

Hepburn

SHIRE COUNCIL

HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL MINUTES

TUESDAY 15 SEPTEMBER 2015

LYONVILLE HALL
4 BREMNER AVENUE
LYONVILLE

6:00PM

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Confirmed at the Ordinary Meeting of Council
held on Tuesday 20 October 2015



Chair, Mayor Cr Kate Redwood AM

MINUTES

TUESDAY 15 SEPTEMBER 2015

Lyonville Hall
4 Bremner Avenue, Lyonville
Commencing 6:00PM

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AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
15 SEPTEMBER 2015

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 Kate Redwood AM, Deputy Mayor Councillor Neil Newitt, Creswick Ward Councillor Don Henderson, Coliban Ward Councillor Sebastian Klein, Birch Ward Councillor Pierre Niclas, Holcombe Ward Councillor Bill McClenaghan

IN ATTENDANCE: Chief Executive Officer Aaron van Egmond, General Manager Corporate Services Grant Schuster, General Manager Community Services Kathleen Brannigan, General Manager Infrastructure Bruce Lucas

STATEMENT OF COMMITMENT

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

3. APOLOGIES

Councillor Greg May

4. DECLARATIONS OF CONFLICTS OF INTEREST

Nil

5. CONFIRMATION OF MINUTES

RECOMMENDATION

5.1. That the Minutes of the Ordinary Meeting of Council held on 18 August 2015 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOTION

5.1. *That the Minutes of the Ordinary Meeting of Council held on 18 August 2015 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Councillor Pierre Niclas

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 Kate Redwood AM, Birch Ward

There are times when you have to stand up and be counted. The wave of concern and compassion from residents of this Shire for the displaced people from the Middle East, asking that Australia extend its hand of welcome and generosity, was one such occasion. After attending the vigil in Bourke Square on the Monday night (last week) and a discussion with my fellow councillors on the Tuesday, I wrote to the Prime Minister and other parliamentary leaders saying:

The people of Hepburn Shire, moved by compassion, strongly support immediate action to assist the refugees flooding out of the Middle East. 10,000 people above the humanitarian quota is not enough. Remember Australia welcomed 1,000,000 refugees for resettlement after World War II. We need to respond now with number commensurate with the displacement. We look to you our national leaders to do what is right. I would welcome your response so that I can pass this on to our community.

Subsequently the Prime Minister did announce that 12000 Syrians would be allowed in to Australia. This is good but not enough. Many people have asked me how they can help – volunteering accommodation and other assistance. From my time running Red Cross I know that settlement of refugees is a skilled task and so I have undertaken to be a connection for local people who contact me – directing them, at the appropriate time, to those best placed to coordinate offers of help.

Other important issues:

Council's second citizenship ceremony was held on 18 August with 6 people taking up Australian citizenship. This event was attended by our federal representative Catherine King, and state representative, Mary Anne Thomas. Thank you also to Crs Henderson and McClenaghan for attending. In recent times it has been wonderful to welcome new citizens from many different countries now all part of our wonderful multicultural community.

The preparation of the masterplan for Wombat Hill Botanic Gardens is underway with the expert leadership of Andrew Laidlaw, well known for his work at the Royal Botanic Gardens in Melbourne, and Geelong. I attended the consultation session with residents whose properties back onto the gardens. I am taking a close interest in this project as it has the potential for delivering not only a hundred year lease of life for our highly valued heritage botanic gardens, but an internationally recognised garden, with great tourist attraction.

The installation has occurred of the first of our planned series of public art works – on the perimeter of Lake Daylesford. How exciting to see Justin Waterhouse's work in situ. Great to see one of Hepburn's many fine artists recognised in this way. Thank

you Public Art Panel for your expert advice. I attend their meetings and believe that they are providing a much needed boost to our Shire in matters concerning the arts for which we are rightly renowned.

The soft opening of the delightful new library and council offices in Creswick was attended by myself, Deputy Mayor Cr Newitt, ward Councillors May and Henderson and Cr McClenaghan.

An extract has been removed from the public minutes.

Cr Newitt and I attended a meeting with Dr Helen Drennan, principal of all Wesley campuses, and her Finance Director, together with our CEO and GM Infrastructure to discuss the ongoing relationship between Wesley and the Shire in Clunes. This was a very positive meeting leaving us with great confidence for the future of this partnership.

Council's Audit and Risk Committee met to consider the response from the AG's office re our end of year accounts for 2014/15 and I am pleased to report that we received a very positive bill of health. Cr Niclas and I were there to applaud. There were also a number of internal audit reports and the regular update on our risk management program. It is pleasing to see that the Audit and Risk Committee will plan an independent oversight role re the Hepburn Hub project during planning and construction.

I can't pass up the opportunity to note the demolition of the old clubrooms in Vic Park. Well done and as far as I am aware with no complaints about the tree removals. Of course the 20 or so new trees are now in.

Finally, during the month I took a week off (the only week for the year) to spend in Canberra with my son, daughter in law and their new baby – my first grandchild.

COUNCILLOR REPORTS

Councillor Neil Newitt, Cameron Ward

On 31 August I attended an information night organised by some residents of Clunes to share information on the possibility of future gold mining in the town. Also in attendance were Hepburn Shire council officers - Bruce Lucas (General Manager Infrastructure) and Steve Millard (Manager Strategic Asset Management).

Many in the community are wanting answers and information as to what impact gold mining will have on the future of the town - both positive and negative. To date, that information has been difficult to gather.

The meeting heard from several invited speakers - Department of Economic Development, Jobs, Transport and Resources as well as environmentalists, engineers, and residents of other mining towns in Victoria. However (although invited) Mt Rommel mining, the Environment Protection Authority and catchment Management Authority chose not to attend.

Clearly heard were the concerns around the environmental impacts particularly on Creswick Creek, and issues of noise, dust and chemicals used during the mining process. Questions were raised around the visual impact, what effect this will have on the amenity of the area, the proximity to the school and houses, concerns on the impact to the historic Fraser street around underground drilling and blasting, along with many more issues.

The impact this will have on the aquifer and to our agriculture industry remains unanswered. The meeting also heard of the social impact mining in Stawell has had on families and a community now divided over the value of mining within a township.

There were those in the audience who wished to hear about the benefits mining would bring to Clunes businesses and the community, as has been flagged by Mt Rommel mining.

Unfortunately these questions were not answered as no one from Mt Rommel mining (the company who wishes to undertake the works) attended or if in attendance, chose not to comment.

There remains many more questions, concerns etc to be answered before there is any willingness from the community to see mining undertaken within Clunes.

Contrast this with the announcement that Clunes has been selected for filming of a new mini series for the ABC/BBC of the acclaimed novel Tomorrow When The War Began by author John Marsden.

Filming commences in Clunes next month. The novel will be familiar to many as it has been on the reading list of many high schools students.

Already there has been a benefit to the community. Around 30 locals will be employed as extras for the filming, ranging from adults through to children. Accommodation and restaurants have bookings for the duration of filming in town.

35 years since the film Mad Max was released, fans still flock to Clunes to visit the locations around town used in the filming. This is the same for the Ned Kelly movie and a raft of other movies and commercials filmed in Clunes.

Film and television productions are delivering economic benefits to Clunes through direct support of local businesses, community and local groups and through the ongoing attraction of visitors.

The prospect of mining in Clunes has yet to demonstrate any benefit that will be delivered to local business or to the Clunes community.

Councillor Don Henderson, Creswick Ward

New citizens were welcomed to our shire recently and have been welcomed not only by the Council but by the community with some already active in community affairs. I attended along with Mayor Redwood and Cr McClenaghan.

Morning tea to celebrate the opening of the new Creswick Hub at a cost of \$700k. This job is a huge undertaking for Creswick and was funded by the State Government Living Libraries fund to the tune of \$450k so a good result. Council contributed the rest. There are a number of details still to be attended to as far as finish is concerned but people have been very positive about the space. One lady from Clunes told me she comes over to Creswick now because the space is so peaceful.

Kites were flying at Dean as the community there showed how a small community can do good things. I caught up with MP for Ripon Louise Staley and people appreciated the presence of the ward councillor and the MP.

It was a pleasure to attend the local concert put on by Just Acting, Playing and Entertaining. This is a group of young people who are dedicated to the performing arts. More than 50 local young people and youth are in this group. They have had over 500 participants over their 10 years at the Creswick Town Hall. The event was spoiled because I had to field questions as to why there was no light outside the door for people to see. Surely in the 21st century it is not difficult to change two fluorescent light tubes that were a problem identified back in 2010 and 11 when there was no lighting for flood victims to access what is the refuge centre for the town.

After the spending of millions of dollars Parks Victoria have completed an excellent project to strengthen the dam wall of St Georges Lake and make it an inviting place

for people to cool off in the absence of a swimming pool. It may be of interest to table a copy of the Ballarat Courier of 1983 to show that a survey conducted by Council identified that a swimming pool was the highest priority for residents. That is only 32 years ago so they may have to wait a while yet. I am told good things come to those who wait. The new park will be officially opening next week.

I attended the launch of the Municipal Early Years Plan in Creswick recently and I thank agencies and staff for the excellent displays put on. Some agencies were surprised to hear that Creswick has by far the largest population of children in the Shire.

Two weeks ago I attended the opening of the refurbished Newstead railway station. The Mt Alexander Shire have been very supportive of the community facility which has become an arts hub.

Councillor Sebastian Klein, Coliban Ward

Things are heating up in local government with the announcement of a review of the local government act which we at the Victorian Local Government Association see as an opportunity that should not be missed to ensure a better standing for our communities and system of representation. Particularly in regards to stipulating guidelines and expectations for community engagement, community planning and involvement in budgeting.

Also continuing is the debate around what form the state government's rate capping policy should take and there is an opportunity for councillors to nominate for the VLGA rate capping task team, please see the VLGA website for more information.

I was disappointed to field a call from Tom Elliot at 3AW attacking the right of councillors who are parents to claim childcare allowance. I and the VLGA remain committed to increasing the participation of people from all walks of life - including parents, women and young people and this sort of attack undermines the diversity of our democracy.

Lastly I would like to acknowledge the continuing work of councillors, community members and staff in my recent absence, I was disappointed to hear back that one councillor took it upon himself to, I quote "gatecrash" a Words in Winter poetry event with a reportedly incendiary and unregistered entry. Such interventions in complex and controversial projects are not helpful and ultimately divide communities.

Something which appears difficult as I resume conversations and efforts to find a positive outcome for the complex situation like the development of a Trentham Hub. Thankfully members of the community on all sides are still engaged in constructive and positive conversations to find an outcome that suits the broader community

Councillor Bill McClenaghan, Holcombe Ward

It certainly is that time of the year for AGMs. Before the last Council Meeting, I attended the AGM of Glenlyon and Upper Loddon Landcare Group. Since then I have attended several more. The Clydesdale Hall Committee held their triennial meeting on 19th of August and the Glenlyon Progress Association followed with their AGM on 24th August. Both Committees are stable, have retained their leadership and have attracted new members. The same can be said of the Drummond Hall Special Committee which held its AGM on Friday 28th August. The next Friday on 4th September, I was invited to the AGM of the Daylesford Historical Society at the Daylesford Museum and asked to officiate at the election of the ongoing Committee.

In addition to attending various AGMs, I also attended the official opening of the newly developed Creswick Community Hub, a \$700,000 development in the biggest town in Hepburn Shire. At the Australian Citizenship Ceremony at the Daylesford Town Hall on 25th August, I got to hand out the coins to our newest Australian Citizens. At the same venue on Wednesday 2nd September, I was there to support the launch of our Municipal Early Years Plan.

By far the most significant event I attended in the last month was an Open Garden at the Teldorado property on the Taradale Road, North Drummond, within two kms of the Shire boundary. At this distant and somewhat remote location from the more central parts of Hepburn Shire, there is a determined push to address the catastrophic effects of youth suicide. This Open Garden event spans the first two weekends in September each year, is also connected with the annual Kyneton Daffodil Festival and raises funds to assist troubled youth in the Live 4 Life Program.

The issue of suicide has been prominent in the media lately. One suicide group organizer estimates that there are three suicide deaths every week in Ballarat. Whilst contributing factors are complex, the number of suicide deaths in any of Hepburn Shire's towns or rural communities may not be lower. The facts are that suicide is greater in regional areas, maybe double that of metropolitan Melbourne. Suicide is an issue that affects not only individuals but families, workplaces, towns and communities very profoundly and in a variety of ways. Can the problem be detected early and headed off? How can the guilt left behind be effectively dealt with? How do you cope with a situation where you knew or lived with or worked with a troubled soul who took his or her own life and you did nothing to help? Maybe you couldn't help or didn't know what to do or maybe you just didn't read the warning signs and get some expert help. All well and good to talk about it once someone is lost but there are people whose actions show that they not only care but are intent to do something about it.

One such person is Terry Moore who lives at Teldorado on the Taradale Road at Drummond North. This year, Hepburn Shire has become involved in his Open Garden event to raise funds for preventing youth suicide. The money raised will go to Hepburn Health who will then train two of their staff in Mental Health First Aid, specializing in youth. The health care workers so trained will run sessions at venues like Daylesford Secondary College and teach students to look out for their friends and classmates for whom life has become painful or a burden. Early intervention is the best way to prevent youth suicide but the problem has to be identified first by those who know what to look for and what better guardians of a troubled youth are his or her peers. Slowly the taboo of suicide and attempted suicide is lifting and people are able to confront and overcome the obstacles of denial, social stigma and isolation through education and good professional pre-emptive programs.

Today I have been informed that a total of \$2,701.80 has been raised this year from both weekends' events at Teldorado. What a terrific result to help Hepburn Health create life saving support for troubled young people. Congratulations and Well Done to Terry Moore !

Councillor Pierre Niclas, Birch Ward

No report presented

RECOMMENDATION

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

MOTION

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

Moved: Councillor Neil Newitt

Seconded: Councillor Sebastian Klein

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 Chief Executive Officer 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 Chief Executive Officer 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

Question 1: From Ms Liz Burns, Musk

These questions are in follow up to Ms Burns' questions last month on Council's support for Cultivate Agribusiness Central Highlands.

Given that I've not seen anything of value to real quality food producers come out of this organization - in fact often I'm the only real farmer at their events, I would think that HSC would get far more value for their money by using their influence on State Govt to reinstate extension officers in old DPI & refund Farm Plan 21 & Agrigator projects that gave knowledge & tools for both new farmers & old to make rational decisions re optimum use of their land.

Why did HSC not participate in the "Draft North Central Victoria Regional Sustainable Agriculture Strategy"?

Answered by Mayor Councillor Kate Redwood AM

The North Central Victoria Regional Sustainable Agriculture Strategy is being developed by the North Central Catchment Management Authority. Council has no record of being invited to participate in the strategy. We are following up with NCCMA

Question 2: From Ms Liz Burns, Musk

Why did HSC instead send 2 officers to a Cultivate Agribusiness focus group instead?

Answered by Mayor Councillor Kate Redwood AM

As a member of Cultivate Agribusiness Central Highland, Council seeks to be involved in its programs and activities. This includes through councillor and/or staff attendance at meetings and events.

Question 3: From Ms Cate Evans, Trentham

The entry sign upon Trentham has long stated "Historic Township". The Mechanics Institute Hall has marked the entry into the town centre for 135 years, "established 1881". The Hepburn Planning Scheme objective 3 aims to protect and enhance the heritage, landscape and townscape character of towns. Objective 4 aims to retain and enhance the compact form and heritage and townscape character of town centres.

How will the modern design and bulk of the Trentham Hub on the Mechanics Hall site, other than salvaging floorboards, curtains and memorabilia from the Mechanics Hall, *protect, retain* and *enhance* the heritage, landscape and townscape character of the entry into Trentham's Victorian heritage town centre?

Answered by Mayor Councillor Kate Redwood AM

The concept design for the Trentham Hub has been developed through an iterative community engagement process. The design attempts to balance heritage with a new building to meet current needs. The Trentham Hub project is subject to a planning permit at the appropriate stage which will assess it against the Planning Scheme.

Question 4: From Ms Cate Evans, Trentham

Any endorsements or motions moved by council regarding the Trentham Community Hub cannot be formally made upon the Mechanics Hall site *until* such time council gains control of the land and its existing building. The same applies for the construction of a footpath within the site boundary along Bath St as stated in the Trentham Streetscape proposal as "part of Hub works". Council does not need to seek permission, other than from the community as a whole, to build a new facility that meets the needs of Trentham's rapidly growing population of young families and elderly, on land that they own, near the Primary School, hospital and Aged Care Services.

Does council have a purpose, or have knowledge of any third party interest, for the Crown land grant at 14A Victoria St intended for community use?

Answered by Mayor Councillor Kate Redwood AM

The site at 14A Victoria St was previously used as a community garden under licence between Council and Trentham Neighbourhood Centre. This occurred between 2010 and 2012.

Council has no current identified purpose for this land. However, it is understood there are proposals being put forward by some community members.

9.3. REQUESTS TO ADDRESS COUNCIL

Mr Ian Goudie (officially Mr John Goudie), addressed Council to advise of the formation of a yet to be named group of concerned citizens that are opposed to the location of the proposed Hepburn Hub.

10. STATUTORY PLANNING REPORTS

There are were Planning Applications for consideration at the September 2015 Council Meeting.

11. OFFICERS' REPORTS

11.1. ANNUAL FINANCIAL REPORT 2014/2015 – ADOPTION IN PRINCIPLE GENERAL MANAGER CORPORATE SERVICES

In providing this advice to the Audit and Risk Advisory Committee as the Manager Finance and Information Technology, I Trafford Thompson have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to give in principle approval of the Financial Report and Performance Statement for the year ended 30 June 2015 and authorise two Councillors to certify them once they are finalised.

BACKGROUND

Council has prepared a draft set of statements for the year ended 30 June 2015. The Victorian Auditor-General's Office, as Council's appointed external auditors, undertook the audit of the accounts at Daylesford Town Hall during the week of 17 – 21 August 2015.

The audited draft Annual Financial Report and Performance Statement for the year ended 30 June 2015 were tabled at Hepburn Shire Council's Audit and Risk Advisory Committee meeting on Monday 7 September 2015. The Committee's recommendation to Council was as follows:

That the Audit and Risk Advisory Committee:

- 6.2.1 *Recommends that the following items are completed:*
 - *including an additional breakdown of 'Other debtors' in Note 17 if considered appropriate.*
 - *an explanation of the quality assurance process to be provided to the Committee.*
 - *the material variations on the Performance Statement be reconsidered based on the Victorian Auditor-General's Office comments.*
- 6.2.2 *Recommends that Council authorises two Councillors to approve the Financial Report and Performance Statement in their final form after any changes recommended, or agreed to by the auditor have been made in accordance with the Act.*
- 6.2.3 *Accepts the Victorian Auditor-General's Office Closing Report for the financial year ending 30 June 2015.*

ISSUE/DISCUSSION

The Annual Financial Report has been prepared in accordance with the *Local Government Better Practice Guide, Model Financial Report* and the *Local Government Better Practice Guide - Performance Reporting* template. The following statements are contained in the report:

- Comprehensive Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Cash Flows
- Statement of Capital Works
- Notes to the Financial Statements
- Performance Statement

The financial statements provide information on current and prior year balances and information as required by accounting standards, the Local Government Act and Regulations.

The financial statements show that for the 2014/15 Financial Year that Council had:

- a comprehensive surplus of \$5.2 million (2013/14; \$7.8 million) against a budget of \$1.8 million. The surplus includes grants in advance of \$2.1 million received from Victoria Grant Commission on 30 June 2015.
- revenue of \$32.4 million (2013/14; \$28.5 million) with 53% coming from rates and charges (2013/14; 57%)
- operating expenditure of \$27.2 million (2013/14; \$28.5 million), with 37% attributable to employee costs (2013/14; 38%) and 35% attributable to materials and services (2013/14; 32%)
- \$215.0 million in capital assets (at written down value), providing community facilities, roads, bridges and other infrastructure (2013/14; \$212.7 million)
- cash and cash equivalents of \$13.4 million (2013/14; \$12.3 million), which after excluding external restrictions and internal allocations, provides revised cash and cash equivalents of \$6.3 million (2013/14; \$5.5 million)
- \$3.1 million in loans and borrowings (2013/14; \$4.1 million).

The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures as developed by the Victorian Government in the new performance reporting framework. This is the first year for reporting in this manner and as such there is no trend data to compare to. It is intended that in future years, the previous years'

results will be used to compare and also highlight any material variations. By 2017/18 we will be comparing our results to the previous three years.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Pursuant to Section 131 of the *Local Government Act 1989*:

- (1) *A Council must prepare an annual report in respect of each financial year.*
- (2) *An annual report must contain the following, in respect of the financial year reported on—*
 - (a) *a report of operations of the Council;*
 - (b) *an audited performance statement;*
 - (c) *audited financial statements;*
 - (d) *a copy of the auditor's report on the performance statement, prepared under section 132;*
 - (e) *a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;*
 - (f) *any other matter required by the regulations.*

Pursuant to Section 132 of the *Local Government Act 1989*:

- (5) *The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by—*
 - (a) *2 Councillors authorised by the Council for the purposes of this subsection.*

Pursuant to Section 133 of the *Local Government Act 1989*:

- *A Council must submit the annual report to the Minister—*
 - (a) *within 3 months after the end of the financial year.*

FINANCIAL IMPLICATIONS

Not applicable to this report.

RISK IMPLICATIONS

None noted.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

None noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

A draft set of statements was referred to a meeting of Council's Audit and Risk Advisory Committee which has recommended approval of the statements to Council. Once the final statements have been prepared and certified by the nominated Councillors, they will form part of Council's annual report which will be forwarded to the Minister by 30 September 2015. After the annual report has been submitted to the Minister, Council must give public notice that the annual report has been prepared and can be inspected at the Council offices and on Council's website.

OFFICER'S RECOMMENDATION

That Council:

- 11.1.1. Pursuant to Section 132(2) of the Local Government Act 1989, gives in principle approval to the financial statements and performance statement for the year ended 30 June 2015
- 11.1.2. Pursuant to Section 132(2) of the Local Government Act 1989, Council authorises Councillors (name).....and (name).....to certify the 2014/15 financial report in its final form after any changes recommended, or agreed to, by the auditors have been made.

