate of Currency is provided)	\$45.00	\$50.00
Bonds		
Keys*	\$50.00	\$50.00
Meetings*	\$100.00	\$100.00
Functions*	\$200.00	\$200.00
Functions with alcohol*	\$500.00	\$500.00
Special Conditions		
Hepburn Shire Community Not For Profit	1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)	1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
DOUG LINDSAY RESERVE		
Meetings	\$112.00	\$115.00
Functions – Use of Kitchen	\$132.00	\$135.00
Function with alcohol	\$156.00	\$160.00
Kitchen Use	\$58.00	\$60.00
Insurance admin fee (if no Certificate of Currency is provided)	\$45.00	\$50.00
Bonds		
Keys*	\$50.00	\$50.00
Meetings*	\$100.00	\$100.00
Functions*	\$200.00	\$200.00
Functions with alcohol*	\$500.00	\$500.00

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
CLUNES TOWN HALL		
Rehearsals/Regular user	\$34.00	\$35.00
Meetings	\$112.00	\$115.00
Functions – Use of Kitchen	\$132.00	\$135.00
Function with alcohol	\$156.00	\$160.00
Insurance admin fee (if no Certificate of Currency is provided)	\$45.00	\$50.00
Bonds		
Keys*	\$50.00	\$50.00
Meetings*	\$100.00	\$100.00
Functions*	\$200.00	\$200.00
Functions with alcohol*	\$500.00	\$500.00
Special Conditions		
Hepburn Shire Community Not For Profit	1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)	1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
DAYLESFORD TOWN HALL		
Rehearsals	\$50.00	\$55.00
Meetings	\$177.00	\$180.00
Functions	\$210.00	\$220.00
Function with alcohol	\$255.00	\$265.00
Set up Day	\$88.00	\$90.00
Senior Citizens Room	\$88.00	\$90.00
Senior Citizens Crockery	\$59.00	\$60.00
PA System	\$40.00	\$45.00
Insurance admin fee (if no Certificate of Currency is provided)	\$45.00	\$50.00
Bonds		
Keys*	\$50.00	\$50.00
Meetings*	\$100.00	\$100.00
Functions*	\$200.00	\$200.00
Functions with alcohol*	\$500.00	\$500.00
Functions with alcohol >200	\$1,000.00	\$1,000.00
Special Conditions		
Hepburn Shire Community Not For Profit	1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)	1. Hire fees to be waived (bond and if applicable insurance fees must still be paid)

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)			Fee Charge 2014-15 (inc GST)		
THE WAREHOUSE – CLUNES						
	Local Community	Community / Not for Profit / Government	Private or Commercial	Local Community	Community / Not for Profit / Government	Private or Commercial
Community Meeting Room						
Regular	\$5.50	\$14.00	\$27.50	\$5.50	\$14.00	\$27.50
Casual	\$14.80	\$27.50	\$44.00	\$14.00	\$27.50	\$44.00
Weekend (Fri evenings, Sat, Sun & Public Holidays)	\$16.50	\$33.00	\$53.00	\$16.50	\$33.00	\$53.00
Insurance admin fee (if no Certificate of Currency is provided)	\$45.00 (1)	\$45.00	\$45.00	\$45.00 (1)	\$45.00	\$45.00
Community Activity Room						
Regular	\$11.00	\$22.00	\$38.50	\$11.00	\$22.00	\$38.50
Casual	\$22.00	\$38.50	\$55.00	\$11.00	\$22.00	\$38.50
Weekend (Fri evenings, Sat, Sun & Public Holidays)	\$26.50	\$53.00	\$66.00	\$22.00	\$38.50	\$55.00
Weekly Hire (2)	\$440.00	\$880.00	\$2,200	\$26.50	\$53.00	\$66.00
Museum Fees	Adult	Concession/ Student	Family	Adult	Concession/ Student	Family
Museum Entry	\$5.00	\$4.00	\$10.00	\$5.00	\$4.00	\$10.00
Guided Tour	\$5.00	\$3.00	N/A	\$5.00	\$3.00	N/A

(1) For regular community hire this will be charged annually.

(2) Regular hourly rate by 40 hours

A minimum hire of one hour to allow for set up and pack up.

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
PHOTOCOPYING / PRINTING		
A 4 per side – Black & White	\$0.45	\$0.47
A4 per side - Colour	\$1.20	\$1.40
A3 per side – Black & White	\$1.00	\$1.20
A3 per side - Colour	\$2.00	\$2.20
Tender documents	\$50.00	\$52.00
Note: GST is applicable unless copying official documents.		
RATES INFORMATION		
Land information certificate*	\$20.00	
Duplicate/Reprint Rates Notice	\$10.00	\$10.00
Rate search 15 years	\$58.00	\$58.00
Rate search 30 Years	\$116.00	\$116.00
FREEDOM OF INFORMATION		
Freedom of information access supervision fee (per ¼ hr)*	\$5.00	\$5.00
Freedom of information search fee (per hr)*	\$20.00	\$20.00
Photocopying Charge (Black & White A4)	\$0.20	\$0.20
Freedom of Information lodgement fee*	\$25.70	\$25.70

*Denotes statutory fees as determined by legislation and therefore subject to any change in legislation.

Schedule of Fees and Charges 2014-2015

Description of Charge	Fee/Charge 2013-14 (inc GST)	Fee Charge 2014-15 (inc GST)
COMMUNITY HOUSING		
Community housing units	Rents are calculated at 25% of household income except for Centrelink family related payments. Effective from 24 July 2011, the rebated rent is calculated at 15% of Centrelink family payments	Rents are calculated at 25% of household income except for Centrelink family related payments. Effective from 24 July 2011, the rebated rent is calculated at 15% of Centrelink family payments
DISHONoured PAYMENTS		
Direct Debit fee	\$15.00	\$15.00
Dishonoured Cheque fee	\$15.00	\$15.00

Councillor Sebastian left the meeting at 8:20 pm due to an indirect Conflict of Interest in Agenda Item 11.3 and returned at 8:26 pm.

11.3. DAYLESFORD ARC MANAGEMENT GENERAL MANAGER COMMUNITY SERVICES

In providing this advice to Council as the Recreation Coordinator, I Laura Campbell have no interests to disclose in this report.

PURPOSE

The purpose of this report is to recommend Council enters into a one year contract with the Daylesford Neighbourhood Centre (DNC) to manage the Daylesford ARC.

BACKGROUND

At its Ordinary Meeting on 19 February 2013, Council resolved:

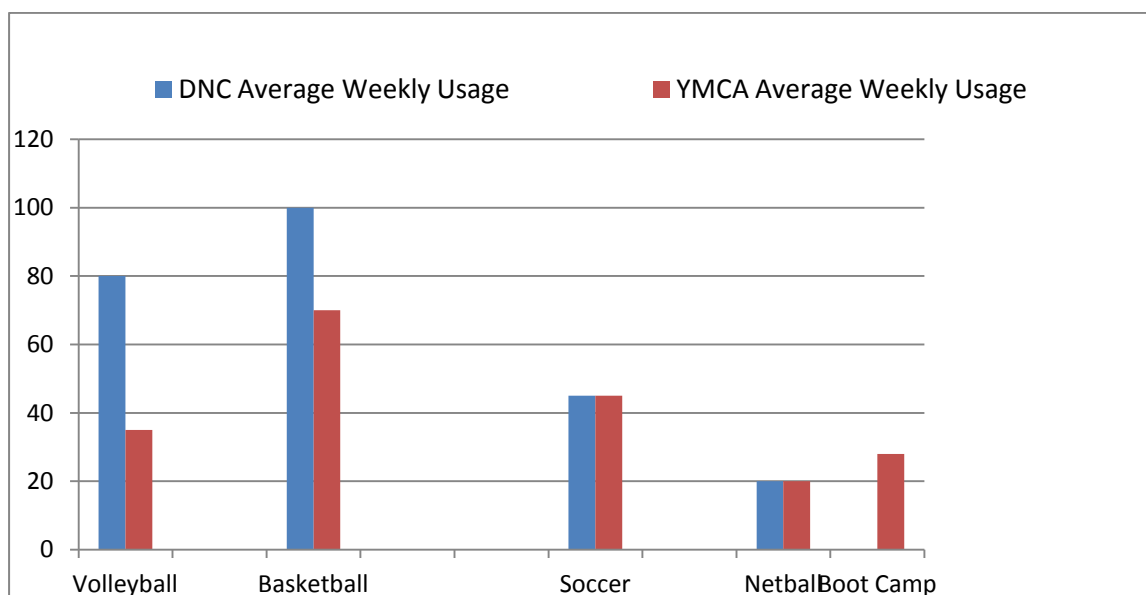
To award a one year contract with an option for a further three years to the Daylesford Neighbourhood Centre to manage the Daylesford ARC, subject to the provision of a business plan and cash flow statement to be presented to the March meeting for consideration.