MOTION

That Council:

- 11.1.1. *Pursuant to Section 132(2) of the Local Government Act 1989, gives in principle approval to the financial statements and performance statement for the year ended 30 June 2015*
- 11.1.2. *Pursuant to Section 132(2) of the Local Government Act 1989, Council authorises Councillors Kate Redwood and Pierre Niclas to certify the 2014/15 financial report in its final form after any changes recommended, or agreed to, by the auditors have been made.*

Moved: Councillor Pierre Niclas

Seconded: Councillor Neil Newitt

Carried

ATTACHMENT 1 - DRAFT ANNUAL FINANCIAL REPORT FOR THE YEAR
ENDED 30 JUNE 2015

ORDINARY MEETING OF COUNCIL
15 SEPTEMBER 2015



ANNUAL FINANCIAL REPORT
For the Year Ended 30 June 2015



Hepburn Shire Council

Financial Report

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Comprehensive Income Statement For the Year Ended 30 June 2015

	Note	2015 \$	2014 \$
Income			
Rates and charges	3	17,118,204	16,178,811
Statutory fees and fines	4	514,625	466,074
User fees	5	804,779	897,839
Grants - operating	6	6,337,701	3,746,167
Grants - capital	6	5,322,704	5,019,662
Contributions - monetary	7	219,959	281,943
Contributions - non monetary	7	-	-
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	8	172,042	17,588
Fair value adjustments for investment property	24	-	-
Share of net profits/(losses) of associates and joint ventures	16	-	-
Other income	9	1,880,148	1,902,888
Total income		<u>32,370,162</u>	<u>28,510,973</u>
Expenses			
Employee costs	10	10,180,837	10,787,845
Materials and services	11	9,398,070	9,189,277
Bad and doubtful debts	12	195,720	181,626
Depreciation and amortisation	13	6,488,659	6,506,547
Borrowing costs	14	259,185	270,176
Other expenses	15	629,705	1,572,544
Total expenses		<u>27,152,175</u>	<u>28,508,016</u>
Surplus/(deficit) for the year		<u>5,217,987</u>	<u>2,957</u>
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation increment/(decrement)	23(a)	-	7,757,699
Total comprehensive result		<u>5,217,987</u>	<u>7,760,656</u>

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Balance Sheet As at 30 June 2015

	Note	2015 \$	2014 \$
Assets			
Current assets			
Cash and cash equivalents	16	13,439,262	12,319,696
Trade and other receivables	17	2,093,868	2,182,614
Other financial assets	18	1,313,000	250,000
Inventories	19	16,652	20,297
Non-current assets classified as held for sale	20	-	-
Other assets	21	68,010	46,347
Total current assets		<u>16,930,792</u>	<u>14,818,953</u>
Non-current assets			
Trade and other receivables	17	-	-
Property, infrastructure, plant and equipment	22	214,851,999	212,653,005
Investment property	23	-	-
Intangible assets	24	707,385	801,728
Total non-current assets		<u>215,559,384</u>	<u>213,454,733</u>
Total assets		<u>232,490,176</u>	<u>228,273,685</u>
Liabilities			
Current liabilities			
Trade and other payables	25	2,207,493	2,655,918
Trust funds and deposits	26	1,472,886	1,066,239
Provisions	27	1,959,612	1,916,279
Interest-bearing loans and borrowings	28	388,770	1,822,859
Other Liabilities	29	39,445	17,857
Total current liabilities		<u>6,068,205</u>	<u>7,479,153</u>
Non-current liabilities			
Provisions	27	499,797	496,227
Interest-bearing loans and borrowings	28	2,716,511	2,292,773
Other Liabilities	29	133,929	151,786
Total non-current liabilities		<u>3,350,237</u>	<u>2,940,786</u>
Total liabilities		<u>9,418,442</u>	<u>10,419,939</u>
Net assets		<u>223,071,733</u>	<u>217,853,746</u>
Equity			
Accumulated surplus		137,067,319	132,462,762
Reserves	31	86,004,415	85,390,984
Total Equity		<u>223,071,733</u>	<u>217,853,746</u>

The above balance sheet should be read in conjunction with the accompanying notes.

Statement of Changes in Equity For the Year Ended 30 June 2015

2015	Note	Total \$	Accumulated Surplus \$	Revaluation Reserve \$	Other Reserves \$
Balance at beginning of the financial year		217,853,746	132,462,762	84,190,881	1,200,103
Surplus/(deficit) for the year		5,217,987	5,217,987	-	-
Net asset revaluation increment/(decrement)	30(a)	-	-	-	-
Transfers to other reserves	30(b)	-	(634,126)	-	634,126
Transfers from other reserves	30(b)	-	20,695	-	(20,695)
Balance at end of the financial year		223,071,733	137,067,319	84,190,881	1,813,534

2014		Total \$	Accumulated Surplus \$	Revaluation Reserve \$	Other Reserves \$
Balance at beginning of the financial year		210,132,290	132,611,945	76,433,182	1,087,163
Surplus/(deficit) for the year		2,957	2,957	-	-
Measurement adjustment to employee Leave entitlements per AASB119 changes		(18,640)	(18,640)	-	-
Net asset revaluation increment/(decrement)	30(a)	7,757,699	-	7,757,699	-
Transfers to other reserves	30(b)	-	(133,500)	-	133,500
Transfers from other reserves	30(b)	(20,560)	-	-	(20,560)
Balance at end of the financial year		217,853,746	132,462,762	84,190,881	1,200,103

The above statement of changes in equity should be read with the accompanying notes.

Statement of Cash Flows For the Year Ended 30 June 2015

	Note	2015 Inflows/ (Outflows) \$	2014 Inflows/ (Outflows) \$
Cash flows from operating activities			
Rates and charges		17,200,590	15,906,719
Statutory fees and fines		509,406	322,570
User fees		667,097	1,014,247
Grants - operating		6,337,701	9,149,727
Grants - capital		5,322,704	-
Contributions - monetary		219,959	281,943
Interest received		416,277	407,128
Trust funds and deposits taken		1,884,959	1,723,342
Rental Income		1,072,707	929,460
Other receipts		371,665	472,241
Net GST refund/payment		18,073	1,673,899
Employee costs		(10,041,034)	(11,693,213)
Materials and services		(9,020,248)	(10,035,607)
Trust funds and deposits repaid		(1,466,085)	(1,738,871)
Other payments		(1,619,489)	(2,107,356)
Net cash provided by/(used in) operating activities	31	<u>11,874,282</u>	<u>6,306,229</u>
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	22	(8,807,665)	(11,141,207)
Proceeds from sale of property, infrastructure, plant and equipment		385,484	166,580
Payments for investments		(1,313,000)	-
Proceeds from sale of investments		250,000	494,845
Loans and advances made		-	-
Payments of loans and advances		-	-
Net cash provided by/(used in) investing activities		<u>(9,485,181)</u>	<u>(10,479,782)</u>
Cash flows from financing activities			
Finance costs		(259,185)	(270,176)
Proceeds from borrowings		1,419,000	1,423,099
Repayment of borrowings		(2,429,351)	(944,313)
Net cash provided by/(used in) financing activities		<u>(1,269,535)</u>	<u>208,610</u>
Net increase / (decrease) in cash and cash equivalents		1,119,566	(3,964,944)
Cash and cash equivalents at the beginning of the financial year		12,319,696	16,284,640
Cash and cash equivalents at the end of the financial year	32	<u>13,439,262</u>	<u>12,319,696</u>
Financing arrangements	33		
Restrictions on cash assets	16		

The above statement of cash flow should be read with the accompanying notes.

Statement of Capital Works For the Year Ended 30 June 2015

	Note	2015 \$	2014 \$
Property			
Land		-	-
Land improvements		43,038	1,043,875
Total land		<u>43,038</u>	<u>1,043,875</u>
Buildings		1,044,208	819,641
Building improvements		565,629	195,959
Total buildings		<u>1,609,837</u>	<u>1,015,600</u>
Total property		<u>1,652,875</u>	<u>2,059,475</u>
Plant and equipment			
Plant, machinery and equipment		691,807	785,611
Fixtures, fittings and furniture		-	30,703
Computers and telecommunications		54,337	55,915
Library books		36,330	57,010
Total plant and equipment		<u>782,475</u>	<u>929,239</u>
Infrastructure			
Roads		4,055,572	3,545,733
Bridges		1,181,229	726,660
Footpaths and cycleways		288,134	269,764
Drainage		145,485	191,201
Recreational, leisure and community facilities		273,468	23,808
Parks, open space and streetscapes		336,619	214,827
Off street car parks		44,358	-
Other infrastructure		47,449	151,433
Total infrastructure		<u>6,372,315</u>	<u>5,123,426</u>
Total capital works expenditure		<u>8,807,665</u>	<u>8,112,140</u>
Represented by:			
New asset expenditure		662,721	407,617
Asset renewal expenditure		6,710,695	7,044,238
Asset upgrade/expansion expenditure		1,434,249	660,285
Total capital works expenditure		<u>8,807,665</u>	<u>8,112,140</u>

The above statement of capital works should be read with the accompanying notes.

Notes to the Financial Report For the Year Ended 30 June 2015

Introduction

The Hepburn Shire Council was established by an Order of the Governor in Council on 19 January 1995 and is a body corporate.
The Council's main office is located at 76 Vincent Street, Daylesford

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and notes accompanying these financial statements. The general purpose financial report complies with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

Note 1 Significant accounting policies

(a) Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to note 1 (m))
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to note 1 (n))
- the determination of employee provisions (refer to note 1 (t)).

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

(b) Changes in accounting policies

There have been no changes in accounting policies from the previous period.

(c) Principles of consolidation

The consolidated financial statements of Council incorporate all entities controlled by Council as at 30 June 2015, and their income and expenses for that part of the reporting period in which control existed.

Subsidiaries are all entities over which Council has control. Council controls an entity when it is exposed to, or has rights to, variable returns from its involvement with the entity and has the ability to affect those returns through its power to direct the activities of the entity. Subsidiaries are fully consolidated from the date on which control is transferred to the Council. They are deconsolidated from the date that control ceases.

Where dissimilar accounting policies are adopted by entities and their effect is considered material, adjustments are made to ensure consistent policies are adopted in these financial statements.

In the process of preparing consolidated financial statements all material transactions and balances between consolidated entities are eliminated.

(d) Committees of management

All entities controlled by Council that have material revenues, expenses, assets or liabilities, such as committees of management, have been included in this financial report. Any transactions between these entities and Council have been eliminated in full

Note 1 Significant accounting policies (cont.)

(e) Accounting for investments in associates and joint arrangements

Associates

Associates are all entities over which Council has significant influence but not control or joint control. Investments in associates are accounted for using the equity method of accounting, after initially being recognised at cost.

Joint arrangements

Investments in joint arrangements are classified as either joint operations or joint ventures depending on the contractual rights and obligations each investor has, rather than the legal structure of the joint arrangement.

(i) Joint operations

Council recognises its direct right to the, and its share of jointly held assets, liabilities, revenues and expenses of joint operations. These have been incorporated in the financial statements under the appropriate headings.

(ii) Joint ventures

Interests in joint ventures are accounted for using the equity method. Under this method, the interests are initially recognised in the consolidated balance sheet at cost and adjusted thereafter to recognise Council's share of the post-acquisition profits or losses and movements in other comprehensive income in profit or loss and other comprehensive income respectively.

(f) Revenue recognition

Income is recognised when the Council obtains control of the contribution or the right to receive the contribution, it is probable that the economic benefits comprising the contribution will flow to the Council and the amount of the contribution can be measured reliably.

Rates and Charges

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

Statutory fees and fines

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

User fees

User fees are recognised as revenue when the service has been provided or the payment is received, whichever first occurs.

Grants

Grant income is recognised when Council obtains control of the contribution. This is normally obtained upon their receipt (or acquittal) or upon earlier notification that a grant has been secured, and are valued at their fair value at the date of transfer.

Where grants or contributions recognised as revenues during the financial year were obtained on condition that they be expended in a particular manner or used over a particular period and those conditions were undischarged at balance date, the unused grant or contribution is disclosed in note 6. The note also discloses the amount of unused grant or contribution from prior years that was expended on Council's operations during the current year.

Contributions

Monetary and non monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

Sale of property, infrastructure, plant and equipment

The profit or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer.

Interest

Interest is recognised as it is earned.

Dividends

Dividend revenue is recognised when the Council's right to receive payment is established.

Other Income

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

Note 1 Significant accounting policies (cont.)

(g) Fair value measurement

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

(h) Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

(i) Trade and other receivables

Receivables are carried at amortised cost using the effective interest rate method. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred.

(j) Other financial assets

Other financial assets are valued at fair value, being market value, at balance date. Term deposits are measured at amortised cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

(k) Inventories

Inventories held for distribution are measured at cost adjusted when applicable for any loss of service potential. Inventories are measured at the lower of cost and net realisable value.

All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where Inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

(l) Non-current assets classified as held for sale

A non-current asset classified as held for sale (including disposal groups) is measured at the lower of its carrying amount and fair value less costs to sell, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

(m) Recognition and measurement of property, plant and equipment, infrastructure, intangibles

Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the amount for which the asset could be exchanged between knowledgeable willing parties in an arm's length transaction.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits detailed in Note 1 n have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

Note 1 Significant accounting policies (cont.)

(m) Recognition and measurement of property, plant and equipment, infrastructure, intangibles (cont'd)

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use on an asset result in changes to the permissible or practical highest and best use of the asset. Further details regarding the fair value hierarchy are disclosed at Note 22, Property, infrastructure, plant and equipment, and infrastructure.

In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from two to five years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

Land under roads

Council recognises land under roads acquired after 30 June 2008 at fair value. Council does not recognise land under roads that it controlled prior to that period in this financial report.

(n) Depreciation and amortisation of property, infrastructure, plant and equipment and intangibles

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed below and are consistent with the prior year unless otherwise stated.

Notes to the Financial Report For the Year Ended 30 June 2015

Note 1 Significant accounting policies (cont.)

(n) Depreciation and amortisation of property, infrastructure plant and equipment and intangibles (cont'd)

<i>Asset recognition thresholds and depreciation periods</i>	Depreciation Period	Threshold Limit \$
Property		
land	-	1,000
land improvements	20-100 years	1,000
Buildings		
heritage buildings	25-150 years	1,000
buildings	25-150 years	1,000
building improvements	25-150 years	1,000
leasehold improvements	25-150 years	1,000
Plant and Equipment		
plant, machinery and equipment	3-10 years	1,000
fixtures, fittings and furniture	3-20 years	1,000
computers and telecommunications	3-10 years	1,000
library books	10 years	1,000
Infrastructure		
road pavements and seals	10-80 years	1,000
road substructure	10-80 years	1,000
road formation and earthworks	10-80 years	1,000
road kerb, channel and minor culverts	10-65 years	1,000
bridges deck	50-100 years	1,000
bridges substructure	50-100 years	1,000
footpaths and cycleways	10-65 years	1,000
drainage	5-80 years	1,000
recreational, leisure and community facilities	5-80 years	1,000
waste management	5-80 years	1,000
parks, open space and streetscapes	5-80 years	1,000
off street car parks	5-80 years	1,000
art works	-	1,000
Intangible assets		
intangible assets	10 years	1,000

(o) Repairs and maintenance

Routine maintenance, repair costs, and minor renewal costs are expensed as incurred. Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

(p) Investment property

Investment property, comprising freehold office complexes, is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to the Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise. Rental income from the leasing of investment properties is recognised in the comprehensive income statement on a straight line basis over the lease term.

(q) Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

Note 1 Significant accounting policies (cont.)

(r) Trust funds and deposits

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited (refer to Note 26).

(s) Borrowings

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. Council determines the classification of its interest bearing liabilities at initial recognition.

Borrowing costs

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council. Except where specific borrowings are obtained for the purpose of specific asset acquisition, the weighted average interest rate applicable to borrowings at balance date, excluding borrowings associated with superannuation, is used to determine the borrowing costs to be capitalised.

Borrowing costs include interest on bank overdrafts, interest on borrowings, and finance lease charges.

(t) Employee costs and benefits

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date

Wages and salaries and annual leave

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated sick leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits.

Current Liability - unconditional LSL is disclosed as a current liability even when the council does not expect to settle the liability within 12 months because it will not have the unconditional right to defer settlement of the entitlement should an employee take leave within 12 months

The components of this current liability are measured at :

- present value - component that is not expected to be wholly settled within 12 months.
- nominal value - component that is expected to be wholly settled within 12 months.

Classification of employee costs

Non-current liability - conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non - current liability. There is an unconditional right to defer settlement of the entitlement until the employee has completed the requisite years of service.

This non-current LSL liability is measured at present value.

(u) Landfill rehabilitation provision

Council is obligated to restore landfill sites to a particular standard. The forecast life of the sites is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Notes to the Financial Report For the Year Ended 30 June 2015

Note 1 Significant accounting policies (cont.)

(v) Leases

Operating leases

Lease payments for operating leases are required by the accounting standard to be recognised on a straight line basis, rather than expensed in the years in which they are incurred.

(w) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

Cash flows are presented in the Statement of Cash flows on a net basis, with the GST component of investing and financing activities disclosed as operating cash flows.

(x) Financial guarantees

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or Council has other reasons to believe that it is probable that that right will be exercised. Details of guarantees that Council has provided, that are not recognised in the balance sheet are disclosed at Note 36 Contingent Liabilities and Contingent Assets.

(y) Contingent assets and contingent liabilities and commitments

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed by way of a note and, if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value by way of note and presented inclusive of the GST payable.

(z) Pending accounting standards

Certain new AAS's have been issued that are not mandatory for the 30 June 2015 reporting period. Council has assessed these pending standards and has identified that no material impact will flow from the application of these standards in future reporting periods.

(aa) Rounding

Unless otherwise stated, amounts in the financial report have been rounded to the nearest dollar. Figures in the financial statement may not equate due to rounding.

Notes to the Financial Report For the Year Ended 30 June 2015

Note 2 Budget comparison

The budget comparison notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variances. Council has adopted a materiality threshold of ten percent where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 17 June 2014. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for revenue and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

a) Income and Expenditure

	Budget 2015 \$'000	Actual 2015 \$'000	Variance 2015 \$'000	Ref
Income				
Rates and charges	17,088	17,118	30	
Statutory fees and fines	444	515	71	1
User fees	910	805	(105)	2
Grants - operating	4,657	6,338	1,681	3
Grants - capital	3,999	5,323	1,324	4
Contributions - monetary	185	220	35	5
Contributions - non monetary	-	-	-	
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	52	172	120	6
Other income	1,520	1,880	360	7
Total income	28,855	32,370	3,515	
Expenses				
Employee costs	11,192	10,181	1,011	8
Materials and services	8,213	9,398	(1,185)	9
Bad and doubtful debts	105	196	(91)	10
Depreciation and amortisation	6,695	6,489	206	
Borrowing costs	290	259	31	
Other expenses	932	630	302	11
Total expenses	27,427	27,152	275	
Surplus/(deficit) for the year	1,428	5,218	3,790	

(i) Explanation of material variations

Variance Ref	Item	Explanation
1	Statutory fees and fines	Increased revenue received from infringements, town planning fees and permits.
2	User fees	Decreased activity in contract hours for aged care services
3	Grants - operating	Receipt of 50% (\$1,418K) 2015/2016 Victorian Grants Commission received in advance
4	Grants - capital	Receipt of 50% (\$712K) 2015/2016 Victorian Grants Commission received in advance; \$450K Creswick Hub unbudgeted
5	Contributions - monetary	\$42K received from Lyonville Hall Committee towards capital project
6	Net gain/(loss) on disposal	High sales prices received for eight fully depreciated items of plant
7	Other income	Favourable variances in rental income (\$146K), interest (\$138K) and reimbursements (\$92K)
8	Employee costs	Employee cost savings and some vacant positions unfilled throughout year
9	Materials and services	Mid-Year budget increased by \$2 million (\$1.4m carry forward, \$0.6m additional grants), \$1.1 million carry forward to 2015/16 and insurances budget included in Other expenses (refer variance ref 11)
10	Bad and doubtful debts	Unfavourable variance of \$30K in each of Infringement, rental and other debtors
11	Other expenses	Insurances (\$353K) budgeted as Other Expenses but actual reported in Materials and Services as per Model Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2015

Note 2 Budget comparison (cont)

b) Capital Works

	Budget 2015 \$'000	Actual 2015 \$'000	Variance 2015 \$'000	Ref
Property				
Land improvements	365	43	(322)	
Total Land	365	43	(322)	1
Buildings	288	1,044	756	
Building improvements	863	566	(297)	
Total Buildings	1,151	1,610	459	2
Total Property	1,516	1,653	137	
Plant and Equipment				
Plant, machinery and equipment	918	692	(226)	3
Fixtures, fittings and furniture	-	-	-	
Computers and telecommunications	82	54	(28)	
Library books	53	36	(17)	
Total Plant and Equipment	1,053	782	(271)	
Infrastructure				
Roads	4,075	4,056	(19)	
Bridges	370	1,181	811	4
Footpaths and cycleways	244	288	44	
Drainage	125	145	20	
Recreational, leisure and community facilities	122	273	151	5
Parks, open space and streetscapes	400	337	(63)	6
Off street car parks	40	44	4	
Other infrastructure	40	47	7	
Total Infrastructure	5,416	6,372	956	
Total Capital Works Expenditure	7,985	8,808	823	
Represented by:				
New asset expenditure	923	663	(260)	
Asset renewal expenditure	6,459	6,711	252	
Asset expansion/upgrade expenditure	603	1,434	831	
Total Capital Works Expenditure	7,985	8,808	823	

(i) Explanation of material variations

Variance Ref	Item	Explanation
1	Land	Work not progressed on projects identified in budget and have been carried forward to 2015/16
2	Buildings	Creswick Hub (\$655K) not in original budget, funded from grant funding (\$450K) and carry forward council funds. Expenditure not progressed on Trentham Community Hub and Multipurpose Facility at Victoria Park which have been carried forward to 2015/16
3	Plant	Some budgeted items of plant not purchased during the year
4	Bridges	Revised budget increased by \$800K carried forward from 2013/14
5	Recreation	Mt Prospect Tennis Courts (\$147K) carried forward from 2013/14
6	Streetscapes	Implementation of budgeted streetscape plans for Clunes and Creswick not completed pending funding outcomes. Completion of Daylesford streetscape implementation from carry forward funds.

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015 \$	2014 \$
Note 3 Rates and charges		
<p>Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is its market value.</p> <p>The valuation base used to calculate general rates for 2014/15 was \$3,718,395 million (2013/14 \$3,424,487 million). The 2014/15 rate in the CIV dollar was 00.4057 (2013/14, 00.4254).</p>		
General Rate	9,476,830	8,935,138
Commercial Rate	1,988,915	1,917,437
Farm Rate	1,596,187	1,631,374
Vacant Land Rate - Other	610,643	570,908
Vacant Land Rate - Township	546,045	490,784
Mixed Use Rate	273,273	270,024
Industrial Rate	85,353	80,464
Trust for Nature Rate	15,331	15,238
Recreational Rate	12,245	11,894
Waste management charge	1,341,081	1,237,580
Garbage and recycling charges	982,227	929,516
Supplementary rates and rate adjustments	190,076	88,455
Total rates and charges	<u>17,118,204</u>	<u>16,178,811</u>
<p>The date of the latest general revaluation of land for rating purposes within the municipal district was 01/01/2014, and the valuation will be first applied in the rating year commencing 01/07/2014</p>		
Note 4 Statutory fees and fines		
Infringements and costs	57,518	65,193
Permits	74,768	54,585
Registration fees	188,793	185,782
Town planning fees	185,154	152,932
Other fees and fines	8,392	7,581
Total statutory fees and fines	<u>514,625</u>	<u>466,074</u>
Note 5 User fees		
Aged and health services	365,063	465,735
Building services	154,827	198,350
Facility hire	38,711	22,283
Visitor information centre memberships	18,268	15,784
Waste management services	150,453	147,382
Other fees and charges	77,457	48,306
Total user fees	<u>804,779</u>	<u>897,839</u>

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015 \$	2014 \$
Note 6 Grants		
Grants were received in respect of the following :		
Summary of grants		
Commonwealth funded grants	7,586,638	3,248,731
State funded grants	4,073,767	5,517,099
Total	11,660,405	8,765,829
Operating Grants		
<i>Recurrent - Commonwealth Government</i>		
Victoria Grants Commission	4,265,187	1,432,750
<i>Recurrent - State Government</i>		
Aged care	1,263,383	1,260,073
Community health	54,843	53,941
Emergency management	13,253	12,853
Libraries	149,813	137,286
Maternal and child health	133,239	136,781
School crossing supervisors	16,413	13,110
Youth	27,500	24,500
Other	46,107	44,764
Total recurrent operating grants	5,969,739	3,116,059
<i>Non-recurrent - State Government</i>		
Community health	3,000	32,000
Commerce and tourism	33,550	44,500
Emergency management	131,800	135,142
Recreation	3,000	40,990
Transport	54,000	103,591
Waste and environment	96,230	27,266
Youth	7,882	54,000
Other	38,500	192,619
Total non-recurrent operating grants	367,962	630,108
Total operating grants	6,337,701	3,746,167
Capital Grants		
<i>Recurrent - Commonwealth Government</i>		
Victoria Grants Commission - Local Roads	2,143,445	715,604
Roads to recovery	754,633	686,821
<i>Recurrent - State Government</i>		
Flood Recovery	423,373	413,556
Total recurrent capital grants	3,321,451	1,815,981
<i>Non-recurrent - State Government</i>		
Buildings	450,000	-
Bushfire recovery	-	7,965
Commerce and tourism	10,000	916,000
Infrastructure	1,339,000	1,771,926
Recreation	202,253	250,155
Other	-	257,636
Total non-recurrent capital grants	2,001,253	3,203,681
Total capital grants	5,322,704	5,019,662
Conditions on grants		
Grants recognised as revenue during the year that were obtained on condition that they be expended in a specified manner that had not occurred at balance date were:	2,317,822	1,212,853
Grants which were recognised as revenue in prior years and were expended during the current year in the manner specified by the grantor were:	1,209,794	264,286
Net increase/(decrease) in restricted assets resulting from grant revenues for the year:	1,108,028	948,567

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015 \$	2014 \$
Note 7 Contributions		
Monetary	219,959	281,943
Non-monetary	-	-
Total contributions	219,959	281,943
Note 8 Net gain/(loss) on disposal of property, infrastructure, plant and equipment		
Proceeds of sale	385,484	151,436
Write down value of assets disposed	(213,443)	(133,848)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	172,042	17,588
Note 9 Other income		
Interest	417,918	477,419
Reimbursements	268,258	349,698
Rental income	1,090,564	984,305
Sale of materials	65,938	55,819
Other	37,469	35,647
Total other income	1,880,148	1,902,888
Note 10 (a) Employee costs		
Wages and salaries	8,227,206	8,749,301
WorkCover	122,299	245,611
Contract staff	1,004,303	892,954
Superannuation	743,926	772,824
Fringe benefits tax	83,104	127,155
Total employee costs	10,180,837	10,787,845
Note 10 (b) Superannuation		
Council made contributions to the following funds:		
Defined benefit fund		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	65,130	76,322
Employer contributions - other funds	-	-
	65,130	76,322
Employer contributions payable at reporting date.	-	-
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	473,098	505,109
Employer contributions - other funds	205,698	191,394
	678,796	696,503
Employer contributions payable at reporting date.	-	-
Hepburn Shire Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in Comprehensive Income Statement when they are made or due.		
Accumulation		
The Fund's accumulation categories, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2015, this was 9.5% required under Superannuation Guarantee legislation (for 2013/14, this was 9.25%).		
Defined Benefit		
Hepburn Shire Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.		
There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Hepburn Shire Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.		

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015	2014
	\$	\$
Note 11 Materials and services		
Materials and services	2,395,815	2,326,552
Contract payments	4,517,639	4,042,643
Building maintenance	45,383	69,516
Utilities	551,068	598,945
Office administration	474,316	498,275
Information technology	209,909	218,920
Insurance	340,057	348,598
Consultants	863,885	1,085,828
Total materials and services	9,398,070	9,189,277
Note 12 Bad and doubtful debts		
Compliance Debtors	32,111	64,957
Rent debtors	133,179	99,815
Other debtors	30,430	16,854
Total bad and doubtful debts	195,720	181,626
Note 13 Depreciation and amortisation		
Property	1,020,048	1,025,853
Plant and equipment	767,774	785,055
Infrastructure	4,606,493	4,601,296
Intangible assets	94,343	94,343
Total depreciation and amortisation	6,488,659	6,506,547
<i>Refer to note 23 for a more detailed breakdown of depreciation and amortisation charges</i>		
Note 14 Borrowing costs		
Interest - Borrowings	259,185	270,176
Total borrowing costs	259,185	270,176
Note 15 Other expenses		
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	42,195	39,800
Auditors' remuneration - Internal	27,201	41,989
Community grants	230,507	181,899
Councillors' allowances	183,815	171,438
Refund NDRRA Reimbursement	-	989,784
Tourism board membership	77,250	75,000
Other	68,737	72,633
Total other expenses	629,705	1,572,544

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015	2014
	\$	\$
Note 16 Cash and cash equivalents		
Cash on hand	6,080	6,030
Cash at bank	4,175,184	2,592,933
Term deposits	9,257,998	9,720,733
	<u>13,439,262</u>	<u>12,319,696</u>
Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:		
- Trust funds and deposits (Note 27)	1,472,886	1,066,239
- Statutory Reserves (Note 31)	1,340,841	1,050,507
Total restricted funds	<u>2,813,727</u>	<u>2,116,746</u>
Total unrestricted cash and cash equivalents	<u>10,625,535</u>	<u>10,202,950</u>
Intended allocations		
Although not externally restricted the following amounts have been allocated for specific future purposes by Council:		
- Cash held to fund carried forward capital works	1,541,000	3,333,000
- Unexpended grants received	2,317,822	1,212,853
- Discretionary Reserves (Note 31)	472,693	149,596
Total funds subject to intended allocations	<u>4,331,515</u>	<u>4,695,449</u>
Note 17 Trade and other receivables		
Current		
Rates debtors	1,157,524	1,239,909
Fire service levy debtors	128,203	124,888
Parking infringement debtors	51,344	46,125
Provision for doubtful debts - parking infringements	(3,508)	(38,555)
GST receivable	293,697	311,770
Other debtors	814,809	650,808
Provision for doubtful debts - other debtors	(394,639)	(203,500)
Other	46,438	51,168
Total current trade and other receivables	<u>2,093,868</u>	<u>2,182,614</u>
Non-current		
Special rate scheme	-	-
Loans and advances to community organisations	-	-
Total non-current trade and other receivables	<u>-</u>	<u>-</u>
Total trade and other receivables	<u>2,093,868</u>	<u>2,182,614</u>
a) Ageing of Receivables		
At balance date other debtors representing financial assets were past due but not impaired. These amounts relate to a number of independent customers for whom there is no recent history of default. The ageing of the Council's trade & other receivables (excluding statutory receivables) was:		
Current (not yet due)	192,165	319,832
Past due by up to 30 days	61,417	26,581
Past due between 31 and 180 days	199,131	32,165
Past due between 181 and 365 days	66,568	105,872
Past due by more than 1 year	295,528	166,359
Total trade & other receivables	<u>814,809</u>	<u>650,808</u>
b) Movement in provisions for doubtful debts		
Balance at the beginning of the year	(242,055)	(98,522)
New Provisions recognised during the year	(195,720)	(181,626)
Amounts already provided for and written off as uncollectible	39,628	38,093
Amounts provided for but recovered during the year	-	-
Balance at end of year	<u>(398,147)</u>	<u>(242,055)</u>

Notes to the Financial Report
 For the Year Ended 30 June 2015

	2015 \$	2014 \$
Note 18 Other financial assets		
Term deposits	1,313,000	-
Bank bills	-	250,000
Total other financial assets	<u>1,313,000</u>	<u>250,000</u>
Note 19 Inventories		
Inventories held for distribution	-	-
Inventories held for sale	16,652	20,297
Total inventories	<u>16,652</u>	<u>20,297</u>
Note 20 Non current assets classified as held for sale		
Cost of acquisition	-	-
Capitalised development costs (eg roads, drainage)	-	-
Borrowing costs capitalised during development	-	-
Total non current assets classified as held for resale	<u>-</u>	<u>-</u>
Borrowing costs capitalised	<u>-</u>	<u>-</u>
Note 21 Other assets		
Prepayments	46,652	26,630
Accrued income	21,357	19,717
Total other assets	<u>68,010</u>	<u>46,347</u>

Notes to the Financial Report
For the Year Ended 30 June 2015

Note 22 Property, infrastructure plant and equipment

Land and Buildings	Note	Land - specialised	Land - non specialised	Land improvements	Total Land	Heritage Buildings	Buildings - specialised	Buildings - non specialised	Building Improvements	Leasehold Improvements	Total Buildings	Work In Progress	Total Property
At fair value 1 July 2014		16,001,027	11,673,000	11,473,722	39,147,749	-	88,411,691	4,343,630	-	-	92,755,321	1,309,332	133,212,402
Accumulated depreciation at 1 July 2014		-	-	(1,580,931)	(1,580,931)	-	(46,502,044)	(30,448)	-	-	(46,532,492)	-	(48,113,423)
		16,001,027	11,673,000	9,892,791	37,566,818	-	41,909,647	4,313,182	-	-	46,222,829	1,309,332	85,098,979
Movements in fair value													
Acquisition of assets at fair value		-	-	-	-	-	216,630	88,283	564,702	-	869,614	782,621	1,652,235
Revaluation increments/decrements		-	-	-	-	-	-	-	-	-	-	-	-
Fair value of assets disposed		-	(30,000)	-	(30,000)	-	(1,320,000)	-	-	-	(1,320,000)	-	(1,350,000)
Impairment losses recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-
Transfers		-	-	568,202	568,202	-	344,801	99,246	-	-	444,047	(1,248,013)	(235,764)
		-	(30,000)	568,202	538,202	-	(758,569)	187,528	564,702	-	(6,339)	(465,392)	66,471
Movements in accumulated depreciation													
Depreciation and amortisation		-	-	(455,148)	(455,148)	-	(528,874)	(36,026)	-	-	(564,900)	-	(1,020,048)
Accumulated depreciation of disposals		-	-	-	-	-	1,169,002	-	-	-	1,169,002	-	1,169,002
Impairment losses recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-
Transfers		-	-	-	-	-	124,412	-	-	-	124,412	-	124,412
		-	-	(455,148)	(455,148)	-	764,540	(36,026)	-	-	728,514	-	273,366
At fair value 30 June 2015		16,001,027	11,643,000	12,041,924	39,685,951	-	87,653,122	4,531,158	564,702	-	92,748,982	843,940	133,278,873
Accumulated depreciation at 30 June 2015		-	-	(2,036,079)	(2,036,079)	-	(45,737,505)	(66,474)	-	-	(45,803,979)	-	(47,840,057)
		16,001,027	11,643,000	10,005,845	37,649,872	-	41,915,617	4,464,684	564,702	-	46,945,003	843,940	85,438,816

Notes to the Financial Report For the Year Ended 30 June 2015

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Note 22 Property, infrastructure plant and equipment (cont'd)

Plant and Equipment	Note	Heritage plant and equipment	Plant machinery and equipment	Fixtures fittings and furniture	Computers and telecomms	Library books	Work In Progress	Total plant and equipment
At fair value 1 July 2014		-	5,865,837	813,011	416,835	586,950	-	7,682,633
Accumulated depreciation at 1 July 2014		-	(3,005,518)	(615,221)	(354,620)	(420,428)	-	(4,395,787)
		-	2,860,319	197,790	62,215	166,522	-	3,286,846
Movements in fair value								
Acquisition of assets at fair value		-	691,807	-	52,785	36,330	4,692	785,615
Revaluation increments/decrements		-	-	-	-	-	-	-
Fair value of assets disposed		-	(516,599)	-	(314,868)	-	-	(831,468)
Impairment losses recognised in operating result		-	-	-	-	-	-	-
Transfers		-	-	-	-	-	-	-
		-	175,208	-	(262,083)	36,330	4,692	(45,853)
Movements in accumulated depreciation								
Depreciation and amortisation		-	(636,946)	(30,766)	(41,366)	(58,695)	-	(767,774)
Accumulated depreciation of disposals		-	484,155	-	314,868	-	-	799,023
Impairment losses recognised in operating result		-	-	-	-	-	-	-
Transfers		-	-	-	-	-	-	-
		-	(152,792)	(30,766)	273,502	(58,695)	-	31,249
At fair value 30 June 2015		-	6,041,045	813,011	154,752	623,280	4,692	7,636,780
Accumulated depreciation at 30 June 2015		-	(3,158,310)	(645,987)	(81,118)	(479,123)	-	(4,364,538)
		-	2,882,735	167,024	73,633	144,157	4,692	3,272,242

Notes to the Financial Report For the Year Ended 30 June 2015

Note 22 Property, infrastructure, plant and equipment (cont'd)

Infrastructure	Note	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and Community	Waste Management	Parks open spaces and streetscapes	Aerodromes	Off street car parks	Other Infrastructure	Work In Progress	Total Infrastructure
At fair value 1 July 2014		179,517,735	21,818,049	5,678,462	16,490,031	746,448	-	-	-	-	5,817,817	433,860	230,502,402
Accumulated depreciation at 1 July 2014		(83,955,917)	(10,033,647)	(2,531,064)	(7,879,606)	(465,739)	-	-	-	-	(1,369,250)	-	(106,235,223)
		95,561,818	11,784,402	3,147,398	8,610,425	280,709	-	-	-	-	4,448,567	433,860	124,267,179
Movements in fair value													
Acquisition of assets at fair value		4,051,379	1,182,314	288,134	142,990	190,424	-	261,365	-	44,358	18,261	189,678	6,368,904
Revaluation increments/decrements		-	-	-	-	-	-	-	-	-	-	-	-
Fair value of assets disposed		-	-	-	-	-	-	-	-	-	-	-	-
Impairment losses recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-
Transfers		-	150,976	74,192	-	92,943	-	57,726	-	-	1,060	(265,544)	111,352
		4,051,379	1,333,290	362,326	142,990	283,368	-	319,090	-	44,358	19,321	(75,866)	6,480,256
Movements in accumulated depreciation													
Depreciation and amortisation		(3,812,625)	(231,875)	(134,586)	(244,975)	(37,323)	-	-	-	-	(145,109)	-	(4,606,493)
Accumulated depreciation of disposals		-	-	-	-	-	-	-	-	-	-	-	-
Impairment losses recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-
Transfers		-	-	-	-	-	-	-	-	-	-	-	-
		(3,812,625)	(231,875)	(134,586)	(244,975)	(37,323)	-	-	-	-	(145,109)	-	(4,606,493)
At fair value 30 June 2015		183,569,114	23,151,339	6,040,788	16,633,021	1,029,816	-	319,090	-	44,358	5,837,138	357,994	236,982,658
Accumulated depreciation at 30 June 2015		(87,768,542)	(10,265,522)	(2,665,650)	(8,124,581)	(503,062)	-	-	-	-	(1,514,359)	-	(110,841,716)
		95,800,572	12,885,817	3,375,137	8,508,440	526,754	-	319,090	-	44,358	4,322,779	357,994	126,140,942

Note 22 Property, infrastructure, plant and equipment cont'd

Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer, Vincent John Bourke, AAPI, of Rating Valuation Services. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2015 are as follows:

	Level 1	Level 2	Level 3
Land	-	11,643,000	-
Specialised land	-	-	16,001,027
Land improvements	-	10,005,845	-
Heritage buildings	-	-	-
Buildings	-	4,464,684	42,040,029
Building improvements	-	-	564,702
Total	-	26,113,529	58,605,758

Valuation of infrastructure

Valuation of infrastructure assets has been determined in accordance with a valuation undertaken by Peter Maloney (Institution of Engineers Australia registration no. 284058) Peter Maloney & Associates as at 30 June 2014.

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Movement in the valuation of infrastructure assets has been assessed against the ABS Road and Bridge Construction Index (3101) for the twelve months to 30 June 2015 which was 0.3%.

Details of the Council's infrastructure and information about the fair value hierarchy as

	Level 1	Level 2	Level 3
Roads	-	-	95,800,572
Bridges	-	-	12,885,817
Footpaths and cycleways	-	-	3,375,137
Drainage	-	-	8,508,440
Recreational, leisure and community facilities	-	-	526,754
Waste management	-	-	-
Parks, open space and streetscapes	-	-	319,090
Off street car parks	-	-	44,358
Other infrastructure	-	-	4,322,779
Total	-	-	125,782,947

Notes to the Financial Report
 For the Year Ended 30 June 2015

Note 22 Property, infrastructure, plant and equipment cont'd

2015
\$

2014
\$

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$0 and \$782 per square metre.

Specialised buildings are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs is calculated on a square metre basis and ranges from \$10 to \$10,340 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 15 years to 150 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 5 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

Reconciliation of specialised land

Land under roads	86,327	86,327
Parks and reserves	15,914,700	15,914,700
Total specialised land	16,001,027	16,001,027

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015 \$	2014 \$
Note 23 Investment property		
Balance at beginning of financial year	-	-
Additions	-	-
Disposals	-	-
Fair value adjustments	-	-
Balance at end of financial year	<u>-</u>	<u>-</u>
Note 24 Intangible assets		
Software	707,385	801,728
Landfill air space	-	-
Total intangible assets	<u>707,385</u>	<u>801,728</u>
	Software	Total
	\$	\$
Gross carrying amount		
Balance at 1 July 2013	943,432	943,432
Additions from internal developments	-	-
Other	-	-
Balance at 1 July 2014	<u>943,432</u>	<u>943,432</u>
Additions from internal developments	-	-
Other	-	-
Balance at 30 June 2015	<u>943,432</u>	<u>943,432</u>
Accumulated amortisation and impairment		
Balance at 1 July 2013	47,361	47,361
Amortisation expense	94,343	94,343
Balance at 1 July 2014	<u>141,704</u>	<u>141,704</u>
Amortisation expense	94,343	94,343
Balance at 30 June 2015	<u>236,048</u>	<u>236,048</u>
Net book value at 30 June 2014	-	-
Net book value at 30 June 2015	<u>707,385</u>	<u>707,385</u>
	2015	2014
	\$	\$
Note 25 Trade and other payables		
Trade payables	914,457	1,129,294
Accrued expenses	1,293,035	1,526,625
Total trade and other payables	<u>2,207,493</u>	<u>2,655,918</u>

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015 \$	2014 \$
Note 26 Trust funds and deposits		
Refundable deposits	97,771	99,916
Fire services levy	627,046	124,888
Retention amounts	15,417	75,818
Other refundable deposits	732,652	765,618
Total trust funds and deposits	1,472,886	1,066,239

Purpose and nature of items

Refundable deposits - Deposits are taken by council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

Note 27 Provisions

	Landfill restoration	Employee provisions	Total
	\$	\$	\$
2015			
Balance at beginning of the financial year	421,880	1,990,627	2,412,507
Additional provisions	-	1,010,085	1,010,085
Amounts used	(20,220)	(949,153)	(969,373)
Increase in the discounted amount arising because of time and the effect of any change in the discount rate	-	6,191	6,191
Balance at the end of the financial year	401,660	2,057,749	2,459,409
2014			
Balance at beginning of the financial year	442,100	1,977,066	2,419,166
Additional provisions	-	836,355	836,355
Amounts used	(20,220)	(860,196)	(880,416)
Increase in the discounted amount arising because of time and the effect of any change in the discount rate	-	37,402	37,402
Balance at the end of the financial year	421,880	1,990,627	2,412,507

	2015 \$'000	2014 \$'000
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(a) Employee provisions

Current provisions expected to be wholly settled within 12 months

Annual leave	701,744	720,731
Long service leave	188,818	91,269
Other	55,881	55,881
	946,443	867,880

Current provisions expected to be wholly settled after 12 months

Annual leave	12,711	32,363
Long service leave	980,239	995,817
	992,950	1,028,179
Total current provisions	1,939,392	1,896,059

Non-current

Long service leave	118,357	94,567
Annual leave	-	-
Total non-current provisions	118,357	94,567

Aggregate carrying amount of employee provisions:

Current	1,939,392	1,896,059
Non-current	118,357	94,567
Total aggregate carrying amount of employee provisions	2,057,749	1,990,627

The following assumptions were adopted in measuring the present value of employee benefits:

Weighted average increase in employee costs	3.80%	4.30%
Weighted average discount rates	1.95%	2.46%
Weighted average settlement period	15 mths	12 mths