The one year contract commenced on 1 April 2013 and expires on 31 March 2014.

DNC's business plan for the first year of operation focused on increasing use of the basketball court space, re-engaging with the local community to establish new programming opportunities, developing the ARC as a youth space, increasing participation by 10% and marketing the ARC precinct.

ISSUE / DISCUSSION

DNC has, in line with its Business Plan, significantly increased overall participation in programs as set out below. Participation in basketball increased by 43% and volleyball by 129%.



A number of new programs have been initiated at the ARC including new programs for young people and holiday programs. There are further opportunities to enhance programs for young people at the ARC with the support of Council's youth development area.

New Activity	Participant Numbers
Circus Skills	40
Mi So Far Youth Choir	15
Youth Space	12
Rock Climbing	10

DNC have advised that with Council's contribution the ARC is currently financially viable. Financials to end December 2013 show a very small surplus (\$600). The major source of income is hire of space and Council's contribution with wages the main expenditure.

In the next year of the contract, DNC aims to develop new programs and further increase participation rates. This will enhance financial sustainability and enable Council's contribution to be reduced.

The new contract with DNC will include updated performance measures that focus on utilisation, range and number of programs/activities, financial viability and community satisfaction. DNC will also be required to submit an updated risk management plan prior to commencing the new contract.

FINANCIAL IMPLICATIONS

For the ARC to be financially viable, Council's contribution of \$25,000 continues to be required.

RISK IMPLICATIONS

None identified

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

DNC management of the ARC provides opportunities for delivery of existing programs and the provision of a wide range of sporting, health, wellness, cultural and arts programs.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Not Applicable

CONCLUSION

In the first year of managing the Daylesford ARC, DNC has met many of its targets set out in its business plan. Most importantly, participation has increased and additional programs have been added.

OFFICER'S RECOMMENDATION

That Council:

- 11.3.1 Enters into a one year contract with the Daylesford Neighbourhood Centre Inc to manage the Daylesford ARC.
- 11.3.2 Allocates a \$25,000 contribution for management of the Daylesford ARC from the 2014-15 Budget.
- 11.3.3 Authorises the Chief Executive Officer to sign the contract with the Daylesford Neighbourhood Centre Inc.

MOTION

That Council:

- 11.3.1. *Enters into a one year contract with the Daylesford Neighbourhood Centre Inc to manage the Daylesford ARC.*
- 11.3.2. *Allocates a \$25,000 contribution for management of the Daylesford ARC from the 2014-15 Budget.*
- 11.3.3. *Authorises the Chief Executive Officer to sign the contract with the Daylesford Neighbourhood Centre Inc.*

Moved: Councillor Kate Redwood

Seconded: Councillor Neil Newitt

Carried.

11.4. LIVING LIBRARIES INFRASTRUCTURE PROGRAM 2014 APPLICATION GENERAL MANAGER COMMUNITY SERVICES

In providing this advice to Council as the Library Operations Coordinator, I Ellie Beer have no interests to disclose in this report.

PURPOSE

The purpose of this report is to seek Council support for a Living Libraries Infrastructure Program funding application for the Creswick Hub Project.

BACKGROUND

The Hepburn Library Services Review (2011) found that there was a clear need to improve library facilities and services available in Creswick.

Applying the population floor space benchmarks recommended by the Victorian Public Libraries Building Audit and the People Places: NSW Public Library Guidelines to the Creswick Library, shows that this library should be more than twice its current size.

With a population size similar to Daylesford, the Review considered that, from an equity perspective, the Creswick Library should have longer opening hours. It also found that single staffing places significant limitations on the delivery of programs.

Further, the Review highlighted a number of other issues about the inadequacy of the Creswick Library including:

- the limited amount of space to support programs such as children's storytime without compromising use of the library by other community members;
- The lack of integration between the library service and Council's customer service outlet, despite being located in the same building
- The poor condition and layout of the building.

The Review recommended that the Creswick Library be expanded, redeveloped or re-located.

ISSUE / DISCUSSION

An important part of the Hepburn Community and Council Services Hub project is to investigate options for enhancing the current Creswick Service Centre, which currently houses Council Customer Service, the library and the Aged and Disability Team.

The current facility has been altered from its original Council Chambers to accommodate the library and offices. The building has poor visibility, external toilet facilities and a lack of natural light and ventilation (Attachment 4 - Existing Conditions). The entry foyer is dated and cramped and the existing offices have very poor amenity. The vacated first floor provides alternate use opportunities.

ClarkeHopkinsClarke Architects have been engaged to undertake planning and design, and have developed a concept plan for refurbishing the Creswick Services Centre to create the Creswick Hub (Attachment 4).

Harrington Gumienik Pty Ltd was engaged to undertake a review of existing conditions to determine suitability of the concept plans. The Engineer's Report recommended some minor alterations to the concept plans to ensure the structural stability of the building. It also recommended that the concrete awning at the front of the building be removed and the existing blade column strengthened. The Municipal Building Surveyor subsequently issued a Building Order requiring rectification works which has seen the placement of temporary props to support the concrete awning. The roof of the building is in poor condition and an amount of \$50,000 has been earmarked in the 2013-2014 budget for its replacement.

There is a current opportunity for Council to apply to the Living Libraries Infrastructure Fund to refurbish the building in line with the Creswick Hub concept design. Funding can be used for construction works and permanent fixtures and fittings, i.e. carpet, desks, shelving and the renovation/refurbishment or extension of an existing library building.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective - Active and Engaged Communities

Key Strategic Activity:

5. Develop Hepburn's libraries as welcoming, multi-functional spaces that assist in the provision of integrated Council services and ensuring that vibrant and diverse programs and collections are maintained.

FINANCIAL IMPLICATIONS

The estimated cost of the refurbishment is \$550,000. Grants of up to \$750,000 are available from the Living Libraries Infrastructure Program with a \$3:\$1 matching requirement for regional and rural Councils.

It is proposed that Council contribute up to \$150,000 to the project made up of building renewal funds and an amount of \$100,000 earmarked as a

leverage contribution for construction of the Lindsay Arts Trail carried forward from 2012-2013. In light of the streetscape planning and design project currently underway in Creswick, it is premature to proceed with this until the streetscape project is completed.

RISK IMPLICATIONS

Under the conditions of the Building Order, Council is required to complete works to ensure safety. Refurbishment of the building will address the structural problems with the building.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Well-located, designed and accessible facilities encourage community participation.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Community consultation with key stakeholders will be arranged prior to submission of the Living Libraries Infrastructure Program application, if approved.

CONCLUSION

The Creswick Hub project will provide greater level of service to the Creswick community through a more modern and spacious library, room to conduct programs, better technology, meeting spaces and dual staffing.

OFFICER'S RECOMMENDATION

That Council:

- 11.4.1 Approves the submission of an application to the Living Libraries Infrastructure Program 2014 for the Creswick Hub.
- 11.4.2 Allocates up to \$150,000 towards the Creswick Hub from the 2013-14 budget.

MOTION

That Council:

- 11.4.1. *Approves the submission of an application to the Living Libraries Infrastructure Program 2014 for the Creswick Hub.*
- 11.4.2. *Allocates up to \$150,000 towards the Creswick Hub from the 2013-14 budget.*

Moved: Councillor Neil Newitt
Seconded: Councillor Sebastian Klein
Carried.

**ATTACHMENT 4 - CRESWICK LIBRARY CONCEPT DESIGN –
CRESWICK HUB**

(Issued under Separate Cover)

11.5. ADOPTION OF DISABILITY ACCESS AND INCLUSION PLAN GENERAL MANAGER COMMUNITY SERVICES

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

PURPOSE

The purpose of this report is to recommend that Council adopts the Hepburn Shire Disability Access and Inclusion Plan (2014-2017) and rescinds Policy 39 Access and Inclusion Policy.