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015 \$	2014 \$
Note 27 Provisions (cont'd)		
(b) Land fill restoration		
Current	20,220	20,220
Non-current	381,440	401,660
	<u>401,660</u>	<u>421,880</u>
The following assumptions were adopted in measuring the present value of landfill rehabilitation:		
Weighted average increase in costs	1.95%	2.46%
Weighted average discount rates	1.95%	2.46%
Weighted average settlement period	9.75 yrs	10.25 yrs
 Note 28 Interest-bearing loans and borrowings		
Current		
Bank overdraft	-	-
Finance leases	-	-
Borrowings - secured	388,770	1,822,859
	<u>388,770</u>	<u>1,822,859</u>
Non-current		
Borrowings - secured	2,716,511	2,292,773
Finance leases	-	-
	<u>2,716,511</u>	<u>2,292,773</u>
Total	<u>3,105,281</u>	<u>4,115,632</u>
The maturity profile for Council's borrowings is:		
Not later than one year	388,770	1,822,859
Later than one year and not later than five years	1,168,591	1,776,737
Later than five years	1,547,920	516,036
	<u>3,105,281</u>	<u>4,115,632</u>
 Note 29 Other Liabilities		
Current		
Income in advance	39,445	17,857
	<u>39,445</u>	<u>17,857</u>
Non-current		
Income in advance	133,929	151,786
	<u>133,929</u>	<u>151,786</u>
Total	<u>173,374</u>	<u>169,643</u>

Notes to the Financial Report For the Year Ended 30 June 2015

Note 30 Reserves

	Balance at beginning of reporting period	Increment (decrement)	Share of increment (decrement) on revaluation of assets by an associate	Balance at end of reporting period
	\$	\$	\$	\$
(a) Asset revaluation reserves				
2015				
Property				
Land	17,855,537	-	-	17,855,537
Buildings	26,067,997	-	-	26,067,997
	<u>43,923,534</u>	-	-	<u>43,923,534</u>
Infrastructure				
Roads	32,205,774	-	-	32,205,774
Bridges	-	-	-	-
Drainage	-	-	-	-
Other infrastructure	8,061,573	-	-	8,061,573
	<u>40,267,347</u>	-	-	<u>40,267,347</u>
Total asset revaluation reserves	<u>84,190,881</u>	-	-	<u>84,190,881</u>
2014				
Property				
Land	14,813,537	-	3,042,000	17,855,537
Buildings	21,123,594	-	4,944,403	26,067,997
	<u>35,937,131</u>	-	7,986,403	<u>43,923,534</u>
Infrastructure				
Roads	32,205,774	-	-	32,205,774
Bridges	-	-	-	-
Drainage	-	-	-	-
Other infrastructure	8,290,277	-	(228,704)	8,061,573
	<u>40,496,051</u>	-	(228,704)	<u>40,267,347</u>
Total asset revaluation reserves	<u>76,433,182</u>	-	<u>7,757,699</u>	<u>84,190,881</u>

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

	Balance at beginning of reporting period	Transfer from accumulated surplus	Transfer to accumulated surplus	Balance at end of reporting period
	\$	\$	\$	\$
(b) Other reserves				
2015				
Car parking reserve *	21,250	-	-	21,250
Clunes caravan park reserve	6,710	-	-	6,710
Financial asset valuation reserve	20,695	-	(20,695)	-
Heritage advisory fund	20,000	-	-	20,000
Mineral springs financial reserve *	-	226,584	-	226,584
Mt Beckworth pit reserve	27,772	-	-	27,772
Resort and recreation reserve *	1,029,257	63,750	-	1,093,007
Smeaton Hill pit reserve	74,419	-	-	74,419
Waste management reserve	-	343,792	-	343,792
Total Other reserves	<u>1,200,103</u>	<u>634,126</u>	<u>(20,695)</u>	<u>1,813,534</u>
2014				
Car parking reserve *	21,250	-	-	21,250
Clunes caravan park reserve	6,710	-	-	6,710
Financial asset valuation reserve	41,255	-	(20,560)	20,695
Heritage advisory fund	20,000	-	-	20,000
Mineral springs financial reserve *	-	-	-	-
Mt Beckworth pit reserve	27,772	-	-	27,772
Resort and recreation reserve *	895,757	133,500	-	1,029,257
Smeaton Hill pit reserve	74,419	-	-	74,419
Waste management reserve	-	-	-	-
Total Other reserves	<u>1,087,163</u>	<u>133,500</u>	<u>(20,560)</u>	<u>1,200,103</u>

* Indicates Statutory Reserves

Notes to the Financial Report
For the Year Ended 30 June 2015

	2015 \$	2014 \$
Note 31 Reconciliation of cash flows from operating activities to surplus/(deficit)		
Surplus/(deficit) for the year	5,217,987	2,957
Depreciation/amortisation	6,488,659	6,506,547
Profit/(loss) on disposal of property, infrastructure, plant and equipment	172,042	17,588
Other	(83,987)	-
Change in assets and liabilities:		
(Increase)/decrease in trade and other receivables	88,745	162,255
(Increase)/decrease in prepayments	(20,022)	13,194
(Increase)/decrease in accrued income	(1,641)	20,050
(Increase)/decrease in inventories	3,644	(4,019)
Increase/(decrease) in trade and other payables	(448,426)	114,506
Increase/(decrease) in trust funds and deposits	406,647	22,559
Increase/(decrease) in provisions	46,902	(6,659)
Increase/(decrease) in other liabilities	3,731	(542,750)
Net cash provided by/(used in) operating activities	<u>11,874,282</u>	<u>6,306,229</u>
Note 32 Reconciliation of cash and cash equivalents		
Cash and cash equivalents (see note 17)	13,439,262	12,319,696
Less bank overdraft	-	-
	<u>13,439,262</u>	<u>12,319,696</u>
Note 33 Financing arrangements		
Bank overdraft	-	-
Used facilities	-	-
Unused facilities	<u>-</u>	<u>-</u>

Notes to the Financial Report For the Year Ended 30 June 2015

Note 34 Commitments

The Council has entered into the following commitments

2015	Not later than 1 year \$	Later than 1 year and not later than 2 \$	Later than 2 years and not later than 5 \$	Later than 5 years \$	Total \$
Operating					
Recycling	206,887	175,880	-	-	382,767
Garbage collection	303,434	257,957	-	-	561,391
Open space management	-	-	-	-	-
Consultancies	-	-	-	-	-
Home care services	-	-	-	-	-
Cleaning contracts for council buildings	160,000	164,152	122,724	-	446,876
Meals for delivery	45,000	-	-	-	45,000
Other	382,785	125,809	-	-	508,594
Total	1,098,106	723,798	122,724	-	1,944,628
Capital					
Buildings	1,424,856	-	-	-	1,424,856
Roads	1,235,300	-	-	-	1,235,300
Drainage	-	-	-	-	-
Total	2,660,156	-	-	-	2,660,156

2014	Not later than 1 year \$	Later than 1 year and not later than 2 years \$	Later than 2 years and not later than 5 years \$	Later than 5 years \$	Total \$
Operating					
Recycling	202,970	208,115	213,516	-	624,601
Garbage collection	297,689	305,235	313,156	-	916,080
Open space management	-	-	-	-	-
Consultancies	-	-	-	-	-
Home care services	28,190	24,087	-	-	52,277
Cleaning contracts for council buildings	-	-	-	-	-
Meals for delivery	55,817	-	-	-	55,817
Other	1,185,920	831,843	405,330	-	2,423,093
Total	1,770,586	1,369,280	932,002	-	4,071,868
Capital					
Buildings	384,735	-	-	-	384,735
Roads	1,298,000	1,235,300	-	-	2,533,300
Drainage	-	-	-	-	-
Other	2,200,236	123,000	-	-	2,323,236
Total	3,882,971	1,358,300	-	-	5,241,271

Notes to the Financial Report For the Year Ended 30 June 2015

	2015	2014
	\$	\$
Note 35 Operating leases		
(a) Operating lease commitments		
At the reporting date, the Council had the following obligations under non-cancellable operating leases for the lease of equipment and land and buildings for use within Council's activities (these obligations are not recognised as liabilities):		
Not later than one year	94,106	37,556
Later than one year and not later than five years	26,923	28,320
Later than five years	-	-
	121,029	65,876
(b) Operating lease receivables		
The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 20 years. All leases include a CPI based revision of the rental charge annually.		
Future minimum rentals receivable under non-cancellable operating leases are as follows:		
Not later than one year	960,880	815,667
Later than one year and not later than five years	3,978,337	3,335,832
Later than five years	9,373,311	9,661,806
	14,312,528	13,813,305

Note 36 Contingent liabilities and contingent assets

Contingent liabilities

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme to ensure that the liabilities of the fund are covered by the assets of the fund. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists. At this point in time it is not known if additional contributions will be required, their timing or potential amount.

Funding arrangements

Hepburn Shire Council makes employer contributions to the defined benefit category of the Fund at rates determined by the Trustee on the advice of the Fund's Actuary.

The Fund's latest actuarial investigation was held as at 30 June 2014 and it was determined that the vested benefit index (VBI) of the defined benefit category of which Hepburn Shire Council is a contributing employer was 103.4%. To determine the VBI, the fund Actuary used the following long-term assumptions:

Net investment returns	7.5% pa
Salary information	4.25% pa
Price inflation (CPI)	2.75% pa.

Vision Super has advised that the estimated VBI at June 2015 was 105.8%.

The VBI is to be used as the primary funding indicator. Because the VBI was above 100%, the actuarial investigation determined the defined benefit category was in a satisfactory financial position and that no change was necessary to the defined benefit category's funding arrangements from prior years.

Employer contributions

Regular contributions

On the basis of the results of the most recent full actuarial investigation conducted by the Fund's Actuary as at 30 June 2014, Hepburn Shire Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2015, this rate was 9.5% of members' salaries. This rate will increase in line with any increase to the Superannuation Guarantee (SG) contribution rate.

In addition, Hepburn Shire Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

Notes to the Financial Report For the Year Ended 30 June 2015

Funding calls

If the defined benefit category is in an unsatisfactory financial position at actuarial investigation or the defined benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the defined benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Hepburn Shire Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's defined benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

Latest actuarial investigation surplus amounts

The Fund's latest actuarial investigation as at 30 June 2014 identified the following in the defined benefit category of which Hepburn Shire Council is a contributing employer:

- A VBI surplus of \$77.1 million; and
- A total service liability surplus of \$236 million.

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2014.

The total service liability surplus means that the current value of the assets in the Fund's defined benefit category plus expected future contributions exceeds the value of expected future benefits and expenses. Hepburn Shire Council was notified of the results of the actuarial investigation during January 2015.

Superannuation contributions

Contributions by Hepburn Shire Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2015 are detailed below:

Scheme	Type of scheme	Rate	2015 \$	2014 \$
Vision Super	Defined benefits	9.5%	65,130	79,663
Vision Super	Accumulation	9.5%	473,092	510,550
Other funds	Accumulation	9.5%	205,698	200,811

In addition to the above contributions, Hepburn Shire Council has paid unfunded liability payments to Vision Super totalling \$ Nil during the 2014/15 year (2013/14 \$1,4223,099).

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2015.

The expected contributions to be paid to the defined benefit category of Vision Super for the year ending 30 June 2016 is \$66,906.

Guarantees for loans to other entities

Nil

The amount disclosed for financial guarantee in this note is the nominal amount of the underlying loan that is guaranteed by the Council, not the fair value of the financial guarantee

Contingent assets

Nil

Note 37 Financial Instruments

(a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in Note 1 of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of our financial instruments will fluctuate because of changes in market prices. The Council's exposures to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Our interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes us to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rate.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 1989*. We manage interest rate risk by adopting an investment policy that ensures:

- diversification of investment product,
- monitoring of return on investment,
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause us to make a financial loss. We have exposure to credit risk on some financial assets included in our balance sheet. To help manage this risk:

- we have a policy for establishing credit limits for the entities we deal with;
- we may require collateral where appropriate; and
- we only invest surplus funds with financial institutions which have a recognised credit rating specified in our investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

We may also be subject to credit risk for transactions which are not included in the balance sheet, such as when we provide a guarantee for another party. Details of our contingent liabilities are disclosed in note 36.

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of our operational liquidity requirements or we will not have sufficient funds to settle a transaction when required, we will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed in the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 36, and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 28.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

Notes to the Financial Report For the Year Ended 30 June 2015

e) Fair value

Unless otherwise stated, the carrying amount of financial instruments reflect their fair value.

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

(f) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of + 2.5% and -1.0% in market interest rates (AUD) from year-end rates of 2.00%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

Notes to the Financial Report For the Year Ended 30 June 2015

Note 38 Related party transactions

(i) **Responsible Persons**

Names of persons holding the position of a Responsible Person at the Council at any time during the year are:

Councillors Councillor **Kate Redwood** (Mayor 12/11/2014 to 30/06/2015)
 Councillor **Don Henderson** (Mayor 1/7/2014 to 11/11/2014)
 Councillor **Bill McClenaghan**
 Councillor **Greg May**
 Councillor **Neil Newitt**
 Councillor **Pierre Niclas**
 Councillor **Sebastian Klein**

Chief Executive Officer Aaron Van Egmond

(ii) **Remuneration of Responsible Persons**

The numbers of Responsible Persons whose total remuneration from Council and any related entities, excluding retirement benefits, fall within the

	2015 No.	2014 No.
\$1 - \$9,999	-	-
\$10,000 - \$19,999	-	-
\$20,000 - \$29,999	5	6
\$30,000 - \$39,999	1	-
\$40,000 - \$49,999	1	-
\$60,000 to \$69,999	-	1
\$150,000 - \$159,999	-	-
\$210,000 to \$219,999	1	1
	8	8

Total Remuneration for the reporting year for Responsible Persons included above amounted to:

	401,184	391,399
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(iii) **Senior Officers Remuneration**

A Senior Officer other than a Responsible Person, is an officer of Council who:

- a) has management responsibilities and reports directly to the Chief Executive;
- b) whose total annual remuneration exceeds \$136,000

The number of Senior Officers other than the Responsible Persons, are shown below in their relevant income bands:

	2015 No.	2014 No.
Income Range:		
< \$136,000	3	2
\$136,000 - \$139,999	-	1
\$140,000 - \$149,999	1	-
\$150,000 - \$159,999	-	1
\$160,000 - \$169,999	-	-
	4	4

Total Remuneration for the reporting year for Senior Officers included above,

	501,881	521,571
--	---------	---------

(iv) **Responsible persons retirement benefits**

The aggregate amount paid during the reporting period by Council in connection with the retirement of responsible persons was \$0 (2014 - \$0)

Note 38 Related party transactions (cont'd)

(v) **Loans to responsible persons**

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a responsible person of the council, or a related party of a responsible person are as follows:

Nil

(vi) **Transactions with responsible persons**

No transactions other than remuneration payments or the reimbursement of approved expenses were entered into by Council with responsible persons or related parties of such responsible persons during the reporting year (2013/14,\$Nil).

Note 39 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

Certification of the Financial Statements

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989*, the *Local Government (Planning and Reporting) Regulations 2014*, Australian Accounting Standards and other mandatory professional reporting requirements.

Trafford Thompson CPA
Principal Accounting Officer

Date : <Date>
Daylesford

In our opinion the accompanying financial statements present fairly the financial transactions of Hepburn Shire Council for the year ended 30 June 2015 and the financial position of the Council as at that date.

As at the date of signing, we are not aware of any circumstances which would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify the financial statements in their final form.

Councillor

Date : <Date>
Daylesford

Councillor

Date : <Date>
Daylesford

Aaron van Egmond
Chief Executive Officer

Date : <Date>
Daylesford

**ATTACHMENT 2 - DRAFT PERFORMANCE STATEMENT FOR THE YEAR
ENDED 30 JUNE 2015**

ORDINARY MEETING OF COUNCIL
15 SEPTEMBER 2015



PERFORMANCE STATEMENT
For the Year Ended 30 June 2015

Description of Municipality

Hepburn Shire was created in January 1995 by the amalgamation of the former Shires of Creswick, Daylesford and Glenlyon, the Clunes portion of the Shire of Talbot and Clunes and the Trentham portion of the Shire of Kyneton.

Hepburn Shire is located in the Central Highlands region of Victoria, about 110 kilometres north-west of Melbourne. It is bounded by Central Goldfields and Mount Alexander Shires in the north, Macedon Ranges Shire in the east, Moorabool Shire in the south, and the City of Ballarat and Pyrenees Shire in the west

Hepburn Shire is a predominantly rural area, with many townships, villages and rural-residential areas. The main townships are Daylesford, Hepburn Springs, Creswick, Clunes and Trentham. The shire encompasses a total land area of about 1,470 square kilometres. rural land is used largely for agriculture (particularly sheep and cattle grazing and potato and crop growing) and forestry, with some viticulture. Tourism is important to the region, with the Shire containing 80% of Australia's mineral spring reserves.

Hepburn is named after Captain John Hepburn, an overlander and pastoralist who founded the rural town of Smeaton and also established the Smeaton Hill Run on 15 April 1838.

The original inhabitants of the Hepburn area were the Jaara (Dja Dja Wurrung) Aboriginal people. European settlement dates from the late 1830's, with land used mainly for grazing and crop growing. Gold was first discovered in the area in 1851, prompting the establishment of many townships and rapid growth. When gold supplies waned and many mines were closed, some population loss was experienced in the region. land was then used mainly for timber milling and grazing. The townships of Daylesford and Hepburn Springs benefited from tourism during the late 1800s and early 1900's', due to the mineral springs and spa resorts.

Gradual growth took place during the 1970's and 1980's, due largely to resurgence in tourism and people seeking alternative lifestyles. The Shire's population increased marginally during the 1990's, rising from about 13,300 in 1991 to about 13,800 in 2001. The resident population of Hepburn Shire at 30 June 2014 was 14,888.

Sustainable Capacity Indicators

<i>Indicator/measure</i>		Results 2015	Material Variations
Population			
C1	68 <i>Expenses per head of municipal population</i> [Total expenses / Municipal population]	\$1,814	Being the first year of reporting, there is no comparative data available to determine variations
C2	69 <i>Infrastructure per head of municipal population</i> [Value of infrastructure / Municipal population]	\$11,837	
C3	70 <i>Population density per length of road</i> [Municipal population / Kilometres of local roads]	10	
Own-source revenue			
C4	66 <i>Own-source revenue per head of municipal population</i> [Own-source revenue / Municipal population]	\$1,369	
Recurrent grants			
C5	67 <i>Recurrent grants per head of municipal population</i> [Recurrent grants / Municipal population]	\$621	
Disadvantage			
C6	71 <i>Relative Socio-Economic Disadvantage</i> [Index of Relative Socio-Economic Disadvantage by decile]	4	

Definitions

"adjusted underlying revenue" means total income other than

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to in paragraphs (a) and (b)

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"population" means the resident population estimated by council

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Performance Statement
For the Year Ended 30 June 2015

Service Performance Indicators		
Service/indicator/measure	Results 2015	Material Variations
<p>Aquatic Facilities Utilisation</p> <p>AF6 33 <i>Utilisation of aquatic facilities</i></p> <p>[Number of visits to aquatic facilities / Municipal population]</p>	0.4	Pool attendance is largely weather dependant. Attendance decreased significantly from 15,734 in 13/14 to 6,213 in 14/15.
<p>Animal Management Health and safety</p> <p>AM4 37 <i>Animal management prosecutions</i></p> <p>[Number of successful animal management prosecutions]</p>	0	There were no successful or unsuccessful animal management prosecutions
<p>Food Safety Health and safety</p> <p>FS4 41 <i>Critical and major non-compliance outcome notifications</i></p> <p>[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100</p>	43%	No critical non-compliances were identified. Four major non-compliances in early 2014 were not followed up as Council was satisfied with the proprietors' proposed remedial actions.
<p>Governance Satisfaction</p> <p>G5 5 <i>Satisfaction with council decisions</i></p> <p>[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</p>	43	Reduced from 49 in 2013/14
<p>Home and Community Care (HACC) Participation</p> <p>HC6 47 <i>Participation in HACC service</i></p> <p>[Number of people that received a HACC service / Municipal target population for HACC services] x100</p>	24%	Being the first year of reporting, there is no comparative data available to determine variations
<p>Participation</p> <p>HC7 48 <i>Participation in HACC service by CALD people</i></p> <p>[Number of CALD people who receive a HACC service / Municipal target population in relation to CALD people for HACC services] x100</p>	15%	Being the first year of reporting, there is no comparative data available to determine variations
<p>Libraries Participation</p> <p>LB4 22 <i>Active library members</i></p> <p>[Number of active library members / Municipal population] x100</p>	25%	Being the first year of reporting, there is no comparative data available to determine variations. Similar measure previously calculated using different methodology.
<p>Maternal and Child Health (MCH) Participation</p> <p>MC4 52 <i>Participation in the MCH service</i></p> <p>[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100</p>	83%	Increased from 63% in 2013-14
<p>Participation</p> <p>MC5 53 <i>Participation in the MCH service by Aboriginal children</i></p> <p>[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100</p>	88%	Increased from 73% in 2013-14
<p>Roads Satisfaction</p> <p>R5 18 <i>Satisfaction with sealed local roads</i></p> <p>[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]</p>	43	No change from 2013/14

Service Performance Indicators

<i>Service/indicator/measure</i>	Results 2015	Material Variations
Statutory Planning Decision making SP4 9 <i>Council planning decisions upheld at VCAT</i> [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	88%	One Council planning decision set aside by VCAT
Waste Collection Waste diversion WC5 27 <i>Kerbside collection waste diverted from landfill</i> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	40%	Being the first year of reporting, there is no comparative data available to determine variations. Similar measure previously calculated using different methodology.

Definitions

"Aboriginal child" means a child who is an Aboriginal person
 "Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006
 "active library member" means a member of a library who has borrowed a book from the library
 "annual report" means an annual report prepared by a council under sections 131, 132 and 133 of the Act
 "Community Care Common Standards" means the Community Care Common Standards for the delivery of HACC services, published from time to time by the Commonwealth
 "critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health
 "food premises" has the same meaning as in the Food Act 1984
 "HACC program" means the Home and Community Care program established under the Agreement entered into for the purpose of the Home and Community Care Act 1985 of the Commonwealth

"HACC service" means home help, personal care or community respite provided under the HACC program
 "local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004
 "major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken
 "MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age
 "population" means the resident population estimated by council
 "target population" has the same meaning as in the Agreement entered into for the purposes of the Home and Community Care Act 1985 of the Commonwealth

Performance Statement
For the Year Ended 30 June 2015

Financial Performance Indicators							
Dimension/indicator/measure		Results 2015	Forecasts				Material Variations
			2016	2017	2018	2019	
Efficiency							
Revenue level							
E1	64 Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments]	\$1,589	\$1,661	\$1,728	\$1,797	\$1,869	The expected increase for this measure provides for a constant 4% rate increase
Expenditure level							
E2	63 Expenses per property assessment [Total expenses / Number of property assessments]	\$2,501	\$2,562	\$2,556	\$2,617	\$2,680	The result for this measure is expected to increase by 2% p.a.
Workforce turnover							
E3	65 Resignations and terminations compared to average staff [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	15%	13%	12%	12%	12%	No material variations
Liquidity							
Working capital							
L1	55 Current assets compared to current liabilities [Current assets / Current liabilities] x100	279%	181%	184%	181%	186%	Current assets increased significantly by an advanced payment of \$2.1 million of 2015/16 Financial Assistance Grants received on 30 June 2015.
Unrestricted cash							
L2	56 Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	133%	114%	119%	120%	125%	No material variations
Obligations							
Asset renewal							
O1	60 Asset renewal compared to depreciation [Asset renewal expense / Asset depreciation] x100	105%	93%	95%	90%	83%	Conservative depreciation estimates for forecast years may need to be reconsidered
Loans and borrowings							
O2	57 Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	18%	18%	23%	20%	16%	No material variations
O3	58 Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	16%	4%	3%	4%	4%	Refinancing of a short term loan for the \$1.4m Defined Benefits Superannuation call is included in the current year 'repayments', although this was not a cost to Council as a new loan was provided (see Cash Flow Statement). Without this amount, actual would have been 8%.