BACKGROUND

There are a range of legislation and standards that protect, affirm and strengthen the rights of people with a disability including the United Nations Convention on the Rights of Persons with Disabilities, the Commonwealth *Disability Discrimination Act 1992* along with *Victorian Equal Opportunity Act 1995* and *Victorian Disability Act 2006*.

In accordance with Section 38 of *Victorian Disability Act 2006*, Councils must develop a disability action plan that addresses the following outcomes:

- Reducing barriers to persons with a disability accessing goods, services and facilities;
- Reducing barriers to persons with a disability obtaining and maintaining employment;
- Promoting inclusion and participation in the community of persons with a disability
- Achieving tangible changes in attitudes and practices which discriminate against persons with a disability.

In light of Council's requirement to comply with legislation and develop a disability action plan, it is not considered necessary for Council to also have an Access and Inclusion Policy.

ISSUE / DISCUSSION

In July 2013, Council endorsed the draft Disability Access and Inclusion Plan and invited public submissions.

Three submissions were received. One, from Grampians Regional Communication Service (GRCS), whose role is to work with businesses and services to promote accessible communication, advised that they were happy to work with Hepburn Shire Council to explore options for supporting Council

to achieve Objective 1. Accessible Council Communication. Another submission proposed the inclusion of an additional key strategic activity which was to visit the Hepburn Bathhouse, review previous complaints, research its accessibility and publish this research. The final, confidential submission proposed that Council's Local Law No 1 Meeting Procedures needs to be amended to cater for people with disabilities and other impairments.

The submission received about the Hepburn Bathhouse discusses concerns about the accessibility of the pool at the Hepburn Bathhouse since its redevelopment. The Hepburn Bathhouse and Spa is leased to Belgravia Leisure Pty Ltd and there is no contractual obligation for the lessee to make any modifications to enhance its use for hydrotherapy. The draft plan includes **Objective 6: Promote inclusive recreation** and the key strategic activity to: *Adopt universal access principles in upgrade and renewal of recreation facilities.*

In relation to the submission that Council's Local Law No 1 Meeting Procedures needs to be amended, it is considered that **Objective 5: Council local laws and policies enhance universal access** and Key Strategic Activity 5.2 *'Ensure access and inclusion is formally considered when policies developed and/or reviewed'* addresses this as Local Law No 1 is currently being reviewed.

Council officers will contact those who made submissions and discuss how their submission is addressed in the Plan.

The draft Plan (Attachment 5) addresses outcomes set out in the Disability Act and contains the following objectives:

1. Accessible Council Communication
2. Build a culture which promotes universal access to Council services
3. Support events which provide access for all
4. Promote the economic benefits of improved access
5. Council's local laws and policies enhance universal access
6. Promote inclusive recreation
7. Maintain and enhance Council's footpath and walking path network to improve accessibility
8. Improve the accessibility of Council buildings
9. Increase community awareness of services available to community members with a disability.

To support the achievement of these objectives, an action plan incorporating key strategic activities, actions and measures has been developed for each objective.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

It is a requirement of the *Victorian Disability Act 2006* that Council develops a disability action plan. The Commonwealth *Disability Discrimination Act 1992* makes disability discrimination unlawful and promotes equal rights, equal opportunity and equal access for people with disabilities.

The *Victorian Disability Amendment Act 2012* which commenced on 1 July 2012 requires that Council report on the implementation of its disability action plan in its Annual Report.

FINANCIAL IMPLICATIONS

Adoption of the Disability Access and inclusion Plan may require some additional expenditure in relation to installation of hearing loops and staff training. The majority of actions contained in the Plan can and should be incorporated into the day to day work of Council staff.

RISK IMPLICATIONS

The adoption and implementation of a Disability Access and Inclusion Plan reduces the risk, as Council does act to reduce barriers to people with a disability accessing services and facilities or obtaining and maintaining employment. It includes actions which promote inclusion and participation of people with disabilities and to change attitudes and practices.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The overall aim of the Plan is to encourage the full and equal participation by people with a disability in community life.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Initial themes and key priorities were prepared by a working group of Council staff and further developed in conjunction with the Hepburn Community Access Group and Rural Access (Hepburn Health Service).

Letters requesting feedback on the key priorities and actions were sent to a wide variety of community groups and service providers in January 2013, with 13 detailed and considered responses received. This feedback was analysed and taken into account in the development the draft Plan.

At its July 2013 meeting, Council endorsed the draft Disability Access and Inclusion Plan and invited public submissions.

CONCLUSION

It is not considered that any of the additional submission received require any changes to the draft Disability Access and Inclusion Plan.

OFFICER'S RECOMMENDATION

That Council:

- 11.5.1 Adopts the Hepburn Shire Disability Access and Inclusion Plan (2014-2016).
- 11.5.2 Rescinds Policy 39 Access and Inclusion policy and removes the policy from Council's website.

MOTION

11.5.1. That Council adopts the Hepburn Shire Disability Access and Inclusion Plan (2014-2016).

Moved: Councillor Bill McClenaghan

Seconded: Councillor Kate Redwood

Carried.

**ATTACHMENT 5 - DRAFT DISABILITY ACCESS AND INCLUSION PLAN
2014-2016**

Hepburn Shire Disability Access and Inclusion Plan (2014-2016)

1. Introduction

The Hepburn Shire Disability Access and Inclusion Plan (2013-16) aims to make Hepburn Shire a more accessible and inclusive place to live, work and visit. It articulates clear ways Council can work to create a more inclusive community for people with a disability, their families and carers while helping meet its legal obligations to remove barriers to discrimination. The Plan acknowledges that a whole-of council approach is needed to promote and safeguard the rights of people with disabilities and encourage the full and equal participation by people with a disability in community life.

2. Why a Disability Access and Inclusion Plan?

There is a range of legislation and standards that protect, affirm and strengthen the rights of people with a disability. These include:

International Standards

- United Nations Convention on the Rights of Persons with Disabilities

Federal Government Legislation and Standards

- *Disability Discrimination Act 1992* legislates that *reasonable adjustment* be made to reduce physical and social barriers that result in disability
- Building Code of Australia
- Australian Standards Access and Mobility

State Government Legislation

- *Victorian Equal Opportunity Act 1995* makes discrimination based on disability against the law

- *Victorian Disability Act 2006* aims to reaffirm and strengthen the rights of people with a disability.
- *Victorian Charter of Human Rights and Responsibilities Act 2006* requires that these rights are observed when policies created and services provided.

Victorian Disability Act 2006 (Section 38)

Section 38 of Victorian Disability Act 2006 makes it a legal requirement for all local councils to develop a disability action plan that addresses the following outcomes:

- Reducing barriers to persons with a disability accessing goods, services and facilities;
- Reducing barriers to persons with a disability obtaining and maintaining employment;
- Promoting inclusion and participation in the community of persons with a disability; and,
- Achieving tangible changes in attitudes and practices which discriminate against persons with a disability.

3. Key Objectives

Nine objectives have been developed to address priority areas for action and are consistent with the outcomes set out in the Victorian Disability Act.

These are:

1. Accessible Council Communication
2. Build a culture which promotes universal access to Council services
3. Support events which provide access for all
4. Promote the economic benefits of improved access
5. Council's local laws and policies enhance universal access
6. Promote inclusive recreation
7. Maintain and enhance Council's footpath and walking path network to improve accessibility
8. Improve the accessibility of Council buildings and other assets
9. Increase awareness of Council services available to community members with a disability.

To support the achievement of these objectives, an action plan incorporating key strategic activities, actions and measures has been developed.

4. Community Engagement

Initial themes and key priorities were prepared by a working group of Council staff and further developed in conjunction with the Hepburn Community Access Group

and Rural Access (Hepburn Health Service). Letters requesting feedback on the key priorities and actions were sent to a wide variety of community groups and service providers in January 2013. The request for feedback was also advertised in the Advocate (16 and 23 January) as well as on Council's website.

Thirteen detailed and considered responses were received which were analysed and this feedback was taken into account in developing the draft Plan.

In July 2013, Council endorsed the draft Disability Access and Inclusion Plan for public submission. Three submissions were received.

5. Communication and Implementation

Copies of the Disability Access and Inclusion Plan will be made available to the community in Council office, libraries and website www.hepburn.vic.gov.au. The Plan will be provided to those who participated in its development.