Financial Performance Indicators

Dimension/indicator/measure		Results 2015	Forecasts			Material Variations	
			2016	2017	2018		2019
Indebtedness							
O4	59 <i>Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	16%	17%	21%	17%	15%	No material variations
Operating position							
Adjusted underlying result							
OP1	54 <i>Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	9.9%	1.3%	-0.3%	0.8%	-2.3%	2015 result inflated by \$2.1m receipt of 2015/16 financial assistance grant. Without this amount, actual would have been 3.1%.
Stability							
Rates concentration							
S1	61 <i>Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100	56.8%	63.4%	67.1%	67.5%	70.7%	The paused indexation of Commonwealth financial assistance grants has contributed to the increase in this measure.
Rates effort							
S2	62 <i>Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.45%	0.48%	0.48%	0.48%	0.48%	No material variations

Definitions

"adjusted underlying revenue" means total income other than—

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to in paragraphs (a) and (b)

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"population" means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Other Information

1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

The Victorian Government developed the new performance reporting framework to ensure that all councils are measuring and reporting on their performance in a consistent way. The framework became mandatory from 1 July 2014 and all councils will need to report results as part of their 2014-15 annual report at the end of September 2015. This is the first year for reporting in this manner and as such there is no trend data to compare to. It is intended that in future years, the previous years results will be used to compare and also highlight any material variations. By 2017/18 we will be comparing our results to the previous three years.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its strategic resource plan on 23 June 2015 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The strategic resource plan can be obtained by contacting council.

Certification of the performance statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

Trafford Thompson CPA
Principal Accounting Officer

Date :

In our opinion, the accompanying performance statement of the (council name) for the year ended 30 June 2015 presents fairly the results of council's performance in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify this performance statement in its final form.

Councillor

Date :

Councillor

Date :

Aaron van Egmond
Chief Executive Officer

Date :

11.2. REVIEW OF POLICY 6 (C) - REVENUE, COLLECTION AND HARDSHIP

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Manager Finance and Information Technology, I Trafford Thompson have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider and adopt Policy 6 (C) – Revenue, Collections and Hardship and to rescind Policy 63 (C) – Hardship

BACKGROUND

In accordance with Council's Policy Review reported to Council in August 2015, Policy 6 (C) - Revenue and Collection and Policy 63 (C) – Hardship have been reviewed. The elements of these two policies have been combined into one Revenue, Collection and Hardship Policy as both policies relate to Council's revenue, and collection of revenue.

ISSUE/DISCUSSION

This policy outlines how revenue within Hepburn Shire Council is raised and collected. The policy also deals with issues relating to ratepayers who are having difficulty paying their rates or charges due to hardship. The key points that have been updated in the new policy are:

- specific reference to Home and Community Care fees and their collection;
- modification to existing Hardship policy where appropriate with improvement to practices;
- separation of hardship policy forms from attachments to the policy. These forms will continue to be used and made available on Council's website and from customer service centres.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

This policy has been established to ensure compliance with the *Local Government Act 1989* Section 3D (2) (c) that provides that one of the roles of a Council includes "maintaining the viability of the Council by ensuring that resources are managed in a responsible and accountable manner", and more specifically Section 140(2) (a) which provides that "A Council has a duty to do all things necessary to ensure that all money payable to the Council is properly collected".

FINANCIAL IMPLICATIONS

This policy provides a framework by which the Council may conduct its revenue collections activities so that Council recovers money owing to it using the most practical and efficient method at its disposal.

RISK IMPLICATIONS

This policy reduces reputation risk by providing a framework by which all debtors are treated consistently, fairly and equitably within the scope of this policy and the *Local Government Act 1989*.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The levying of rates and charges has an economic implication to all ratepayers. This policy provides alternative payment arrangements and a framework for assessing and actioning debtor accounts of ratepayers who may be suffering financial hardship.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The policy will be made available to the public via the minutes published on the Council's website. The Policy will also be available for inspection on Council's website and in its offices.

CONCLUSION

The raising of revenue and recovery of monies owed to Council is essential to the ongoing financial viability of Council. The revised Revenue, Collections and Hardship Policy will assist Finance team members in the effective and efficient performance of their roles.

OFFICER'S RECOMMENDATION

That Council

11.2.1 Adopts Policy 6 (C) – Revenue, Collection and Hardship – September 2015, and makes it available for public inspection on Council's website and at Council's offices

11.2.2 Rescinds Policy 63 (C) – Hardship.

MOTION

That Council:

- 11.2.1. *Adopts Policy 6 (C) – Revenue, Collection and Hardship – September 2015, and makes it available for public inspection on Council’s website and at Council’s offices*
- 11.2.2. *Rescinds Policy 63 (C) – Hardship.*

Moved: Councillor Sebastian Klein

Seconded: Councillor Pierre Niclas

Carried

ATTACHMENT 3 - POLICY 6 (C) – REVENUE, COLLECTIONS AND HARDSHIP
POLICY

DRAFT MINUTES
ORDINARY MEETING OF COUNCIL
▶ REVENUE, COLLECTION AND HARDSHIP POLICY
15 SEPTEMBER 2015

POLICY NUMBER: 6 (C)

NAME OF POLICY: REVENUE, COLLECTION AND HARDSHIP POLICY

DATE OF NEXT REVIEW: September 2019

DATE APPROVED: <Insert date adopted by Council>

RESPONSIBLE OFFICER: Manager Finance and Information Technology

REFERENCES: *Local Government Act, 1989*
Penalty Interest Rate Act, 1983
Fire Services Property Levy Act, 2012

Best Value Principles

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

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

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

INTRODUCTION

This policy outlines how revenue within Hepburn Shire Council is raised and collected. The policy also deals with issues relating to ratepayers who are having difficulty paying their rates or charges due to hardship.

SCOPE

The policy applies to all Council Staff, but in particular staff in the Finance team who are charged with the responsibility to maintain and manage the finance system.

This policy has been established to ensure compliance with the *Local Government Act, 1989* Section 3D (2) (c) that provides that one of the roles of a Council includes “maintaining the viability of the Council by ensuring that resources are managed in a responsible and accountable manner”, and more specifically Section 140(2) (a) which provides that “A Council has a duty to do all things necessary to ensure that all money payable to the Council is properly collected”.

This policy provides a framework by which the Council may conduct its revenue collections activities so that:

- The Council recovers money owing to it using the most practical and efficient method at its disposal.
- All debtors are treated consistently, fairly and equitably within the scope of this policy and the *Local Government Act, 1989*.

POLICY

1. Revenue

Council raises rates and charges in accordance with part 8 of the *Local Government Act, 1989*. Hepburn Shire Council’s annual budget discloses specific information on rates and charges including the differential rating structure, property type definitions and the rate in the dollar charged against the capital improved value (CIV) of a rateable property. Council may request specific information from a ratepayer to confirm the type of property that is owned. A statutory declaration may be required at this time.

Statutory fees and fines, user fees, other charges and contributions are raised as incurred.

Lease and licence income is to be raised in accordance with terms of the contract.

Home and Community Care (HACC) fees will apply to individual clients on a sliding scale based on assessed client income and ability to pay in line HACC Guidelines. Clients have the right of appeal against a given fee determination.

Grants are invoiced in accordance with the terms and conditions of the grant agreement.

2. Invoicing / Billing

(a) Rates and Charges

Annual rate notices comply with the provisions of the *Local Government Act, 1989* and Regulations and are issued not less than one month prior to the due date of the first instalment.

Subsequent instalment rate notices are issued not less than fourteen days before the due date of payment.

All notices will be clear, concise and provide sufficient information to enable ratepayers to be aware of their obligations. The onus is on the ratepayer to advise Council's finance department of their current billing address.

(b) Sundry Debtors

Council shall issue invoices for money owing. The invoice shall contain sufficient information so that the debtor can recognise the debt. The invoice shall be due and payable within 30 days of its issue.

(c) Statutory fines (Infringements)

Following the issuing of an infringement by an authorised Council staff member, the infringement will be recorded in Council's corporate information system and shall be due and payable within 28 days of its issue.

(d) Home and Community Care (HACC)

Service provision is at a minimum of 30 minutes and 15 minute increments thereafter. Fees are charged accordingly. Fees will be charged where there has been no notification or late notification (less than 24 hours) of cancellation of services, except in the case of an emergency. Clients who are receiving multiple services or a high level of service may have a fees cap negotiated subject to the approval of the Manager Aged and Disability Services.

3. Interest

Council will charge the maximum rate of interest on unpaid rates and charges as permitted under the provisions of the *Local Government Act, 1989* and pursuant to the *Penalty Interest Rate Act, 1983*. This shall be advertised each year in the declaration of rates and charges.

Council may charge interest on debtor accounts where such penalty is warranted. HACC and other related community service accounts shall only be charged interest with the approval of the Manager Aged and Disability Services. The rate of interest shall be that set pursuant to the *Penalty Interest Rate Act, 1983*.

4. Collections

(a) Rates and Charges

Accounts outstanding after instalment three will initiate the collection process. Ratepayers who fail to respond, or those who make and then fail to adhere to their payment arrangement, shall have their accounts forwarded to Council's debt collection agency.

All legal and collection costs incurred as a result of recovery action instigated will be allocated to the ratepayer's account.

All payments will be allocated in the following order:

- Legal and collection costs owing, if any;
- Interest owing, if any;
- Arrears owing, if any;
- Current rates and charges owing.

Council shall utilise the sale provisions under Section 181 of the *Local Government Act, 1989* for recovery of outstanding rates and charges in the following circumstances:

- (a) Where all other recovery attempts have failed; and
- (b) Where at least three full years rates and charges remain unpaid; and
- (c) The property is not the principal place of residence of the ratepayer.

Council shall not enter into any arrangements for payment after notices for a Section 181 sale have been served pursuant to the provisions of the *Local Government Act, 1989*. Only full payment of all rates, charges, interest and costs will stop a sale.

(b) Sundry Debtors

All accounts other than government grants, home care and other related community service accounts outstanding after one hundred and twenty days will be considered for collection by Council's debt collection agent.

(c) Statutory fines (Infringements)

Recipients of Infringements have 28 days from the issue date on the infringement to pay. If the infringement has not been paid in this timeframe a reminder letter is sent, incurring an additional charge and allowing another 28 days for payment. If payment has not been received after the extended time the infringement will sent to the Infringements Court for collection.

(d) Home and Community Care (HACC)

Unpaid HACC debtors will be reviewed to consider the clients ability to pay. Where ability to pay is not an issue, services may be withdrawn or ceased. Written notification will be made to the clients prior to the withdrawal or ceasing of services.

5. Arrangements

All ratepayers have the option to pay annual rates and charges in 10 monthly instalments by direct debit where the account is not in arrears.

Alternative payment arrangements are available for people wishing to pay on a more regular basis to assist in their personal cash flow and budgeting. Interest will continue to be charged on any overdue balances where applicable.

Council will consider all requests for alternative payment arrangements where the debt is overdue. These requests will be considered in accordance with Hardship provisions contained in this policy.

6. Hardship

Ratepayers who are suffering financial hardship or would suffer financial hardship if they paid the full amount of rates and charges for which they are liable can make an application for deferment of payment of rates and charges and interest in accordance with the *Local Government Act, 1989*. Consideration will also be given to the waiver of current year and future interest charges.

Ratepayers seeking a deferment of payment of rates and charges or interest must firstly contact Council in writing to inform of the hardship.

If the hardship is as a result of an emergency situation (e.g. flood or bushfire) and the property address can easily be identified as in the effected area, a Council hardship application form must be completed and if seeking deferment, a Council payment arrangement form must be completed.

If the above is not applicable, Council will refer the ratepayer to a Financial Counsellor who will assist the ratepayer to complete the required Council hardship application and payment arrangement forms. The financial counsellor will make a written recommendation to the Manager Finance and Information Technology to review and approve.

If financial hardship is determined, the property will be flagged as hardship, interest will not be charged and no debt recovery action will be taken provided agreed arrangements are adhered to. Hardship arrangements will be reviewed at least bi-annually to determine if circumstances have changed.

7. Waiver

Rates and charges will not be waived and they will remain as a charge on the property.

Home and Community Care (HACC) clients experiencing financial hardship can request a fee reduction or fee waiver. Approval from the General Manager Community Services will be required.

8. Emergency

Damage to a residential or commercial property due to an emergency situation (e.g. flood or fire) can result in a revaluation of the property and a recalculation of rates and charges due. Ratepayers must apply for a revaluation in writing. Ratepayers may also be eligible to apply for hardship.

9. Review of Decision

Any applicant who is aggrieved by a decision under this policy may refer the matter to the Victorian State Ombudsman.

DEFINITIONS

The following terms are referred to in the policy.

Term	Definition
Council	Hepburn Shire Council
Council Staff	Includes permanent and temporary full-time and part-time council employees, and contractors and consultants while engaged by Council.
The Act	<i>Local Government Act, 1989</i>
Sundry debtor	A person or organisation that owes money to Council for something other than goods or services that have been sold to them.

FURTHER INFORMATION

Any enquiries about the Revenue, Collection and Hardship Policy should be directed to Council's Manager Finance and Information Technology.

IMPLEMENTATION

The policy and relevant forms are available to the public via Council's website and at its service centres in Clunes, Creswick and Daylesford. Information contained in this policy is also provided to ratepayers annually on their rates notice.

REVIEW

The Revenue, Collection and Hardship Policy will be reviewed every four years or sooner if required by legislation or organisational changes.

The officer responsible for the review of this policy is the Manager Finance and Information Technology.

11.3. REVIEW OF POLICY 31 (C) EVENTS POLICY

GENERAL MANAGER COMMUNITY SERVICES

In providing this advice to Council as the Events Coordinator, I Rebecca Pedretti have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to adopt the updated Events Policy

BACKGROUND

Festivals and Events provide a great opportunity to attract visitation and ensure tourism growth in Hepburn Shire. Currently there is in excess of 40 events on Council's printed events calendar. These events range from local community events that attract a few hundred people to major events that attract over 20,000 people.

Council's Events Policy was due for review in June 2013. In August last year, Council adopted a new Events Strategy (Attachment 5) outlining Council's strategic direction for supporting events which are held in Hepburn Shire.

Council supports a wide variety of events throughout the Shire, by providing financial and/or operational support.

ISSUE/DISCUSSION

The objectives of the Events Policy (Attachment 4) are to:

- Promote and encourage events in Hepburn Shire which enhance the resident, participant and visitor experience.
- Set principles for determining the level of Council support for events.
- Ensure that risks are minimised and there is compliance with regulatory requirements during events.
- Provide a framework for the approval, planning and evaluation of events.

This policy defines Council's role in managing, supporting and evaluating events. It outlines the process for communicating about events, defines how events are approved and the process for determining the level of Council support

The policy also reflects that Council is committed to ensuring that events are run safely and all compliance requirements are met, whilst minimising negative impacts upon the community.

The policy outlines Council's support for events, from when they have been given approval through to the post-event meeting and reporting.

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 Shire's economic base

FINANCIAL IMPLICATIONS

There are no financial implications directly associated with this policy. The policy will provide clarity and structure around decision making for requests for events funding and support.

RISK IMPLICATIONS

The policy reduces risk by providing a framework for event approvals.

All events held on public land are required to provide Council with a risk management plan

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Provision of events in a community can lead to an enhanced sense of wellbeing for participants and increase community engagement. It can also drive visitation and economic benefits.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Through the development of both the Events Strategy and Events Policy, Council staff have consulted with a number of event organisers.

CONCLUSION

Events play a key role in increasing visitation and enhancing the local economy. The Events Policy, as it is presented, will allow Council to continue to support, grow and attract new and current events to Hepburn Shire.

OFFICER'S RECOMMENDATION

- 11.3.1 That Council adopts Policy 31 (C) – Events Policy – September 2015 and makes it available for public inspection on Council's website and at Council's offices.

MOTION

11.3.1. *That Council adopts Policy 31 (C) – Events Policy – September 2015 and makes it available for public inspection on Council's website and at Council's offices.*

Moved: Councillor Neil Newitt

Seconded: Councillor Pierre Niclas

Carried

ATTACHMENT 4 - POLICY 31 (C) – EVENTS POLICY

POLICY NUMBER:	31 (C)
NAME OF POLICY:	EVENTS POLICY
DATE OF NEXT REVIEW:	September 2019
DATE APPROVED:	<Insert date adopted by Council>
RESPONSIBLE OFFICER:	Events Coordinator
REFERENCES:	<i>Local Law No 2 – Community Amenity and Municipal Places</i> <i>Local Government Act 1989, Part 1A (sections 3c,3d,3e)</i> Council Plan 2013-2017 Events Strategy (DOC/14/22467)

Best Value Principles

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

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

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

INTRODUCTION

This policy defines Council's role in managing, supporting and evaluating events. It outlines the process for communicating with events and for determining the level of Council support.

Hepburn Shire Council is committed to encouraging and supporting festivals and events. It recognises both the economic and community benefit that events bring to creating a vibrant community and a lively, dynamic Shire.

Council will give preference to community based events, which have the ability to drive visitation to the Shire and provide other tourism and economic development benefits to the region. Council prefers to support events which promote local products, businesses, groups and communities.

Council has a role as a supporter, partner, funder, provider and promoter of events.

The events policy is required to provide certainty and consistency when dealing with events support.

SCOPE

For the purpose of this policy an event is defined as:

An organised gathering of people on public or private land which impacts upon Hepburn Shire Council infrastructure, assets or the general public.

This includes Community and Commercial events, as well as Civic events run by Hepburn Shire Council. This policy excludes private events.

POLICY

1. Principles

Promote and encourage events in the Hepburn Shire which enhance resident, participant and visitor experience.

Council supports a diverse program of events spread throughout the year and across the Shire. These events strongly contribute to the local economy of the Hepburn Shire. A quality events program brings additional visitation to the Shire as well as improving the quality of life for local residents and visitors already in the region. There are significant health and social benefits resulting from events as well as the opportunity to showcase the cultural and heritage values of the region.

Council will work to endorse, promote and champion major events. We will do this through actively assisting with a partnership approach in dealings with all levels of Government, community or others.

An annual events calendar is produced each year in the form of a brochure and a Calendar of Events is also available on Council's website, promoting events right across the Shire.

2. Funding

Council provides financial and operational support for events.

Hepburn Shire recognises both the significant costs involved in establishing and running a major event and the economic benefits that events bring to Hepburn Shire. The Events Strategy outlines an events funding and support framework.

The framework provides 3 levels of financial support for events in Hepburn Shire:

Funding Program	Council support provided
Major Events	<ul style="list-style-type: none"> – Funding : \$10,000 > \$20,000 – Funding tied to event growth – 3 year funding agreement – Possible sliding funding scale – Base funding amount of \$10,000 for major events – Maximum in-kind Council support valued at \$10,000 (requires approval)
Regional Events	<ul style="list-style-type: none"> – Funding : \$5,000 > \$10,000 – Funding tied to event growth – 3 year funding agreement – Possible sliding funding scale – Base funding amount for all events that meet 'Regional Event' criteria – Maximum in-kind Council support valued at \$5,000 (requires approval)
Local Community Events	<ul style="list-style-type: none"> – Funding : Up to \$2,000 – Funding available through Council's Community Grants program – 'One off' funding – Maximum in-kind Council support valued at \$3,500 (requires annual approval)

When seeking financial assistance from Council, an event will be required to prepare a business/event plan that addresses the funding and support framework in order to formally request funding. These submissions will initially be assessed by the Events Coordinator, to ensure relevant information is included and that the event fits within the framework. Once assessed one of the following three outcomes is possible:

1. If the event is assessed as being in the Local/Community Events category, they will be directed towards applying for a Community Grant for assistance with funding.
2. If the event is assessed as aligning with either the Regional or Major event category, a report will be prepared for Council to consider for funding.
3. If the event is assessed and is considered to not align with the funding framework then feedback will be provided to the applicant on the reasons why and how their event could be improved

In addition to direct financial support, Council will also support events through operational (in-kind) support. This support is provided to events within the context of the annual budget and can be in many forms including but not limited to:

- Event planning advice
- Marketing support
- Assistance with planning an event and completing necessary permit applications
- Supply and service of bins to assist with waste management
- Supply of traffic management and other event related equipment
- Assistance with the implementation of traffic management plans

For new events seeking operational support, assistance may be provided through the existing budget. For regular or annual assistance beyond that, a budget bid with a list of all events to receive operational support will be presented to Council annually by the Events Coordinator.

All events that receive support from Council will be required to acknowledge Council on all promotional material. It will be responsibility of the event to ensure that this happens.

3. Implementation

Council is committed to ensuring that events are run safely and all compliance requirements are met, whilst minimising negative impacts upon the community. Council assists with education and skill development for event organisers, many of whom are volunteers.

Risk Management:

Events are required to ensure that risks are minimised and there is compliance with regulatory requirements during events.

The event approval process requires a rigorous risk minimisation process. All events approved by Council must have approved risk and emergency management plans. All events must show proof of current public liability insurance, and where required Health, Planning, Local Law, Road closure and Places of Public Entertainment permits must also be obtained.

Road Closures

Events must indicate if their event includes a road closure at least 6 months before the event. The Events Coordinator can assist an event with preparing a Traffic Management Plan (TMP) and advising of the approval process. If the road is Council controlled, the TMP will be sent to the General Manager Infrastructure for approval. If the road is controlled by an agency other than Council, the TMP will be submitted to them for approval.

Approval, Planning and Evaluation of Events:

Decisions regarding approval of new events or significant changes to existing events are made through consultation with Council's Events Coordinator, who will assess an events submission against the funding and support framework as outlined in the Events Strategy and if required via Council for approval.

One off events must make contact with Council at least 6 months before their intended event.

All events are provided a copy of Council's Events Guide and are required to participate in Council's Events Process. Event organisers are required to meet with the Events Coordinator and other relevant Council officers, and external agencies, at least 3 times before an event (6 months, 6 weeks and 6 days prior to the event). Event organisers are also required to participate in a post event meeting, and if a funding agreement (MOU) has been entered in to, event organisers will be required to submit a post event evaluation/acquittal report, using the approved evaluation form.

DEFINITIONS

The following terms are referred to in the policy.

Term	Definition
Council	Hepburn Shire Council
Council officers	Includes permanent and temporary full-time and part-time council employees, and contractors and consultants while engaged by Council.

Term	Definition
Event	An organised gathering of people on public or private land which impacts upon Hepburn Shire Council infrastructure, assets or the general public.
MOU	Memorandum of Understanding
TMP	Traffic Management Plan

FURTHER INFORMATION

Any enquiries about the Events Policy should be directed to Council's Events Coordinator.

IMPLEMENTATION

This policy will be implemented in accordance with the framework set out in the Events Strategy by Council's Events Coordinator and the Community and Economic Development department.

The policy will be made available on Council's website, alongside the Events Strategy, and Council's Event Guide.

REVIEW

The Events Policy will be reviewed every four years or sooner if required by legislation or organisational changes.

The officer responsible for the review of this policy is the Events Coordinator.

ATTACHMENT 5 - EVENTS STRATEGY – AUGUST 2014

DRAFT MINUTES
ORDINARY MEETING OF COUNCIL
15 SEPTEMBER 2015

Hepburn

SHIRE COUNCIL

EVENTS STRATEGY

AUGUST 2014

VISION

Hepburn Shire Council will be a premier regional Victorian events destination that leverages success through its unique communities and natural environment.

STRATEGIC DIRECTION

Council's strategic direction is to support events in the following areas:

- Wellness and Healing
- Natural Experiences
- Food and Wine
- Arts and Culture
- Local Communities
- History and Heritage

STRATEGIES

In order to achieve the vision, the following strategies will be implemented:

1. Implement Councils events funding and support framework
2. Retain and enhance existing major events
3. Develop, measure and monitor the impacts of major and regional events to help them develop and ensure a return on investment is achieved
4. Identify community and regional events with the ability to grow into major events
5. Attract new major and regional events that assist in expanding Councils calendar of events
6. Provide efficient and cost effective operational support to events

ACTION PLANS

The following action plans will be undertaken to implement each strategy:

1. Implement Councils events funding and support framework

Hepburn Shire Council recognises both the significant costs involved in establishing and running a major event and the economic benefits that events bring to Hepburn Shire. In order to ensure Council can provide a suitable level of support to a wide variety of events, the following events funding and support framework has been established.

The events framework provides three levels of support for events within Hepburn Shire. This support is for:

- Major Events
- Regional Events, and;
- Local Community Events

In order to place events in a relevant category they will be assessed against the following criteria:

- Alignment with Council and/or Daylesford Macedon Ranges Regional Tourism Board (DMRRTB) or other peak regional body strategic direction
- Economic Impact generated through event and capacity to grow
- Tourism growth – raises the profile of Hepburn Shire and attracts external visitors
- Supported by community and business
- Opportunities to support existing and leverage new product and business development
- Sustainable event funding model and viability in the short/medium/long term
- New events- fill a gap in events calendar and/or addresses a gap in the strategic direction

The below table identifies a detailed breakdown of how events will be assessed against each criterion:

Criteria\Rating	High	Medium	Low
Alignment with Council and/or DMRTTB or other peak regional body strategic direction and vision and Council Plan	Does the event align with the Hepburn Shire Council Plan and event strategic direction and DMRTTB's or other peak regional body strategy and Tourism Victoria's event strategic directions?		
Economic Impact and capacity to grow event	Economic value > \$2,500,000	Economic value > \$1,000,000 - \$2,500,000	Economic value < \$1,000,000
	Can the event demonstrate a plan to grow their event over the length of the funding agreement		
Tourism Growth - Raises profile and attracts external visitors	National and International media coverage	State media coverage	Local/Regional media coverage
	Greater than 60% of attendees are from outside the region	Greater than 40% of attendees are from outside the region	20% or less of attendees are from outside the region
Supported by community and business	The event must detail how it supports and is supported by local community and business		
Opportunities to support Product Development	The event needs to explain how it proposes to utilise local and regional businesses in delivering its event and how its event supports new product and business development		
Sustainable event funding model and viability in the short/medium/long term	Provision of three year event business plan	Provision of three year event business plan	Provision of a business plan for the upcoming event
Does the event fill a gap in the strategic direction and events calendar (new events only)	New events must be able to demonstrate how they fill a gap in the existing events calendar and/or a gap in Councils events strategic direction.		

Once an event has been assessed they will then be eligible for one of the funding programs below:

Funding Program	Criteria to be met	Council support provided
Major Events	Average high against framework	<ul style="list-style-type: none"> - Funding : \$10,000 > \$20,000 - Funding tied to event growth - 3 year funding agreement - Possible sliding funding scale - Base funding amount of \$10,000 for major events - Maximum in-kind Council support valued at \$10,000 (requires approval)
Regional Events	Average medium-high against framework	<ul style="list-style-type: none"> - Funding : \$5,000 > \$10,000 - Funding tied to event growth - 3 year funding agreement - Possible sliding funding scale - Base funding amount for all events that meet 'Regional Event' criteria - Maximum in-kind Council support valued at \$5,000 (requires approval)
Local Community Events	Average medium- low against framework	<ul style="list-style-type: none"> - Funding : Up to \$2,000 - Funding available through Councils Community Grants program - 'One off' funding - Maximum in-kind Council support valued at \$3,500 (requires annual approval)

2. Retain and enhance existing major events

Major events in Hepburn Shire Council provide a significant boost to the local economy by increasing visitation, raising the profile of the area and attracting positive media attention. Existing events already have significant networks and community support in place along with a positive brand and reputation. By supporting and retaining our current major events Council can also signal to potential new events that they will be supported in Hepburn Shire.

In order to support current major events the following actions will be implemented:

- Implement Action Plan 1 – Events Funding and Support Framework
- Where required work with Daylesford Macedon Ranges Regional Tourism Board, Tourism Victoria, other levels of government and the private sector to attract additional support for these major events
- Provision of Memorandum of Understanding funding agreements with major events to provide clarity of roles, responsibilities and expectations between Council and the event organiser
- Continue to support major events through Councils Events Coordinator

3. Develop, measure and monitor the impacts of major and regional events to help them develop and ensure a return on investment is achieved

To ensure Council and the community receive a return on their investment into events, all major and regional events will have KPI's tied to their development. These KPI's will have a focus on events developing tourism and economic impacts within Hepburn Shire.

The actions Council will undertake to implement this strategy are:

- Strengthen partnerships with Daylesford Macedon Ranges Regional Tourism Board, Tourism Victoria and any other areas as required to enhance their support and investment to events in Hepburn Shire
- Inclusion of Key Performance Indicators (KPI's) in MOU funding agreements that encourage growth and ensure events are increasing the tourism and economic impacts they provide to Hepburn Shire annually

- Ensure major events place a focus on attracting national media coverage to encourage visitation from inter and intra state visitors
- Where viable grow events and the number of overnight visitors they attract by encouraging them to extend the length of their events

4. Support the growth of existing events into regional and major events

Supporting existing regional or community events in Hepburn Shire with the potential to grow into major events will allow Council to further develop its events calendar. Similar to existing major events, existing community and regional events already have local event organisers, volunteers and support which provides a cost effective means of developing major events.

To identify and develop community and regional events into major events Council will:

- Assess events against the funding and support framework, events calendar and strategic direction to see if it addresses a gap
- Compare potential events against any similar events across the State to identify the potential for the event to grow
- Discuss with event organisers their plans for the event and level of support to further develop the event
- Work with Daylesford Macedon Ranges Regional Tourism Board, Tourism Victoria and other government departments or areas as required to attract support and investment for the event

5. Attract new major and regional events that assist in expanding Council's calendar of events

Following the provision of support to existing major events, attracting new major and regional events to Hepburn Shire should be investigated.

In order to attract new major and/or regional events to Hepburn Shire the following strategies should be implemented:

- Develop a comprehensive events calendar for Hepburn Shire and identify current gaps
- Assess the local economy and identify periods of low economic investment

- Attract events which align with Councils events vision and strategic framework
- Work with new events to ensure they have a diverse level of investment and are not solely reliant on Council financial support
- Establish a 'new events' funding program to attract and establish new events in Hepburn Shire

6. Provide efficient and cost effective operational support to events

Council is well positioned to provide a variety of operational support to major, regional and community events across Hepburn Shire. This support can include traffic management, waste management, events equipment, providing access to facilities and assistance in event planning. This support provided to events is significant and without it some events may no longer be able to operate.

In order to continue to provide this support to events and to ensure that it is efficient and cost-effective to Council, the following actions should be undertaken:

- Conduct a comparison between the cost for Council to undertake this support against local private providers
- Annually review the events that are provided with this support to ensure they are still relevant and the budget allocated is suitable
- For new events to receive this support from Council they must fit within the events funding framework and be able to provide an events plan to Council outlining a sustainable three year plan
- 'One off' events seeking this support must contact Council six months before their event in order to be considered

11.4. LICENCE RENEWAL - TRENTHAM PUBLIC PURPOSE RESERVE – COUNCIL AS OCCUPIER OF TRENTHAM SKATE PARK

GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Property Officer, I Karen Ratcliffe have no interests to disclose in this report.

PURPOSE

The purpose of this report is to seek Council approval to enter into a three year section 17(B) Crown Land licence between Hepburn Shire Council as Licensee and the Trentham Public Purpose Reserve Committee of Management Incorporated (the Committee) as Licensor for Council to occupy the land known as the Trentham Skate Park and BMX Track (Skate Park).

BACKGROUND

The Skate Park is located on part of the Trentham Public Purpose Reserve which is managed by a Committee of Management appointed by the Department of Environment, Land, Water and Planning (DELWP).

To recognise the continued occupation of the Reserve by a Council owned asset, i.e. the Skate Park, the Committee has proposed that the licence be renewed for a further three years under section 17(B) of the *Crown Land (Reserves) Act 1978*.

ISSUE/DISCUSSION

The Skate Park was built in 2004 with funding from Sport and Recreation Victoria, local contributions, and Hepburn Shire Council. In 2011, a BMX Track was added to the facility, and a licence fee of \$400 with 4% annual increases was negotiated between Council officers and the Committee to assist the Committee in maintaining the Trentham Public Purpose Reserve. The fee charged by the Committee for the 2014/15 period was \$449 ex GST and Council maintains the Skate Park licenced area.

Currently, the Committee has no other income and has sole responsibility for the development and maintenance of the Stoney Creek Reserve which is approximately 15 acres in area. An increase of 0.5 acre is planned in 2016 by the extension of the Wombat Trail along the creek which is being funded by a grant from DELWP.

The main conditions of the proposed new licence are:

- Rent remains at \$449 with 4% annual increases.
- Council is responsible for security and must maintain the licenced area in a safe condition. Council must replace items affected by vandalism.
- Any removal of vegetation (unless by way of routine pruning or maintenance) must be undertaken with prior written consent of the Committee.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The proposed licence is granted under the powers of Section 17(B) of the *Crown Land (Reserves) Act 1978*. The new licence will be submitted for Ministerial approval via DELWP.

FINANCIAL IMPLICATIONS

There are no significant financial implications.

RISK IMPLICATIONS

The licence requires Council to hold public liability insurance of \$20m.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Hepburn Shire Council recognises that participation in recreational activities provides important social connection and benefits for communities. No other implications are envisaged regarding the proposed licence.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The request to renew the licence originated from the Committee. Council officers have liaised with the Committee regarding ongoing maintenance and other operational matters at the Skate Park.

CONCLUSION

A three year licence issued under Section 17(B) of the *Crown Land (Reserves) Act 1978* is presented for Council's approval.

OFFICER'S RECOMMENDATION

That Council:

- 11.4.1 Approves the new three year 17(B) Crown Land licence between Hepburn Shire Council as Licensee and the Trentham Public Purpose Reserve Committee of Management Incorporated as Licensor for Council to occupy the land known as the Trentham Skate Park and BMX Track.
- 11.4.2 Authorises the Chief Executive Officer to execute the 17(B) Crown Land licence for and on behalf of Council.

MOTION

That Council:

- 11.4.1. *Approves the new three year 17(B) Crown Land licence between Hepburn Shire Council as Licensee and the Trentham Public Purpose Reserve Committee of Management Incorporated as Licensor for Council to occupy the land known as the Trentham Skate Park and BMX Track.*
- 11.4.2. *Authorises the Chief Executive Officer to execute the 17(B) Crown Land licence for and on behalf of Council.*

Moved: Councillor Sebastian Klein

Seconded: Councillor Don Henderson

Carried

ATTACHMENT 6 - SECTION 17(B) LICENCE – TRENTHAM SKATE PARK

Trentham Public Park and Recreation Reserve
Committee of Management Incorporated
Park Street Reserve

LICENCE

CROWN LAND (RESERVES) ACT 1978

Section 17B

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

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

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

.....
Licensor or Authorised person – Andrew Robinson (Secretary)

Licensee – **Hepburn Shire Council**

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

.....
Licensee
Aaron van Egmond – Chief Executive Officer
For and on behalf of Hepburn Shire Council

Approved by

.....
as delegate for the Minister for Environment,
Climate Change and Water on

Date:

NOTE:

- | | |
|----------|--|
| 1 | This licence is not valid until it has been approved by the Minister for Environment, Climate Change and Water or the Minister’s delegate. |
| 2 | This Licence is an important document and should be stored in a secure and safe place. In the event of loss, a replacement fee will be charged. |

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SCHEDULE and SPECIAL CONDITIONS

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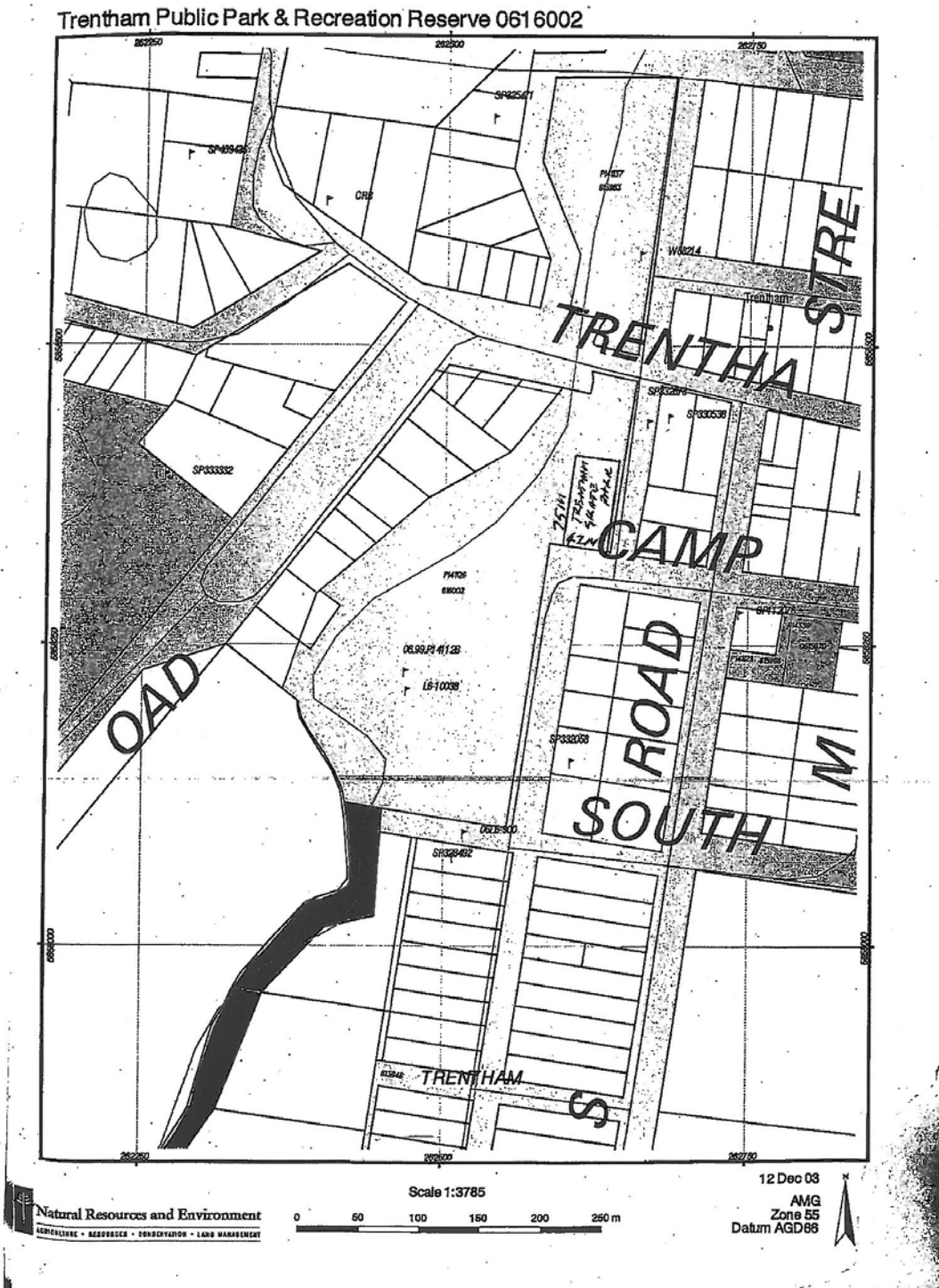
SCHEDULE

ITEM

- 1 Licence Number: 15109R DSE 2016639**
- 2 Licensor: Trentham Public Reserves Committee of Management Incorporated**
- 3 Licensor Address: PO Box 145, Trentham, Vic 3458**
- 4 Licensee: Hepburn Shire Council**
- 5 Licensee's Address: PO Box 21, Daylesford, Vic 3460**
- 6 Commencement Date: 1 October 2015**
- 7 Term: 3 years**
- 8 Licence fee: \$450 per annum for the first year and then increasing at 4% per annum thereafter**
- 9 Payable: 31 July each year**
- 10 Reservation description: Part of Crown Allotment, 12 Section 3A Parish and Township of Trentham being land temporarily reserved for Public Park and General Recreation by Order in Council 3/8/1885 notified in the Victorian Government Gazette at 1885 on page 2164.**
- 11 Licensed premises: Park Street Reserve an area of 42m x 75m on the corner of Quarry Street and Camp Street on the Reserve and as delineated on the attached map**
- 12 Area: 3,150 sqm**
- 13 Powers under which licence granted: Section 17B Crown Land (Reserves) Act 1978**
- 14 Specified Purposes: The Trentham Skate Park and BMX Track – operation and maintenance**
- 15 Amount of Public Liability Insurance: \$20 million**
- 16 Special Conditions:-**
 - 16.1 In addition to Clause 2.5 the area under Licence is to be maintained at all times by the Licensee in a safe condition commensurate with the Specified Purpose;
 - 16.2 The Licensee and Licensor must endeavour to resolve any disputes through negotiation. If a dispute cannot be resolved by negotiation after 90 days, the matter will be referred to an appropriate person for mediation and that person's written determination must be made within a further 60 days and will bind the parties;
 - 16.3 The Licensee must not injure, cut, remove any tree shrub or other similar living plant unless by way of routine pruning maintenance or for ensuring public safety, or in any other case, unless the prior written consent of the Licensor is first obtained;

- 16.4 The Licensee is responsible for the security of the Licensed Premises and any vandalism which may result from inadequate security measures during its occupancy; and
- 16.5 The Licensee is responsible to insure any and all chattels/contents/equipment it has on the Licensed Premises and any property of its members, officers, agents, invitees where applicable.

PLAN





LICENCE CONDITIONS

1 Grant

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

2 Licensee's Obligations (Positive)

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

12. Licence fee

Duly and punctually pay or cause to be paid the licence fee to the Licensor at the payment address shown in Item 3 of the Schedule or as advised by the Licensor from time to time on the days and in the manner provided in Item 9 of the Schedule without demand, deduction, set-off or abatement.

2.2 Rates and Taxes

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

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

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

2.3 Indemnity

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

2.4 Public Liability Insurance

A public liability insurance policy over the premises (providing no less limit of indemnity for any one occurrence during the policy period than the amount shown at Item 15 of the Schedule), which is endorsed (as follows), to note:

‘the Committee of Management, the Crown in the right of the State of Victoria, the Secretary to the Department of Sustainability and Environment, its servants, agents and employees in respect to providing indemnity for personal injury and/or property damage caused by an occurrence, and/or for breach of Professional duty arising out of the negligent acts, errors or omissions of the Licensee and/or its servants agents and employees. The endorsement and extension to the policy does not extend to negligent acts, errors or omissions of the Crown (and others above mentioned), and is limited to the amount shown in Item 15 of the Schedule for any one occurrence.’

2.5 Maintenance

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

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

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

2.6 Fire Protection Works

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

2.7 Condition at Termination

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

2.8 Notice of Defects and other matters

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

2.9 Compliance with Law

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

2.10 Arrears and Interest

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

2.11 Further Conditions

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

3 Licensee's Obligations (Negative)

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

3.1 Use of Licensed premises

Use the licensed premises for any purpose other than the specified purpose referred to in Item 14 of the Schedule without first obtaining the Licensor's written consent which can be given or withheld at the absolute discretion of the Licensor or be given subject to conditions.

3.2 Create nuisance

Do not cause or permit to be done anything which constitutes an actionable nuisance, annoyance or disturbance to other persons lawfully entitled to use the licensed premises or to use any land in the vicinity or to occupiers of properties adjoining the licensed premises.

3.3 Allow rubbish

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

3.4 Hazardous Chemicals

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

3.5 Assignment

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

3.6 Licensor's Entry

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

3.7 Void insurance

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

3.8 Erection of Improvements

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

4 General Conditions

4.1 Termination upon Default

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

4.2 Termination without Default

4.2.1 In addition to and not in substitution for the power to cancel this Licence under clause 4.1, the Licensor may with the approval of the Minister by giving to the Licensee at least 30 days written notice to that effect cancel this Licence upon a date to be specified in that notice notwithstanding that there has been no breach by the Licensee of any term or condition of this Licence.