To ensure that organisational accountability processes are in place for implementing the Plan an internal Disability Access and Inclusion Implementation Working Group will be established to oversee implementation of the Plan across Council and will report on progress to Council's Executive Management Team.

6. Review and Evaluation

A half yearly review of the Plan will be undertaken by the Implementation Working Group, in conjunction with the Hepburn Community Access Group.

As mandated by the Victorian *Disability Amendment Act 2012* which commenced on 1 July 2012, Council will report on the implementation of its Disability Access and Inclusion Plan in its Annual Report.

Action Plan

Promoting inclusion and participation

Objective 1: Accessible Council Communication

Key Strategic Activity	Actions	Measure
1.1 Improve accessibility of Council web site and Council publications.	1.1.1 Redevelop Council's website.	Council website complies with national accessibility standards (WCAG 2.0)
	1.1.2 Develop process for requesting & providing information in accessible formats.	Information available in accessible formats
1.2 Increase access to Council Meetings and Council functions.	1.2.1 Investigate installation of hearing loops.	Hearing loops provided
	1.2.2 Arrange seating to include wheelchairs, hearing and sight challenged people.	Barriers to participation reduced.
	1.2.3 Work with community to identify and remove barriers to access.	# of barriers identified & removed
1.3 Enable a variety of means of feedback about Council information, programs and services.	1.3.1 Inform community about Council's complaints policy & process.	Information about complaints provided in accessible formats
	1.3.2 Feedback via webpage, email and telephone.	Feedback received

Changing attitudes and practices which discriminate against people with a disability

Objective 2: Build a culture which promotes universal access to Council services

Key Strategic Activity	Actions	Measure
2.1 Increase staff awareness of the why and how of providing inclusive and accessible services.	2.1.1 Staff participation in disability awareness and equal opportunity training.	# of staff participating in Rural Access Snakes and Ladders program % of staff completed equal opportunity training.
	2.1.2 Ensure that Infrastructure staff understand Disability Discrimination Act requirements.	In-service sessions held.
2.2 Promote availability of independent advocacy to enable consumers to provide feedback.	2.2.1 Information about independent advocacy services available on website, Council offices and libraries.	Information available
	2.2.2 Clients provided with details of independent advocacy.	Information provided to clients

Reducing barriers to accessing goods, services and facilities

Objective 3: Support events which provide access for all

Key Strategic Activity	Actions	Measure
3.1 Raise awareness of access and inclusion of event organisers and committees.	3.1.1 Create an accessibility checklist for all events including free entry for companion card holders.	Checklist complete and utilised Council's Events Guide includes access and inclusion.
	3.1.2 Include guidance about access and Inclusion in Council's events guide.	% of events that promote that they are accessible, including accepting companion card holders.
3.2 Council funded events are inclusive and accessible.	3.2.1 Include requirement for accessible and inclusive events in Memorandums of Understanding.	Access and inclusion requirements met.

Objective 4: Promote the economic benefits of improved access

Key Strategic Activity	Actions	Measure
4.1 Work with local businesses to enhance accessibility.	4.1.1 Educate and train businesses about the economic benefits of accessibility.	# of education and training opportunities
	4.1.2 Promote accessible eating guide and mobility maps.	# of guides and maps provided
4.2 Support initiatives which promote benefits of accessible businesses.	4.2.1 Support Rural Access 'open for business' campaign.	Campaign supported through Visitor Information Centre & websites
	4.2.2 Promote Tourism Victoria's "Accessible Tourism Kit".	Campaign supported through Visitor Information Centre & websites

Objective 5: Council local laws and policies enhance universal access

Key Strategic Activity	Actions	Measure
5.1 Accessibility requirements of <i>Temporary signs, tables and chairs and Goods for sale on road reservations (Policy 19)</i> understood and enforced.	5.1.1 Ensure that traders understand requirements.	Fact Sheet produced and distributed.
	5.1.2 Regular inspections of street furniture and signage compliance.	# of inspections Notices /fines issued for non-compliance.
5.2 Ensure access and inclusion is formally considered when policies developed and/or reviewed.	5.2.1 Guidelines on considering access and inclusion incorporated in Policy Framework.	% of reviewed policies demonstrate access and inclusion considerations.

Objective 6: Promote inclusive recreation

Key Strategic Activity	Actions	Measure
6.1 Work with sporting clubs to enhance access by people with disabilities.	<p>6.1.1 In conjunction with Access for All Abilities promote benefits of access and inclusion to sporting clubs.</p> <p>6.1.2 Encourage partnerships between sporting clubs and disability support agencies.</p>	No. of clubs actively working with people with disabilities and disability agencies
6.2 Create and promote recreation opportunities for people with a disability.	<p>6.2.1 Promote availability of trail rider and walking paths.</p> <p>6.2.1 Inform community and visitors about access for all at Daylesford Community Park.</p>	<p>Trail rider promoted</p> <p>Promotion of Community Park access for all</p>
6.3 Adopt universal access principles in upgrade and renewal of recreation facilities	6.3.1 Include access and inclusion standards and guidance in renewal and upgrade planning.	100% upgrade and renewal works compliant with Australian Standards Access and Mobility

Objective 7: Maintain and enhance Council's footpath and walking path network to improve accessibility

Key Strategic Activity	Actions	Measure
7.1. Better inform the community about how to lodge a request for footpath repair.	7.1 .1 Provide information about lodging customer requests.	<p>Clear information provided to community in a number ways</p> <p>Footpath repair works completed</p>
7.2 Develop and implement an inspection and improvement program to improve accessibility on Councils footpath network.	<p>7.2. 1 Complete audit of footpaths and evaluate non compliant items for improvement.</p> <p>7.2.2 Implement program.</p>	<p>Audit completed.</p> <p>Improvement program developed.</p> <p>Program completed</p>

7.3 Ensure all new paths and major repairs to existing footpaths meet accessibility standards.		All new paths are constructed to standard
7.2 Maintain walking paths so that they are accessible.	7.2.1 Review service levels for walking paths to ensure accessibility ¹	New service levels implemented.
	7.2.3 Maintenance and weed control undertaken in response to customer requests.	% customer requests completed.

Objective 8: Improve the accessibility of Council buildings and other assets

Key Strategic Activity	Actions	Measure
8.1 Undertake accessibility audit program of key Council buildings.	8.1.1 Develop priority list of Council buildings requiring access improvements.	# of council buildings audited
	8.1.2 Allocate funding to improve accessibility of buildings from building renewal budget.	\$\$ allocated
8.2 Develop and implement plan for improving access through redevelopment and/or relocation of services.	8.2.1 Complete Building Asset Management Plan.	Building Asset management plan 100% complete
	8.2.2 Undertake planning for Hepburn Council and Community Services Hub.	Planning complete 30 June 2015
8.3 Ensure that accessible parking spaces meet needs.	8.3.1 Conduct review of accessible parking spaces.	# of accessible parking spaces compared with population with accessible parking permit.
	8.3.2 Enforce accessible parking permit compliance.	% compliant with standards # infringements issued

¹ Advisory Note on streetscape, public outdoor areas, fixtures, fittings and furniture

Objective 9: Increase community awareness of Council services available to community members with a disability

Key Strategic Activity	Actions	Measure
9.1 Actively publicise Council programs and services to community members with a disability, their carers and service providers.	9.1.1 Promotion Council programs and services via website, brochures and other publications.	Council programs actively promoted
	9.1.2 Inform disability service providers about Council services by attending meetings and promotion in relevant publications.	# of meetings attended # of articles
	9.1.3 Attend 6 monthly in service with local G.P's and practice nurses to promote services.	# in-services attended

11.6. REFORMS TO REGIONAL WASTE MANAGEMENT GROUPS 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 to provide an update on the regulatory changes to Regional Waste Management Groups (RWMG) and seek council to appoint a representative for the proposed new Grampians Central West Waste and Resource Recovery Group.

BACKGROUND

In August 2013, the Minister for the Environment, Ryan Smith MP announced the outcomes of the Ministerial Advisory Committee responsible for making recommendations around the Waste and Resource Recovery Governance Reforms.

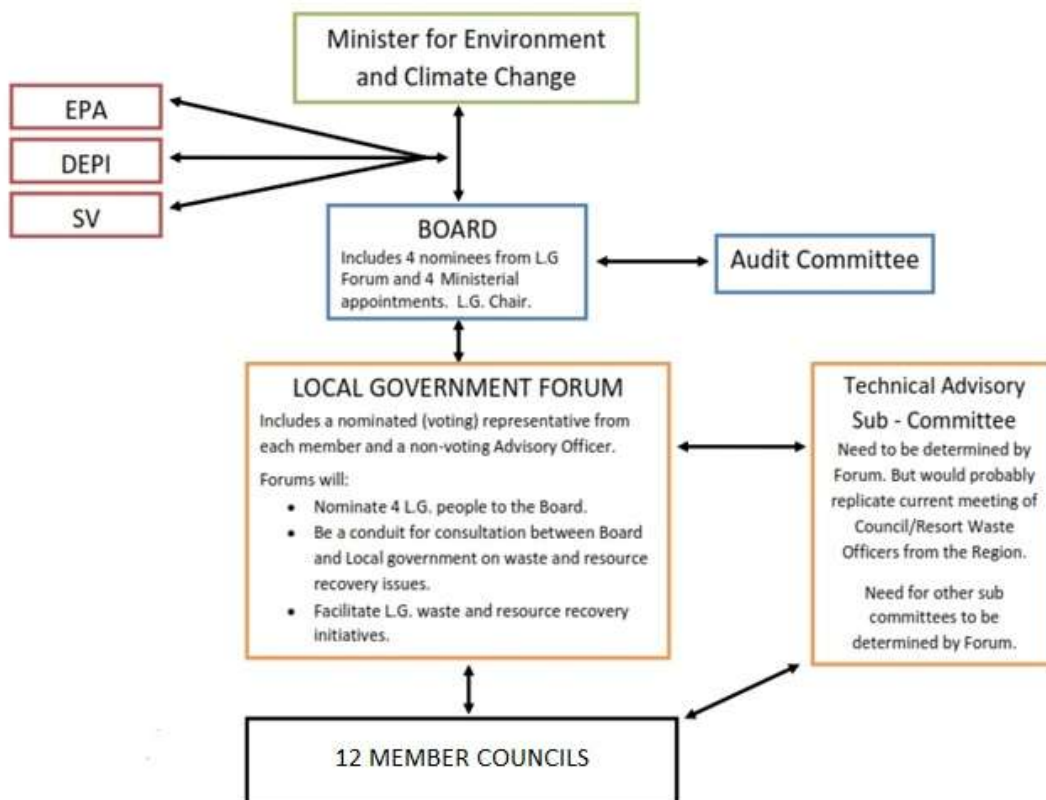
Key reform outcomes affecting RWMG's included:

- The 12 existing groups being merged into 6.
- Assigning RWMG's with a clear statutory role to plan for all waste streams.

As a result, Hepburn Shire will become part of the new Grampians Central West Waste and Resource Recovery Group through the merger of the Highlands, Grampians and Desert Fringe RWMGs.

The Minister has recently issued directions to the Highlands, Grampians and Wimmera Mallee group Chairs to commence preparations to facilitate the cessation of their operations by 31 July 2014, with the new group to commence on 1 August 2014.

The proposed new Grampians Central West Waste and Resource Recovery Group will have an altered structure. The Group will have a Board and Forum as illustrated below:



ISSUE / DISCUSSION

The Minister for Environment and Climate Change has requested that Council makes a nomination of a Councillor to the Local Government Forum for the proposed new Grampians Central West Waste and Resource Recovery Group.

Each member Council may also nominate an advisory member to the Forum. The advisory member is able to participate fully in all Forum proceedings and activities but does not hold a vote in the Forum unless acting as a proxy.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The legislation (*Environment Protection and Sustainability Victoria Amendment Bill 2014*) which will enable the establishment of the Local Government Forum has not yet passed parliament. The Minister for Environment and Climate Change is seeking Council's to nominate a representative for the Forum when it is established.

The passing of the draft legislation will result in the following statutory implications for the Council:

- Upon wind-up of the Highlands RWMG any liability for the organisation will be removed from Council and will be vested in the State.
- All member councils in the proposed new Grampians Central West Waste and Resource Recovery Group may nominate one representative to the Grampians Central West Local Government Waste Forum, but only four members of the Forum will represent the 12 Councils in the Region on the Board.

FINANCIAL IMPLICATIONS

The draft amendment to the legislation does not allow the new organisation to be a successor to Highlands RWMG.

The Highlands RWMG Board resolved at its meeting on 24 February 2014 to transfer all its assets (except one asset at the Carisbrook transfer station) to the proposed new group subject to the Highlands RWMG being able to meet its liabilities. Highlands RWMG has more than sufficient cash to meet its liabilities including employee entitlements.

RISK IMPLICATIONS

Council should nominate a Councillor representative for the proposed Grampians Central West Local Government Waste Forum to enable it to be included in decisions from the commencement when the legislation is passed by Parliament.

For consistency of involvement, there are benefits in Council nominating the existing Councillor member of the Highlands RWMG to the proposed Grampians Central West Local Government Waste Forum. Future appointments for Councillor representation are then proposed to be reviewed as part of the annual appointment of councillors to committees, boards and other external bodies.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Many of the roles that the Highlands RWMG currently performs in the region will remain relatively unchanged in the proposed new arrangements; however the altered functions of the new group may deliver a range of additional benefits to regional waste and resource recovery including:

- The ability to facilitate collaborative procurement for waste and resource recovery service and facilities.
- The responsibility to plan for the management of waste and resources from commercial sources, including a responsibility to promote best practice to business and industry.

The draft amendment to the legislation allows for existing staff of the Highlands RWMG to transfer directly to the new Grampians Central West Waste and Resource Recovery Group.

There are no identified social impacts on the Council or its community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Engagement has been managed by the State Government.

CONCLUSION

Council should nominate a Councillor to be its representative, and a staff member to be an advisory member, on the proposed Grampians Central West Local Government Waste Forum, when it is established by State Government through adoption of the *Environment Protection and Sustainability Victoria Amendment Bill 2014*.

For consistency of involvement, it is recommended that Cr Bill McClenaghan be the Grampians Central West Local Government Waste Forum representative, and the Manager Strategic Asset Management be the Advisory Member.

OFFICER'S RECOMMENDATION

That Council:

- 11.6.1 Nominates Cr Bill McClenaghan as its representative on the Grampians Central West Local Government Waste Forum, or equivalent group, when it is established by the State Government.
- 11.6.2 Nominates the Manager Strategic Asset Management as Hepburn Shire Council's Advisory Member on the Grampians Central West Local Government Waste Forum, or equivalent group, when it is established by the State Government

MOTION

That Council:

- 11.6.1. Nominates Cr Bill McClenaghan as its representative on the Grampians Central West Local Government Waste Forum, or equivalent group, when it is established by the State Government.*
- 11.6.2. Nominates the Manager Strategic Asset Management as Hepburn Shire Council's Advisory Member on the Grampians Central West Local Government Waste Forum, or equivalent group, when it is established by the State Government.*

Moved: Councillor Pierre Niclas

Seconded: Councillor Greg May

Carried.

11.7. DAYLESFORD PARKING RESTRICTIONS GENERAL MANAGER INFRASTRUCTURE

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

PURPOSE

The purpose of this report is for Council to consider extending current parking restrictions in Daylesford.

BACKGROUND

At the August 2013 Council meeting, Council determined to impose Sunday parking restrictions in Vincent Street between Central Springs Road and Albert Street, Daylesford.

Under this arrangement, the adjacent standard kerbside parking would remain with general 2 hour restrictions between 9.00am-5.30pm Monday to Saturday and unrestricted on Sundays.

ISSUE / DISCUSSION

Following the determination to introduce Sunday parking restrictions in Vincent Street, concerns have been raised about this shifting the practice of all day or extended parking into adjacent streets. This may have a similar effect on parking availability for shoppers and minimise vehicle turnover which has a detrimental impact on a vibrant and dynamic retail precinct.

In order to address this and maximise parking turnover for the benefit of local business and our community, it is recommended that the current time restricted parking be extended to include Sundays in the following streets of Daylesford:

- Central Springs Road
- Vincent Street (south of Central Springs Road)
- Albert Street
- Vincent Street (North of Albert Street)
- Howe Street.