4.2.2 If the licence is terminated under this clause the Licensee is entitled to receive and will be paid by the Licensor a refund of an amount of the licence fee paid.

4.2.3 The amount of refund will be determined by the Licensor on a pro rata basis, taking into account any period of the licence remaining at the date of cancellation.

4.2.4 Except as provided in sub clause 4.2.2 above no compensation is payable in respect of the cancellation of the licence.

4.3 Ownership of Improvements

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

4.4 Licensee's Chattels

4.4.1 Except as provided in sub-clause 4.4.3 the Licensee's chattels shall remain the property of the Licensee.

4.4.2 On the cancellation or expiration of the Licence the Licensee must, within a period of time specified by the Licensor, remove all Licensee's chattels from the licensed premises and forthwith make good all damage caused to the licensed premises by the affixing, retention or removal of Licensee's chattels to the satisfaction of the Licensor.

4.4.3 If the Licensee's chattels are not removed at the end of the period of time specified under sub-clause 4.4.2, the Licensee's chattels shall become the property of the Licensor.

4.5 Licensor may remove and dispose of Licensee's chattels

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

4.6 Licensor's Agents

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

4.7 Notices

Any notice consent or demand or other communication to be served on or given to the Licensee by the Licensor under this Licence shall be deemed to have been duly served or given if it is in writing signed by the Licensor and delivered or sent by pre paid post to the Licensee's address set out in Item 5 of the Schedule or to the latest address stated by the Licensee in any written communication with the Licensor.

4.8 Debt recovery

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

4.9 Additional Approvals

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

5 Definitions

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

"**commencement date**" means the date described in Item 6 of the Schedule and is the first day of the term;

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

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

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

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

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

"**licensed premises**" means the land and structures described in Item 11 of the Schedule;

"**Licence fee**" means the licence fee described in Item 8 of the Schedule as varied during the term;

"**Licensee**" means the person named in Item 4 of the Schedule and includes the permitted assigns and successors in law to a Licensee;

"**Licensor**" means the Trustees or Committee of Management appointed by the Minister to manage the reserved land described in Item 10 of the Schedule or if there are no Trustees or Committee of Management means the Secretary to the Department of Sustainability and Environment or a person or class of person authorised by the Secretary to grant licences under Section 17B of the *Crown Land (Reserves) Act 1978*;

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

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

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

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

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

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

"**sign**" includes names, advertisements and notices;

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

"**term**" means the period of time set out in Item 7 of the Schedule, as and from the commencement date;

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

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

6 Interpretations

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

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

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

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

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

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

11.5. CLUNES COMMUNITY PLAN 2015

GENERAL MANAGER COMMUNITY SERVICES

In providing this advice to Council as the Community and Cultural Development Officer, I Kate Gerritsen have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to note the Clunes Community Plan developed between March and September 2015 by members of the Clunes community and facilitated by Hepburn Shire Council.

BACKGROUND

The community of Clunes has worked with Hepburn Shire Council staff in 2015 to review the Clunes Community Plan to identify community priorities and explore opportunities for action and positive change to enhance the well-being of their community. The Community Plan has been developed in accordance with the Hepburn Shire Community Planning Strategy adopted by Council in August 2014.

The first Clunes Community Plan was initiated in 2009 and a subsequent review undertaken in 2012. However, this Plan was not finalised or presented to Council at the time. In 2015, members of the Clunes community approached Council to finalise this plan by building on the 2012 project and principles that were gathered in 2012.

The process of reviewing the 2012 Clunes Community Plan included:

- A community survey mailed to all households in the locality of Clunes receiving a high response rate of 90 participants
- Attending the Clunes Open Door Dinner night to communicate information about the draft plan (attendance: 38 residents)
- Facilitated residents meeting on 23 August 2015 to coordinate discussion about specific priority projects (attendance: 17 residents).

The attached 2015 Clunes Community Plan documents all the thoughts and ideas recorded during the community planning project.

ISSUE/DISCUSSION

The four top strategic priority areas nominated by the Clunes community are:

1. Public Transport Improvement
2. Youth Facilities and/or Activities
3. Creekscape
4. Family Facilities.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – Active and Engaged Communities

Key Strategic Activity:

1. Work with communities to support communities and residents to implement community driven projects through community planning.

FINANCIAL IMPLICATIONS

The Clunes Community will work with Council Officers to develop application(s) to the community planning fund. The Clunes Neighbourhood House has expressed interest in facilitating a project around the Youth Activities priority area. The Clunes Landcare and Waterways group are interested in developing Creekscape improvement projects.

An expression of interest application to the fund will establish any potential costs for these projects.

A number of projects/initiatives identified in the Clunes Community Plan are already funded to occur in the 2015/16 financial year. This includes works at the Clunes Town Hall, signage upgrades and streetscape improvements. Additionally, as part of Council's Youth Strategy process, one of the top five ideas raised was for a music space in Clunes. As part of funding in the 2015/16 budget for implementation of the Youth Strategy, this project will be financially supported for implementation.

RISK IMPLICATIONS

The Community Planning Strategy has been used to develop the Clunes Community Plan. The Strategy clearly sets out the roles and responsibilities of Council and communities and provides a mechanism for communication between parties. In doing so, it reduces the risk of unmet expectations in the community.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Community planning provides a forum for public participation where community members identify who they are, what is important to them in their region and what they would like to see happen in the future. As such, the program aims to deliver inclusive engagement methods that result in diverse participation.

The Community Planning Policy and Strategy recognise that communities who are empowered to act on what is important to them are stronger and more successful. Social impacts of community planning in Clunes will be monitored by Council Officers to improve community planning across the Shire into the future.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

- Council Officers worked closely with community members in Clunes from March to September 2015 to review the Clunes Community Plan. This included community input into the development of a community engagement strategy for the Clunes Community Plan project.
- Consultation included a community survey mailed to all residents in the locality of Clunes, community meetings as detailed above and an online survey.

CONCLUSION

The Community Planning Strategy has been employed to review the Clunes Community Plan. Clunes residents actively participated in the creation of the 2015 Clunes Community Plan and look forward to implementing projects that have been nominated by their community as priorities. The Clunes Community Plan will assist Council to understand community priorities and include these in Council planning processes.

OFFICER'S RECOMMENDATION

11.5.1 That Council notes the completed Clunes Community Plan 2015.

MOTION

11.5.1. *That Council notes the completed Clunes Community Plan 2015.*

Moved: Councillor Neil Newitt

Seconded: Councillor Don Henderson

Carried

ATTACHMENT 7 - CLUNES COMMUNITY PLAN 2015

DRAFT MINUTES
ORDINARY MEETING OF COUNCIL
15 SEPTEMBER 2015

CLUNES COMMUNITY PLAN 2015





INTRODUCTION

The first Clunes Community Plan was initiated in 2009 and a subsequent review undertaken in 2012, however the reviewed plan was not finalised and presented to Council at the time. In 2015 members of the Clunes community approached Council to finalise this plan by building on the 2012 project and principles the gathered at the time. The residents of Clunes are highly engaged in issues relating to their community, this was reflected in over 90 survey responses and approximately 60 residents participating in meetings and drop-in sessions during this project.

DEVELOPING THE 2015 CLUNES COMMUNITY PLAN

The 2015 Clunes Community Plan review began with a community survey asking to residents what they valued about Clunes and what priorities from the 2012 plan were still relevant for their community. Community drop in sessions were also held and a draft plan was developed focussing on areas of most importance to the community in 2015. The draft was presented to the community at the Clunes Open House Dinner on 28 July 2015. A community planning meeting was then held at the Warehouse Clunes on 23 August 2015 to finalise the plan. After compiling the final Community Plan community members presented their vision for Clunes to Hepburn Shire Council and the plan was noted at the September 2015 Council Meeting.

VALUES, VISION AND CONCERNS FOR CLUNES

► Values

The values that are appreciated about Clunes are:

- Historic streetscape and heritage
- Sense of community
- Peace and quiet
- Low density and affordable housing
- Many events and opportunities to be involved and share interests
- Inclusive and friendly
- Rural environment and village feel
- Proximity to Ballarat and other towns
- Small community able to discuss issues
- Diversity of people and interests

► Vision

The vision for Clunes is a place where:

- Shops are all occupied and vacant blocks built on
- Tourism and local living are valued equally
- The landscape is improved
- There is sufficient employment for young people
- Clunes Booktown is a valued cultural event supported by government
- Heritage buildings and facilities are maintained and used
- Residents have natural gas and NBN
- Sports facilities are enhanced and expanded

► Concerns

Things that were highlighted as local concerns were:

- Inappropriate development or change of heritage streetscape
- Traffic controls and reassessment of truck routes
- Empty shops in Fraser Street
- Consistency of tree planting/ replacement in Fraser and Bailey Streets
- Poor train service
- Lack of facilities and activities for youth
- Maintenance of creek area
- Maintenance of key buildings

PRIORITISED PROJECTS – ACTION PLAN

These are the top priority projects that were voted on by the Clunes community. Other projects are listed on the page to the right.

Public Transport Improvement

Project Description	Next steps / Projects / Actions	Partners
Advocacy for increased train and bus frequency. The community would like trains arriving by 9am weekdays and more weekend services to Melbourne and buses to Ballarat and Daylesford.	<ol style="list-style-type: none"> 1. Form an advocacy group to talk to Public Transport Victoria (PTV). Discuss an advocacy role with local Councillor, state and federal members. 2. Gather data to compare similar size towns and train/bus service frequency, survey potential users 	<ul style="list-style-type: none"> • PTV • Hepburn Shire • Victorian Gov

Youth Facilities and/or Activities

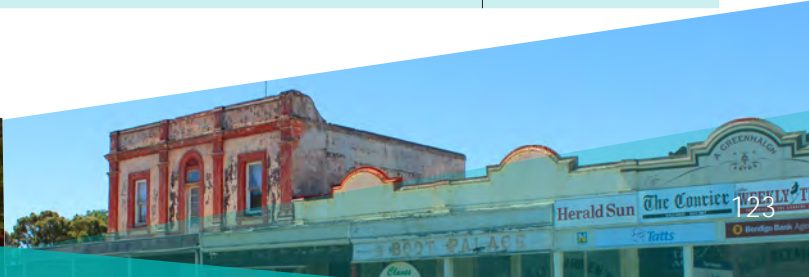
Project Description	Next steps / Projects / Actions	Partners
Increase use of facilities and activities available for youth. Create inclusive activities that appeal to both local young people and Wesley College students who come to Clunes for one semester.	<ol style="list-style-type: none"> 1. Support young people to form a Clunes Youth Council 2. Assess and build on venues in Clunes that could be accessed by young people (skate park, CNH spaces) 3. Provide ongoing support to Youth Council (mentoring, skills development) <p>Contact: coordinator@clunesnh.org Refer to: Hepburn Shire Youth Strategy (HSC)</p>	<ul style="list-style-type: none"> • Young residents • CNH • Hepburn Shire • Wesley College

Creekscape

Project Description	Next steps / Projects / Actions	Partners
Enhance the creekscape including clearing, walks, maintenance and recreation. Involve local volunteers, Clunes Landcare and Waterways, North Central Catchment Management Authority (NCCMA), Department of Environment, Land, Water and Planning (DELWP) and Hepburn Shire Council.	<ol style="list-style-type: none"> 1. Work to open up creek easements creating walking and bike tracks (eventually including interpretive signage, lighting and linking to town loop) 2. Finish clearing tree growth 3. Create a passive recreation area including a viewing platform <p>Contact: cluneslandcare@gmail.com Refer to: Hepburn Shire Walking and Cycling Strategy (HSC) and Clunes Flood Mitigation Plans (NCCMA)</p>	<ul style="list-style-type: none"> • Landcare • NCCMA • Hepburn Shire • DELWP

Family Facilities

Project Description	Next steps / Projects / Actions	Partners
Ensure for provision of quality family facilities and services needs. Plan for present and future needs in Clunes.	<ol style="list-style-type: none"> 1. Bring together local agencies, schools, parents and children to identify the needs of children and families in Clunes (playgroups, mothers groups, childcare, activities?) <p>Refer to: Hepburn Health needs assessment and the Municipal Early Years Plan (HSC)</p>	<ul style="list-style-type: none"> • Schools • Hepburn Health • Hepburn Shire



DRAFT MINUTES
ORDINARY MEETING OF COUNCIL
15 SEPTEMBER 2015



OTHER PROJECTS / INITIATIVES

Below is a list of other projects and initiatives that were raised throughout the community planning process

- ▶ Repair and restore the Clunes Town Hall
- ▶ Revisit zoning and township planning
- ▶ Events integration and collaboration
- ▶ Support and encourage volunteers
- ▶ Enhance and expand sporting facilities
- ▶ Provide youth employment opportunities
- ▶ A community education hub
- ▶ Bottle Museum renovations including: workshop roofing, exhibition design, disability toilet, airconditioning
- ▶ Support Clunes as an International Booktown
- ▶ Economic development strategy and master plan
- ▶ Lowering the speed limit on Templeton and Bailey Streets
- ▶ Purchase 95 Bailey St as civic space to open up Collins Place to the Town Hall
- ▶ Installation of more LED street lights
- ▶ Redirect Ligar St truck route
- ▶ Update welcome and tourism signage
- ▶ Develop a heritage protection plan
- ▶ A community wind farm
- ▶ Establish a 7 day per week gym
- ▶ A central community garden
- ▶ An audit of Booktown and encourage more feedback with the community
- ▶ Children's play equipment in Fraser St
- ▶ More staff at the Warehouse - Clunes
- ▶ Install bins for dog poo
- ▶ Connect the outer town with walking, horse and bike paths
- ▶ Increase/improve footpath coverage
- ▶ Booktown signage (brown VIC Roads Tourism signs)
- ▶ Signage at lookout and mine sites
- ▶ Further promote Agricultural show and make it weekend long
- ▶ Edible plants in street planter boxes

COMMUNITY CONTACTS

Clunes CFA

www.cfa.vic.gov.au

District office: 03 5329 5500

Clunes Neighbourhood House

coordinator@clunesnh.org

www.clunesnh.org

Clunes Landcare and Waterways

cluneslandcare@gmail.com

www.northcentral.landcarevic.net.au

The Warehouse - Clunes

Phone: 5345 3359

www.hepburn.vic.gov.au

Clunes Museum

info@clunesmuseum.org

www.clunesmuseum.org

Creative Clunes

visitus@clunesbooktown.com.au

www.creativeclunes.com.au

Country Womens Association

anabhm1@bigpond.com

www.cwa.org.au

Clunes Tourism and Development Assoc.

jp33@bigpond.com

www.clunes.org

Clunes Angling Club

clunesanglers@gmail.com

ABOUT CLUNES

Clunes is situated 36 kms north of Ballarat, nearby towns include, Creswick, Maryborough and Talbot. The Dja Dja Wurrung people were the first inhabitants of the region. Clunes unique cultural heritage also includes being known as the home of Victoria's first registered gold discovery made by James Esmond in 1851 which was thought to have triggered the gold rush in Victoria. Clunes is host to the annual Booktown event, which brings together of booksellers, writers and speakers from Australia and overseas. With more than 60 booksellers and 15,000 visitors, it has become the largest collection of books and the major book event in regional Australia. Tourism in Clunes caters for bush walkers, gold prospectors, treasure hunters, collectors, vintage car clubs, history buffs and families seeking to escape to the country. Clunes also boasts a recently established monthly Farmers Market.

At the 2006 census Clunes had a population of 1,605. The 2011 census recorded a population of 1,656* usual residents. The median age of residents was 48 with children aged 0-14 years making up 17.7% of the population and people aged 65 years and over 21.3% of the population.

Over 26% of residents participated in voluntary work through an organisation or group, higher than the state average, while the unemployment rate of 9% was significantly higher than the Victorian rate of 5.4%.

Major industries for employment include school education, hospitals, supermarket and grocery stores, sheep, beef cattle and grain farming and hospitality.

Census data, State Suburb collection area

1656*



48

MEDIAN AGE

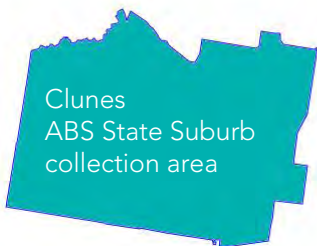
26%



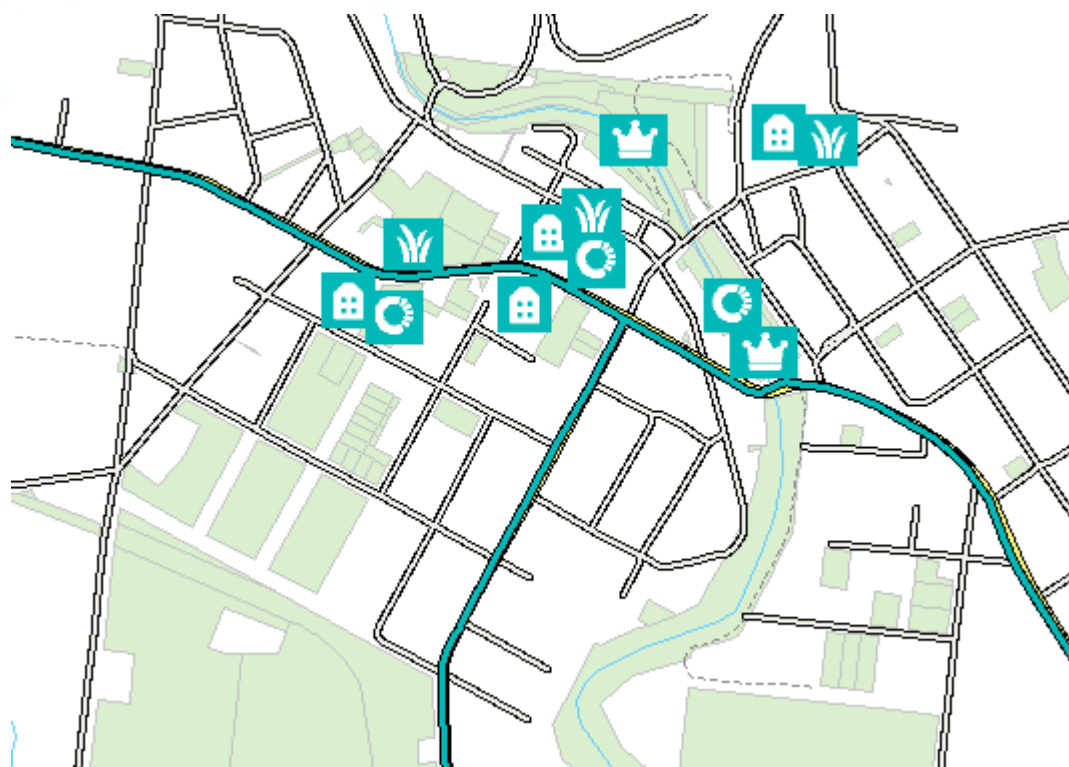
PARTICIPATED IN VOLUNTARY WORK

9%

UNEMPLOYED



Clunes
ABS State Suburb
collection area



Key:

- Community Service
- Community Facility
- Crown Land
- Council Land
- Area of potential change



WHAT IS COMMUNITY PLANNING?

The Hepburn Shire Council supports communities in the Hepburn Shire who wish to develop their own Community Plans. Community Planning is a process that is 'owned' by the community with Council available to play a facilitation role. Community Plans provide valuable input into Local, State and Federal Government planning.

Please note that all views and opinions expressed in this community plan are those of the community members who participated in developing the plan. They do not represent the views of Hepburn Shire Council staff, or its Councillors.

For more information, contact
Hepburn Shire Council on 03 5348 2306

This community plan was developed by the community of Clunes in collaboration with:

Hepburn
SHIRE COUNCIL



11.6. REVIEW OF POLICY 19 (C) - PLACEMENT OF FIXED AND TEMPORARY FURNITURE, SIGNS AND OUTDOOR DINING FACILITIES ON ROAD RESERVES
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 the adoption of the revised Policy 19 (C) - Placement of fixed and temporary furniture, signs and outdoor dining facilities on road reserves.

BACKGROUND

In accordance with Council's Policy Review program reported to Council in August 2015, Policy 19 (C) has been reviewed. Whilst the existing policy has continued to be used in the administration of annual permit applications, a complete review has provided an opportunity to improve the policy and ensure it reflects Council needs.

ISSUE/DISCUSSION

The revised policy clearly articulates Council's expectations and standard requirements for the placement of temporary items, however also provides the ability for officers to include additional permit conditions based on specific circumstances.

The primary objectives of the Policy are to:

- To regulate the temporary placement of signs, goods, tables and chairs on public land.
- To regulate the placement of Council fixtures on public land.
- To minimise public risk, obstruction to the public and visual clutter.
- To support the long-term viability of retail strips.

The revised policy defines Council's requirements for the placement of items on footpaths to ensure compliance with legislation, guidelines and standards to meet community needs and maximise community safety.

Council's commitment to apply the same conditions for permanently fixed items such as signs, waste receptacles and seating is also provided in the revised policy. Some discretion is available based on the needs of local communities, local conditions, historic practice and any unique heritage or environmental issues and the completion of a risk assessment. Consideration of these local factors does provide scope for considering the placement of street furniture in historic streetscapes such as the Clunes township.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – Sustainable Environment and a Vibrant Economy

Key Strategic Activity:

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

FINANCIAL IMPLICATIONS

There are no financial implications directly associated with this policy.

RISK IMPLICATIONS

The policy reduces risk implications by providing a framework for the placement of temporary and fixed items on public land.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

This policy endeavours to ensure social benefits with safe and unimpeded access for all persons along public footpaths whilst acknowledging the benefits of and allowing the placement of items on footpaths within identified constraints for economic benefit and a vibrant retail area.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The policy will be made available to the public via the minutes published on the Council's website and will also be available for inspection on Council's website and Council offices. The policy will also be promoted in the management of goods on public land and the annual permit renewal process.

CONCLUSION

Policy 19 (C) defines Council requirements for the placement of items on footpaths to ensure compliance with legislation, guidelines and standards to meet community needs and maximise community safety.

It clearly articulates Council's expectations and standard requirements for the placement of temporary items on footpaths and the ability for officers to include additional permit conditions based on specific circumstances.