All day or extended parking is catered for outside of the high demand precinct which would remain unchanged under the proposed changes and will allow maximum parking turnover where it is most required to support local business and cater for the community needs.

It should be noted that it is not proposed to change any of the parking restrictions that currently exist Monday through Saturday.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective – Sustainable Environment and a Vibrant Economy

Key Strategic Activity:

12. Support and develop existing businesses within Hepburn Shire and continue to explore opportunities to diversify Hepburn Shires Economic base.

The *Local Government Act 1989* provides Council with the power to fix, rescind or vary the days, hours and periods of time for which vehicles may stand in a parking area. This authority is not delegated to any officer, therefore Council needs to approve any changes to current parking restrictions.

FINANCIAL IMPLICATIONS

There are minor cost implications associated with the purchase and erection of new parking signage to reflect any changed restrictions which can be accommodated within current operational budgets.

RISK IMPLICATIONS

The introduction of parking restrictions on Sunday will address concerns raised with Council. Should parking restrictions not be extended to include Sundays, there is an ongoing risk of increased occurrences of all day parking in this area, which may have an impact on the vibrancy of the retail precinct.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

It is undesirable to have all day or long term parking in the high activity retail areas. For strong economic activity to be supported, it is best practice to encourage regular parking turnover and encourage longer parking periods on the fringe of the activity centre. This approach supports strong economic activity.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There has not been any specific stakeholder consultation regarding this item, however, any changes to the parking restrictions will be published prior to any enforcement action being taken in the new restrictions period.

CONCLUSION

Following the determination to introduce Sunday parking restrictions in Vincent Street, concerns have been raised about this shifting the practice of all day or extended parking into adjacent streets.

Whilst this is permitted under the current restrictions, it minimises vehicle turnover which in turn may be having a detrimental impact on a vibrant and dynamic retail precinct.

To address this concern it is recommended that the current parking restrictions be extended to include Sundays between the hours of 9.00am - 5.30pm, which is consistent with the current restrictions for Monday through Saturday.

OFFICER'S RECOMMENDATION

11.7.1 That Council approves the extension of current timed based parking restrictions to include Sundays between the hours of 9.00am - 5.30pm in the following Daylesford Streets:

- Central Springs Road
- Vincent Street (south of Central Springs Road)
- Albert Street
- Vincent Street (north of Albert Street)
- Howe Street.

MOTION

11.7.1. *That Council approves the extension of current timed based parking restrictions to include Sundays between the hours of 9.00am - 5.30pm in the following Daylesford Streets:*

- *Central Springs Road*
- *Vincent Street (south of Central Springs Road)*
- *Albert Street*
- *Vincent Street (north of Albert Street)*
- *Howe Street.*

Moved: Councillor Kate Redwood

Seconded: Councillor Sebastian Klein

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 application to renew consent to use B-Double and/or HML vehicles on local Council roads have been received:

Organisation	Vehicles	Roads	Time Frame	Estimated Usage
Wheelie Waste	B-Doubles at HML	Fulcher Street (North of the Midland Highway) and Ajax Road (from Fulcher Street to the Municipal Recycling Facility at 16 Ajax Road) in Daylesford	Until 31-03-2015	2 movements per week

The following new applications for consent to use B-Double and/or HML vehicles on local Council roads have been received:

Organisation	Vehicles	Roads	Time Frame	Usage
Shelton Timber	B-Doubles at HML	Armstrong Street and Hyde Park Road in Creswick	Six months – 18 September 2014	4 movements per week
Clearwater Logging & Transport Pty Ltd	B-Doubles at HML	Armstrong Street and Hyde Park Road in Creswick	Twelve months – 18 March 2015	
C Cockerill & Sons	B-Doubles and Semi-trailers at HML	All local roads, except for ones specifically excluded due to road and bridge conditions	Ongoing	Varied

ISSUE / DISCUSSION

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

Wheelie Waste

This use of a B-Double enables more efficient transport of recyclables from Council's MRF to a metropolitan processing facility, via a B-double walking floor truck and a semi trailer walking floor truck.

Wheelie Waste has been operating B-Double vehicles at HML for almost 12 months. Council's Roads Inspection Officer assessed Fulcher Street and Ajax Road and found no sign of damage particularly attributable to the use of B-Doubles at HML.

Council officers recommend that Wheelie Waste be granted permission to continue to use B-Double Vehicles at HML on Fulcher Street and Ajax Road.

It is recommended that Council's approval be extended for the period up to 31 March 2015, which aligns with the term of the current contract to operate the MRF. It is recommended that the following existing conditions continue:

- The hours of operation are limited to 6:00am to 6:00pm
- The use of compression brakes is to be avoided.

Shelton Timber and Clearwater Logging & Transport Pty Ltd

Both Clearwater Logging & Transport and Shelton Timber are seeking access to HVP plantations near Creswick using a B-Double vehicle on Armstrong Street and Hyde Park Road in Creswick. These roads are shown on the following map in blue and purple respectively.



These local roads have both residential one zone and low density residential zone properties along them.

Council's Roads Inspection Officer inspected the roads and determined that access was possible and acceptable. The Roads Inspection Officer noted that some damage may be caused, and the operators should be made responsible for maintenance. This would be enforced through inspections by the Roads Inspection Officer during and after the period of proposed travel.

Shelton Timber advised that it would clear gorse weeds to enable it to access Armstrong Street. Council's Natural Resource Management Officer inspected the roads and determined that this was appropriate and acceptable, but no trees are to be cleared.

It is recommended that Council approves both Clearwater Logging & Transport and Shelton Timber to use B-Double vehicles at HML on the specified roads, with the following conditions:

- The hours of operation are limited to 7:00am to 6:00pm.
- The use of compression brakes is to be avoided.
- Gorse and other weeds may be cleared to enable access, but no trees may be cleared without the written permission of Council.
- The operators accept joint responsibility for maintenance of the roads under Council supervision.

C Cockerill & Sons

C Cockerill & Sons is a cartage contractor which distributes bulk stock feed to beef, dairy and poultry farms all over the state of Victoria. It is seeking access for its Higher Mass Limits semi-trailers (46 tonnes) and B-Doubles (68.5 tonnes) to all local roads, except for ones specifically excluded due to road and bridge conditions.

Due to the uncertainty in this request, it is recommended that Council refuses to approve this access. C Cockerill & Sons should submit individual route requests for further consideration by Council.

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.

Previously, under the *Road Safety (Vehicles) Regulations 2009*, VicRoads was able to issue *B-Double or Higher Mass Limit Permits* to allow B-Double or Higher Mass Limit vehicles to use designated roads. Where the roads in question were local council roads, VicRoads required the applicant to obtain council approval to travel on the relevant roads before it would issue a permit.

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 are no expected financial implications from renewing Council's conditional approval to Wheelie Waste or granting conditional approval for Clearwater Logging & Transport and Shelton Timber.

RISK IMPLICATIONS

Fulcher Street and Ajax Road are currently being used by other motor vehicles including trucks and the use by B-Doubles over the last twelve months for 1 to 2 loads per week by Wheelie Waste is not believed to have adversely changed the risks for road users or for Council.

The residential properties in Armstrong Street and Hyde Park Road, Creswick may be adversely impacted by the additional truck movements. The proposed conditions for Council's approval seek to minimise this risk.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The use of B-Doubles to transport recyclable material from the MRF has reduced the number of truck movements in comparison to the use of semi-trailers. The use of B-Doubles has proven an efficient measure by Wheelie Waste and results in less fuel per tonne of recyclables transport than if semi-trailers were used.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

It is recommended that Council:

- Extends its approval for Wheelie Waste Pty Ltd's B-Double vehicles to use Fulcher Street (North of the Midland Highway) and Ajax Road (from Fulcher Street to the MRF at 16 Ajax Road) in Daylesford for the period up to 31 March 2015, subject to the existing conditions.
- Grants approval for Clearwater Logging & Transport and Shelton Timber to use B-Double vehicles at HML on Armstrong Street and Hyde Park Road, Creswick for 12 months, with the following conditions:
 - The hours of operation are limited to 7:00am to 6:00pm.
 - The use of compression brakes is to be avoided.
 - Gorse and other weeds may be cleared to enable access, but no trees may be cleared without the written permission of Council.
 - The operators accept joint responsibility for maintenance of the roads under Council supervision.

- Refuses to grant Shire-wide approval for C Cockerill & Sons to use semi-trailers and B-Doubles at HML on all local roads, except for ones specifically excluded due to road and bridge conditions.

OFFICER'S RECOMMENDATION

That Council:

- 11.8.1 Grants an extension to its approval for Wheelie Waste Pty Ltd to operate B-Double vehicles at HML on Fulcher Street (North of the Midland Highway) and Ajax Road (from Fulcher Street to 16 Ajax Road) in Daylesford for the period up to 31 March 2015, subject to the following conditions:
- Hours of operation are restricted to 6.00 am to 6.00 pm; and
 - The use of compression brakes is to be avoided.
- 11.8.2 Approves Shelton Timber to use B-Double vehicles at HML on Armstrong Street and Hyde Park Road, Creswick for 12 months, with the following conditions:
- The hours of operation are limited to 7:00am to 6:00pm.
 - The use of compression brakes is to be avoided.
 - Gorse and other weeds may be cleared to enable access, but no trees may be cleared without the written permission of Council.
 - The operator accepts responsibility for maintenance of the roads under Council supervision.
- 11.8.3 Approves Clearwater Logging & Transport to use B-Double vehicles at HML on Armstrong Street and Hyde Park Road, Creswick for 12 months, with the following conditions:
- The hours of operation are limited to 7:00am to 6:00pm.
 - The use of compression brakes is to be avoided.
 - Gorse and other weeds may be cleared to enable access, but no trees may be cleared without the written permission of Council.
 - The operator accepts responsibility for maintenance of the roads under Council supervision.
- 11.8.4 Refuses to grant Shire-wide approval for C Cockerill & Sons to use semi-trailers and B-Doubles at HML on all local roads, except for ones specifically excluded due to road and bridge conditions.

MOTION

That Council:

11.8.1. *Grants an extension to its approval for Wheelie Waste Pty Ltd to operate B-Double vehicles at Higher Mass Limits on Fulcher Street (North of the Midland Highway) and Ajax Road (from Fulcher Street to 16 Ajax Road) in Daylesford for the period up to 31 March 2015, subject to the following conditions:*

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

11.8.2. *Approves Shelton Timber to use B-Double vehicles at Higher Mass Limits on Armstrong Street and Bald Hills Road, Creswick for 12 months, subject to site assessment by Council officers, with the following conditions:*

- *The hours of operation are limited to 7:00am to 6:00pm.*
- *The use of compression brakes is to be avoided.*
- *Gorse and other weeds must be cleared to enable access, but no trees may be cleared without the written permission of Council.*
- *The operator accepts responsibility for maintenance of the roads under Council supervision.*

11.8.3. *Approves Clearwater Logging & Transport to use B-Double vehicles at Higher Mass Limits on Armstrong Street and Bald Hills Road, Creswick for 12 months, subject to site assessment by Council officers, with the following conditions:*

- *The hours of operation are limited to 7:00am to 6:00pm.*
- *The use of compression brakes is to be avoided.*
- *Gorse and other weeds must be cleared to enable access, but no trees may be cleared without the written permission of Council.*
- *The operator accepts responsibility for maintenance of the roads under Council supervision.*

11.8.4. *Refuses to grant Shire-wide approval for C Cockerill & Sons to use semi-trailers and B-Doubles at Higher Mass Limits on all local roads, except for ones specifically excluded due to road and bridge conditions.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Greg May

Carried.

**11.9. RECORD OF ASSEMBLIES OF COUNCILLORS – FEBRUARY 2014
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 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
4 February 2014	Council Chamber, Daylesford	Councillor Briefing
6 February 2014	Council Chamber, Daylesford	Wombat Hill Botanic Gardens Advisory Committee
11 February 2014	Council Chamber, Daylesford	Councillor Workshop
18 February 2014	Trentham Mechanics Institute	Councillor/CEO Meeting
18 February 2014	Trentham Mechanics Institute	Pre Council Meeting Briefing
27 February 2014	Council Chamber	International Women's Day Advisory Committee

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

- 11.9.1 That Council receives and notes the Records of Assemblies of Councillors for the month of February 2014.

MOTION

11.9.1. That Council receives and notes the Records of Assemblies of Councillors for the month of February 2014.

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

**ATTACHMENT 6 - RECORDS OF ASSEMBLIES OF COUNCILLORS –
FEBRUARY 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 4 February 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 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 | KERRIE ADDISON KATE CERRITSEN |
| | GRANT SCHUSTER ALAN TODD |
| | DALE TONKINSON JUSTIN FIDDIES |
| | JOHN VAN ROODEN |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Cr Klein - item 4	Left 1-08 Returned 1-37
Cr McClenaghan - item 5	Left 1-40 Returned 2-08

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 4 February 2014



Tuesday 4 February 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	Verbal Presentation Performance Management – July to December 2013	Chief Executive Officer & General Manager Corporate Services	Page 4
2.	11:30 am	Verbal Presentation Review of Policy 37(C) – Councillors Staff Relationship Policy	Chief Executive Officer & General Manager Corporate Services	Page 5
		Attachment 1		Page 6
3.	12:00 pm	Report Wesley College, Clunes – Licences to use Parts of The Warehouse – Clunes and the Clunes Town Hall	General Manager Infrastructure, Manager Strategic Asset Management & Property Officer	Page 13
		Attachment 2		Page 17
		Attachment 3		Page 28
	12:30 pm	Lunch Break Lunch will be provided		
4.	1:00 pm	External Presentation Daylesford Neighbourhood Centre – Proposal to Purchase Old Police Station	General Manager Community Services Ms Robyn Lawrence, Chair, Daylesford Neighbourhood Centre Committee of Management	Page 38

Confidential
Councillor Briefing Agenda
Tuesday 4 February 2014



Time		Title		Action Officer	
5.	1:30 pm	External Presentation	Bullarto and Musk Community Plan 2013	General Manager Community Services, Manager Community & Economic Development & Community & Cultural Development Officer	Page 39
			Attachment 4		Page 40
6.	2:00 pm	Verbal Presentation	Reducing Green House Gas Emissions	General Manager Community Services, Manager Community & Economic Development & Sustainability Officer	Page 50
			Attachment 5		Page 51
			Attachment 6 <i>Issued Under Separate Cover</i>		Page 77
7.	3:00 pm	Verbal Presentation	Victorian Adaptation and Sustainability Partnership (VASP) Project – Listening to the Land: Looking to the Future	General Manager Infrastructure & Natural Resource Management Officer	Page 78
8.	3:30 pm	Verbal Presentation	Daylesford Laneways Public Art Project	General Manager Community Services, Manager Community & Economic Development & Community & Cultural Development Officer	Page 79
			Attachment 7		Page 83

Confidential
Councillor Briefing Agenda
Tuesday 4 February 2014



Time		Title	Action Officer	
9.	4:00 pm	Verbal Presentation Planning Applications 1 Leggatt Street, Daylesford – Outline of Assessment Process	Chief Executive Officer & Manager Planning	Page 88
10.		Report 393 Kingston Road, Kingston Attachment 8	Chief Executive Officer & Manager Planning	Page 89 Page 91
11		Report 110 Foulkes Crescent, Clunes Attachment 9	Chief Executive Officer & Manager Planning	Page 111 Page 114
12.	4:30 pm	CLOSE OF MEETING		Page 120

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Sebastian Klein hereby disclose
 a conflict of interest in the following matter Daylesford Neighbourhood Centre
- Purchase of old Daylesford Police Station - Camp St.
Daylesford

This matter is being considered at a meeting of

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

on

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 an employee of the
Daylesford Neighbourhood Centre.

Print Name: SEBASTIAN KLEIN
 Signed: [Signature]
 Date: 4-2-14

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor BILL McCLENAGHAN hereby disclose
 a conflict of interest in the following matter ITEM 5 - BULLARTO &
 MUSK COMMUNITY PLAN.

This matter is being considered at a meeting of

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

on TUE 04 FEB 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 A DIRECTOR OF THE CENTRAL
 HIGHLANDS TOURIST RAILWAY THAT
 LEASES RAILWAY LAND AT BULLARTO
 AND MUSK THAT IS CITED IN THE PLAN

Print Name: BILL McCLENAGHAN

Signed: [Signature]

Date: 04 FEB 14

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Wombat Hill Botanic Gardens Advisory Committee

Date: Thursday 6 February 2014

Time: 9:30 am

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

Councillors present:

- | | |
|---|--|
| <input type="checkbox"/> Cr Pierre Niclas | <input type="checkbox"/> Cr Don Henderson |
| <input checked="" type="checkbox"/> Cr Kate Redwood | <input 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"/> GM Infrastructure Bruce Lucas |
| <input type="checkbox"/> GM Corporate Services Evan King | <input checked="" type="checkbox"/> Other, please specify:
Parks & Gardens CoOrdinator, James
Lowe |
| <input type="checkbox"/> GM Community Services Kathleen
Brannigan | |

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"/> 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.



**WOMBAT HILL BOTANIC GARDENS
ADVISORY COMMITTEE
MEETING No 42**

**Thursday 6 February 2014
9.30am – 10.30am
Council Chambers Town Hall Daylesford**

AGENDA

Attendees: Cr Kate Redwood, Bruce Lucas, Gael Shannon, Lisa Gervasoni, Stephen Davis,
James Lowe, David Marshall, Patrice O'Shea
Apologies: Robert Hewat, Michael O'Neil

Item No.	Time	Agenda Item	Presenter
1	9.30am	Welcome & Apologies	Cr Kate Redwood
2	9.32am	Adoption of Minutes Meeting 41 - 17 October 2013	Cr Kate Redwood
3	9.35am	Matters Arising from October Meeting	Cr Kate Redwood
4	9.45am	Budget Bids 2014 / 2015	All
	10.30am	Close	All
		Next meeting date to be confirmed	

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Workshop
Date: Tuesday 11 February 2014
Time: 2:00 pm

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 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 | Manager Strategic Asset Management,
Grant Schuster |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Hepburn Community and Council Services Hub Planning

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:  _____

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 Sebastian Klein hereby disclose a conflict of interest in the following matter: Daylesford Neighbourhood Centre - request for council support of purchase of Old Daylesford Police Station

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors Cr/CEO time

on 18-2-14

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 the Daylesford Neighbourhood Centre

Print Name: SEBASTIAN JOHN KLEIN

Signed: [Signature]

Date: 18-2-14

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 18 February 2014
Time: 2 :00 pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – Trentham Mechanics Institute

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
Cr Sebastian Klein - Item 14	3:29 pm (Item moved to last item)

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 18 February 2014 Commencing 2:00 pm		Trentham Mechanic's Institute
Chair:	Mayor	Councillor Don Henderson
Attendees:	Councillors	Kate Redwood, 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.	Significant Tree Register / Policy	Cr's Kate Redwood & Sebastian Klein
2.	Heritage Advisory Committee	Cr Kate Redwood
3.	Request for Council's assistance with delegation from New Zealand	Cr Don Henderson
4.	Sunday parking restrictions. Implementation of Council resolution.	Cr Bill McClenaghan
5.	Information as requested on Planning anomalies	Cr Bill McClenaghan
6.	The Warehouse - Clunes. Special Committee minutes.	Cr Bill McClenaghan
*7.	Domestic Wastewater Management Plan progress update	Cr Bill McClenaghan
8.	Heatwave strategy	Cr Bill McClenaghan
9.	Visitor Information Centre update	Cr Bill McClenaghan
10.	Rates - Hepburn Wind	Cr Pierre Niclas
11.	Planning Application - Conflict of Interest	Aaron van Egmond
12.	Request for donation of \$200	Aaron van Egmond
13.	CEO Appraisal - Process	Aaron van Egmond
14.	Follow up from February briefing DNC & Bullarto Hall	Aaron van Egmond
*15.	Treatment of the Pedestrian Crossing in Vincent Street, Daylesford	Cr Kate Redwood
*16.	Vincent Street Resealing	Aaron van Egmond
*17.	Oval watering	Aaron van Egmond
3:30pm	Pre-Council Meeting Briefing 18 February 2014	Councillors and Officers
5:00 pm	Meal Break	
6:00 pm	Council Meeting – Trentham	

* Discussed as part of Pre Council Meeting Briefing

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Pre Council Meeting
Date: Tuesday 18 February 2014
Time: 3:30 pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – Trentham Mechanics Institute

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:
JUSTIN FIDDES
JOHN VAN ROODEN |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered: Council Meeting Agenda – 18 February 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: 

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

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: International Women’s Day Committee

Date: Thursday 27 February 2014

Time: 4:00 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 | <input type="checkbox"/> Cr Greg May |
| <input type="checkbox"/> Cr Neil Newitt | <input type="checkbox"/> Cr Bill McClenaghan |
| <input type="checkbox"/> Cr Sebastian Klein | |

Members of Council Staff present:

- | | |
|---|---|
| <input type="checkbox"/> CEO Aaron van Egmond | <input type="checkbox"/> GM Infrastructure Bruce Lucas |
| <input type="checkbox"/> GM Corporate Services Evan King | <input checked="" type="checkbox"/> Other, please specify:
Personal Assistant to CEO -
Michelle Collett |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Final preparations for International Women's Day Civic Reception – 6 March 2014

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 | Personal Assistant to CEO - |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | Michelle Collett |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: m R Collett

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

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 Creswick Museum Special Committee – 3/02/2014.
- Minutes from Lee Medlyn Home of Bottles Special Committee – 5/02/2014.
- Glenlyon Recreation Reserve Special Committee – 19/02/2014.
- Drummond Hall Special Committee – 28/02/2014.

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

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

- Nil

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

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

Moved: Councillor Bill McClenaghan

Seconded: Councillor Greg May

Carried.

12.2. APPOINTMENT OF COMMITTEE MEMBER TO THE DEAN RECREATION RESERVE AND TENNIS COURTS SPECIAL COMMITTEE GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Governance Officer, I Mary Dancuk have no interests to disclose in this report.

PURPOSE

The purpose of this report is to recommend to Council the appointment of an additional community member to the Dean Recreation Reserve and Tennis Courts Special Committee.

BACKGROUND

In accordance with current Instrument of Delegation, a minimum of seven community representatives is required.

Council may at any time appoint a member to the Committee.

At its Ordinary Meeting held on 16 July 2013, Council appointed the following ten community members to the Dean Recreation Reserve and Tennis Courts Special Committee (the Committee).

From 1 August 2013 to 31 August 2016:

- Jon Rofe
- Brian Maher
- Liz Kelly
- Sheryl Gatens
- Wayne Slater.

From 1 August 2013 to 31 August 2015:

- Rachel Bell
- Michelle McCann
- Paul O'Brien
- Kaleen Faull
- Bruce Trengove.

ISSUE / DISCUSSION

At the request of the Committee, an application for committee membership was received from Mr Jarrod Quick.

Mr Quick is a local resident, member of the Dean CFA and has been a key contributor to events at the Dean Recreation Reserve. He is keen to become

a member of the Committee. The Committee is also keen to have someone like Mr Quick join the Committee.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

None identified.

RISK IMPLICATIONS

None identified.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

No change to current arrangements.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Mr Jon Rofe, Secretary, Dean Recreation Reserve and Tennis Courts Special Committee has confirmed the Committee is keen to appointment Mr Quick to the Committee.

CONCLUSION

That Council appoints Mr Jarrod Quick to the Dean Recreation Reserve and Tennis Courts Special Committee.

OFFICER'S RECOMMENDATION

12.2.1 That Council appoints community member Mr Jarrod Quick to the Dean Recreation Reserve and Tennis Courts Special Committee for the period 1 April 2014 to 31 August 2016.

MOTION

12.2.1. That Council appoints community member Mr Jarrod Quick to the Dean Recreation Reserve and Tennis Courts Special Committee for the period 1 April 2014 to 31 August 2016.

Moved: Councillor Greg May
Seconded: Councillor Sebastian Klein
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 several months, for your information:

- Audit and Risk Advisory Committee – 20/05/2013.
- Audit and Risk Advisory Committee – 9/9/2013.
- Audit and Risk Advisory Committee – 18/11/2013.
- Audit and Risk Advisory Committee – 24/02/2014.

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.

Moved: Councillor Pierre Niclas

Seconded: Councillor Kate Redwood

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.

There are no Confidential Items for consideration at this meeting.

15. CLOSE OF MEETING

The Meeting closed at 9:10 pm.