OFFICER'S RECOMMENDATION

That Council

- 11.6.1 *That Council adopts Policy 19 (C) – Placement of Fixed and Temporary Furniture, Signs and Outdoor Dining Facilities on Road Reserves – September 2015 and makes it available for public inspection on Council's website and at Council's offices.*

MOTION

- 11.6.1. *That Council adopts Policy 19 (C) – Placement of Fixed and Temporary Furniture, Signs and Outdoor Dining Facilities on Road Reserves – September 2015 with section 3.10 amended as follows and makes it available for public inspection on Council's website and at Council's offices.*

- 3.10 *Where there are specific needs of local communities, local conditions, or unique heritage or environmental issues, with the support of a risk assessment, the location of the designated pedestrian clear space may be varied by Council, and delegated to the Chief Executive Officer.*

Moved: Councillor Neil Newitt

Seconded: Councillor Sebastian Klein

Carried

Councillor Bill McClenaghan called for a division.

Councillors that voted in favour of the motion – Councillor Neil Newitt, Councillor Sebastian Klein, Councillor Pierre Niclas, Councillor Kate Redwood

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

**ATTACHMENT 8 - POLICY 19 (C) – PLACEMENT OF FIXED AND TEMPORARY
FURNITURE, SIGNS AND OUTDOOR DINING FACILITIES ON ROAD RESERVES**

POLICY NUMBER:	19 (C)
NAME OF POLICY:	PLACEMENT OF FIXED AND TEMPORARY FURNITURE, SIGNS AND OUTDOOR DINING FACILITIES ON ROAD RESERVES
DATE AMENDED:	September 2015
DATE OF NEXT REVIEW:	September 2019
DATE APPROVED:	<Insert date adopted by Council>
RESPONSIBLE OFFICER:	Community Safety Coordinator
REFERENCES:	General Local Law No 2 – Community Amenity and Municipal Places Disability Discrimination Act 1992 Vision Australia Public policy - Street Furniture and Items on Footpaths

Best Value Principles

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

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

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

INTRODUCTION

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

The Policy has been developed to accommodate the general needs and concerns of the Hepburn Shire Community and acknowledges the need for business vibrancy.

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

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

SCOPE

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

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

This policy applies to and binds:

- Hepburn Shire Council with regards to Council Fixtures;
- Owners and lessees of property that abuts a footpath or road; and
- Business owners occupying property that abuts a footpath or road.
- Permit holders for the placement of temporary items on road reserves.

This policy is not intended to regulate roadside signage such as town entry or road safety signage. These items are approved and placed in accordance with Hepburn Shire Council's Infrastructure Design Manual and road design standards.

PURPOSE

- To regulate the temporary placement of signs, goods, tables and chairs on public land (General Local Law No.2).
- To regulate the placement of Council Fixtures on public land.

- To minimise public risk, obstruction to the public and visual clutter.
- To complement streetscape strategies and encourage thoughtful use of items in a way that adds to the character of the area.
- To comply with the Disability Discrimination Act 1992 and any relevant guidelines.
- This policy guides officers in the process of assessing applications for business operators to temporarily utilise public land under the provisions of a permit.
- To positively contribute to the character and amenity of the area.
- To support the long-term viability of retail strips.

POLICY

1. Application

- 1.1 Subject to this policy and Parts 12 and 13 of Local Law No.2, other than Council, a permit to place any advertising sign, display of goods for sale or any item of street furniture on public land is required.
- 1.2 An application outside the requirements of this policy may be considered by Council or the relevant delegated officer. The applicant would need to demonstrate special or exceptional circumstances.
- However, any request to reduce the minimum pedestrian zone width will not be considered.
- 1.3 The applicant must provide evidence (Certificate of Currency) of public liability insurance cover that includes the placement of any advertising sign, display of goods for sale or any item of street furniture on public land. The Policy must be for an amount of not less than \$10m for any single event.

2. Prescribed Sizes

- 2.1 Notwithstanding any other provision of the Policy, signs shall be no greater than one square metre (1m²) and with no dimension greater than 1200 mm.

3. Restrictions

- 3.1 All permitted temporary items must be removed from public land at the termination of trade each day by the permit holder.
- 3.2 No permitted temporary items may be affixed to any Council Fixture without the written consent of officers.
- 3.3 No permitted temporary items may be placed in such a way as to interfere with or otherwise obstruct the use of any Council Fixture.
- 3.4 No permitted temporary items may be placed on any carriageway, driveway or emergency vehicle access way.
- 3.5 No permitted temporary items may be placed in such a way as to restrict vehicle access into or from a parking bay
- 3.6 No permitted items may be located within 1 metre of an intersection, pedestrian crossover or driveway. In certain circumstances, the approval of Hepburn Shire Council's Traffic Engineer (or equivalent) may be required as part of assessing the permit application.
- 3.7 Items or goods may be placed outside the frontage of a business operated by the applicant or outside the frontage of other premises by agreement and under the provisions of this policy. In the event that items or goods are placed outside the frontage of another premises and the owner or occupier of those premises withdraws consent, the permit to place such items or goods shall be deemed to be at an end. Under no circumstances will Hepburn Shire Council intervene in a dispute of this nature or refund permit fees.
- 3.8 The "trading zone" (signs, tables & chairs, goods for sale) can only be placed kerbside of any footpath in accordance with policy diagrams.
- 3.9 A 1.5 metre (footpath width of less than 3.6 metres) or a 1.8 metre (footpath width of 3.6 metres or wider) pedestrian clear space free of any encroachments such as steps, ramps or landscaping must be provided at all times typically measured from the property line, (see policy diagrams).
- 3.10 Where there are specific needs of local communities, local conditions, historic practices or unique heritage or environmental issues, with the support of a risk assessment the location of the designated pedestrian clear space may be varied by Councils General Manager Infrastructure.

- 3.11 Umbrellas will have a minimum height of 2.2 metres from the ground to the lowest point of the canopy and be adequately fixed to prevent movement during high winds.
- 3.12 Any signs, furniture or other approved items must be maintained in good order and appearance. Authorised Council officers may otherwise remove or direct removal.
- 3.13 Council Fixtures (existing or future) will take precedence over installations approved under this Policy. Existing Council infrastructure may be relocated or removed by Council upon a written request made by an affected business owner. If Council agrees to relocate or remove its infrastructure, all costs associated with the relocation or removal will be payable by the business owner.
- 3.14 Permits for the placement of temporary items may be issued with conditions that exceed the standard requirements that must be complied with.
- 3.15 Applicants must ensure (as far as reasonably possible) that customers do not move any signs, furniture or other approved items outside of the Trading Zone as shown in policy diagrams attached.

4. Standard Requirements

Unless an applicant can demonstrate special or different circumstances (e.g.; corner establishment, widened footways, double frontages) the following standard criteria / conditions will apply.

- 4.1 No more than one (1) advertising sign will be permitted within the frontage of a business.
- 4.2 No quantity restrictions are placed on any other items however placement must comply with Part 3 of this policy.
- 4.3 A single permit may be issued where approved applications are lodged for combinations of items and goods.
- 4.4 Signs and umbrellas shall be fixed or secured at all times in such a manner so as to prevent their movement due to wind.
- 4.5 Fixings to public land such as in-ground safe sockets must be approved by Council's Compliance Unit. Approval will only be considered for commercially produced fittings that are installed in accordance with the

manufacturer's instructions and must not create a tripping hazard when furniture is removed.

- 4.6 Applicants must make good any damage caused to footpath surfaces where Council considers that such damage has been caused by the placement of items or goods.

5. Duration of Permit

- 5.1 Permits will operate from 1 July to 30 June (regardless of any change of ownership of the land or business). New permits will be processed on a pro-rata basis.
- 5.2 Upon expiry of a permit all items must be removed unless a new permit has been issued.

6. Fees

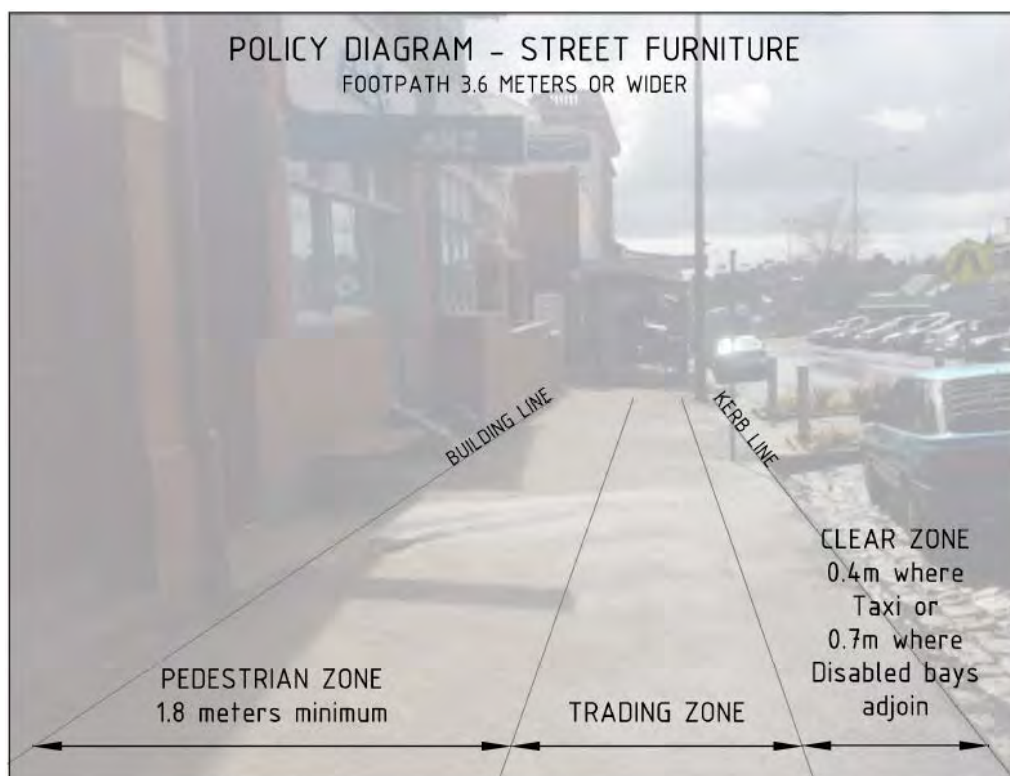
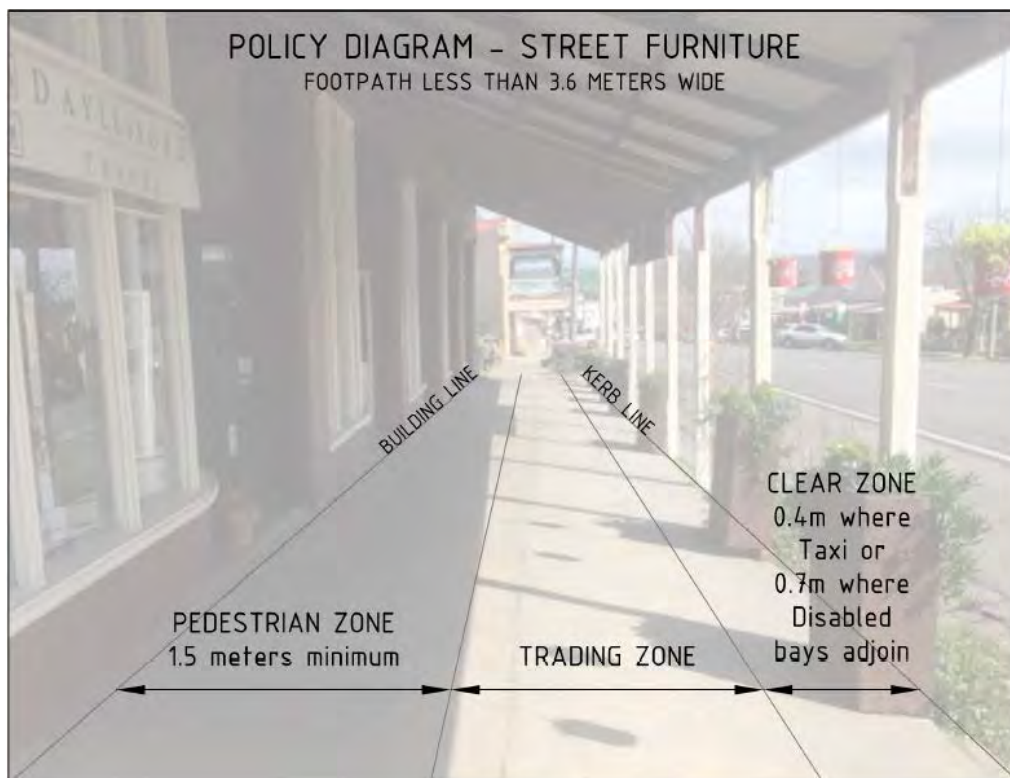
- 6.1 The standard fees as determined by Council are contained in Council's fees and charges schedule.
- 6.2 Council may, at its discretion, reduce or waive fees for local not-for-profit community groups for signs associated with community activities, service clubs or the like in accordance with the Fee Waiver Policy.
- 6.3 All fees are due at the time of granting consent and permitted items shall not be placed on public land under Council's management until such fees have been paid and the permit issued.

DEFINITIONS

The following terms are referred to in the policy.

Term	Definition
Advertising Signs	Includes any board, notice banner or other similar device used for the purpose of soliciting sales or services or notifying people of the presence of a property where goods or services may be obtained, and includes temporary 'wind barriers'.
Council Fixtures	Includes permanently fixed seating, signage poles, waste receptacles and utility boxes owned by or controlled by Hepburn Shire Council
Footpaths	Means any path that is provided for the use of pedestrians only or that is regularly used by pedestrians and not vehicles or that is a segregated footway or shared footway. It includes a footway as defined in the Road Safety (Traffic) Regulations 2009.
Road	Has the same meaning as "Road" in the Local Government Act 1989, and includes a footpath/footway.

DIAGRAMS



FURTHER INFORMATION

Any enquiries about the Placement of Fixed and Temporary Furniture, Signs and Outdoor Dining Facilities on Road Reserves Policy should be directed to Council's Coordinator Community Safety.

IMPLEMENTATION

This policy is available to the public via Council's web site and at its service centres in Daylesford, Creswick and Clunes.

REVIEW

This policy will be reviewed every four years or sooner if required by legislation or organisational changes.

11.7. LICENCE RENEWAL - CLUNES NEIGHBOURHOOD HOUSE INCORPORATED TO OCCUPY PART OF THE LEE MEDLYN HOME OF BOTTLES

GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Property Officer, I Karen Ratcliffe have no interests to disclose in this report.

PURPOSE

The purpose of this report is to seek Council approval to enter into a two year Council licence with the Clunes Neighbourhood House Incorporated to occupy parts of the Lee Medlyn Home of Bottles at 70 Bailey Street, Clunes.

BACKGROUND

Council owns the property at 70 Bailey Street, Clunes and has appointed a Special Committee under section 86 of the *Local Government Act 1989* to exercise Council's functions and powers and to perform Council's duties in relation to the administration, management and control of the property.

At the July 2013 Council meeting, Council resolved to enter into a licence for the Clunes Neighbourhood House Incorporated (CNH) to occupy part of the Lee Medlyn Home of Bottles (LMHB). The licence commenced 20 July 2013 and expired 31 July 2015.

Since 2013, modifications including new electrical outlets for computers have been installed by the CNH, and more recently the existing external "Lunch Room" can now be used as it has been made safe with the removal of asbestos. Essential Safety Measures in the main building and upgrades to the playground are also currently being undertaken at the property.

ISSUE/DISCUSSION

The LMHB Special Committee is supportive of the CNH occupying part of the property. A detailed Memorandum of Understanding (MOU) was developed in 2013 between the two groups which outlined roles and responsibilities with regards to sharing the facilities.

The benefits of the arrangement include:

- Increased community use of the facility;
- Council providing direct support to a Neighbourhood House in the Shire;
- A potential increase in opportunities for external funding to further improve the site due to increased usage by multiple groups; and
- The LMHB having an additional income source to help meet its ongoing maintenance and operating expenses.

The main conditions of the proposed new licence are based on almost identical terms as the previous licence. The proposed licence now also incorporates the conditions of the original Memorandum of Understanding (MOU) rather than them being under separate cover.

The main conditions are:

- Rent is \$5,200 per annum (excluding GST);
- 2 year term (as requested by the two groups) commencing 1 October 2015;
- Details of the spaces which are shared;
- Cleaning and maintenance responsibilities;
- Details of the Emergency Management Plan and opening/closing procedures;
- Details of the sharing of utilities expenses and other financial responsibilities;
- The CNH will maintain relevant insurances including Public Liability; and
- Both groups are developing a shared vision for the site.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The licence is granted under Council's powers pursuant to Section 190 of the *Local Government Act 1989*.

Council Policy 9: Council Owned & Controlled Property requires that appropriate written occupancy arrangements be in place which support good governance objectives and principles.

FINANCIAL IMPLICATIONS

The licence fee of \$5,200 per annum (excluding GST) paid by the CNH to the LMHB provides an additional income source to help meet the ongoing maintenance and operating expenses at the property.

RISK IMPLICATIONS

The licence requires the CNH to hold public liability insurance of \$20m. The agreement stipulates that the two groups will develop and submit annual emergency management plans.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Hepburn Shire Council recognises that support of the CNH provides important social connection and benefits for the Clunes community and visitors alike.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The request to renew the licence originated from CNH and the LMHB Special Committee. Council officers have worked with the groups to incorporate the original conditions of the MOU within the new licence.

Council recognises that the strong partnership between the LMHB and the CNH promotes increased community and visitor use of the facility and is an excellent example of groups working together for the benefit of the Clunes community and Clunes visitors.

CONCLUSION

A two year Council licence for the Clunes Neighbourhood House to occupy part of the Lee Medlyn Home of Bottles is presented for Council's approval.

OFFICER'S RECOMMENDATION

That Council:

- 11.7.1. Grants a two year Council licence to the Clunes Neighbourhood House Incorporated to occupy part of the Lee Medlyn Home of Bottles at 70 Bailey Street, Clunes.
- 11.7.2. Authorises the Chief Executive Officer to execute the Council licence for and on behalf of Council.

MOTION

That Council:

- 11.7.1. *Grants a two year Council licence to the Clunes Neighbourhood House Incorporated to occupy part of the Lee Medlyn Home of Bottles at 70 Bailey Street, Clunes.*
- 11.7.2. *Authorises the Chief Executive Officer to execute the Council licence for and on behalf of Council.*

Moved: Councillor Neil Newitt

Seconded: Councillor Don Henderson

Carried

Councillor Pierre Niclas called for a division.

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

Councillors that voted against the motion: Nil

ATTACHMENT 9 - COUNCIL LICENCE – CLUNES NEIGHBOURHOOD HOUSE
TO OCCUPY PART OF THE LEE MEDLYN HOME OF BOTTLES

Hepburn Shire Council

LICENCE

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

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

This Licence is granted subject to the provisions of the *Local Government Act 1989* and Regulations thereunder, the licence conditions attached and any Statutory and other Special Conditions set out in the Schedule.

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

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

.....
Licensee –
Anna Phillips, President
On behalf of **Clunes Neighbourhood House Inc**

NOTE:

1	<i>This licence is not valid until it has been executed</i>
2	<i>This licence is an important document and should be stored in a secure and safe place. In the event of loss, a replacement fee will be charged.</i>

INDEX

SCHEDULE

PLAN

LICENCE CONDITIONS

- 1 Grant**
- 2 Licensee's Obligations (Positive)**
 - 2.1 Licence fee**
 - 2.2 Rates and Taxes**
 - 2.3 Indemnity**
 - 2.4 Public Liability Insurance**
 - 2.5 Maintenance,**
 - 2.6 Fire Protection Works**
 - 2.7 Condition at Termination**
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 - 2.10 Arrears and Interest**
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 - 4.6 Licensor's Agents**
 - 4.7 Notices**
 - 4.8 Debt recovery**
 - 4.9 Additional Approvals**
- 5 Definitions**
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SCHEDULE

ITEM

- 1 Licence Number: FOL/13/396
- 2 Licensor: LEE MEDLYN HOME OF BOTTLES SPECIAL COMMITTEE on behalf of
HEPBURN SHIRE COUNCIL ABN 76 845 763 535
- 3 Licensee: CLUNES NEIGHBOURHOOD HOUSE INC ABN 14 982 753 940
- 4 Licensee's Address: 70 Bailey Street, Clunes VIC 3370
- 5 Commencement Date: 1 October 2015
- 6 Term: 2 Years
- 7 Licence fee: \$5,200 + GST annually
- 8 Payable: Quarterly by cheque to the Lee Medlyn Home of Bottles in advance
- 9 Property description: Lee Medlyn Home of Bottles, 70 Bailey Street, Clunes VIC 3370
- 10 Licensed premises: An area of the Property including Common Areas and Dedicated Space, as shown on the attached Licence Plan. In addition, the licenced premise includes all the areas outside the buildings in the Property as shown on the attached Location Plan.
- 11 Area: Approximately 300 sq m + areas outside the buildings in the Property.
- 12 Powers under which licence granted: Sections 3E and 3F *Local Government Act 1989*
- 13 Specified Purposes: To operate the Clunes Neighbourhood House, including planned and informal activities, computer services and community strengthening.
- 14 Amount of Public Liability Insurance: \$20,000,000
- 15 Licensor Address: PO Box 21, Daylesford Vic 3460.
- 16 Special Conditions:

The following Special Conditions are the terms and conditions in the draft Memorandum of Understanding which has been developed in conjunction between the Lee Medlyn Home of Bottles Committee (LMHB) and the Clunes Neighbourhood House Committee (CNH).

1. Premises

a) The Masters Office

This dedicated space will be the province and responsibility of the CNH. Security measures to ensure greater safety of staff/volunteers and the IT server will be implemented including glass in the doors and if possible, a lock. The LMHB currently uses the safe, and if a lock is placed on

the office door, will have a copy. All other spaces in the Masters Office will be available for the CNH dedicated use, including the existing wooden filing drawers.

b) The Shop Space

The CNH will have dedicated use of the Shop Space (currently incorporating but not confined to the Digital Hub). This will be a versatile space that can be fitted out to suit various programs or Clunes community ventures managed by the CNH, within approved parameters developed in consultation with the LMHB. An agreed stall space will be assigned to the LMHB at no cost. A space of similar size will be assigned to the CNH at no cost.

This Shop Space currently includes the Clunes Primary School bottle display. Currently this must remain, but if relocated or removed this space will then be used to accommodate further Clunes community external hire stalls, but only where it complies with occupational health and safety, emergency and access requirements.

c) The Kitchen

The LMHB and the CNH share the kitchen area. This area is for use of staff/volunteers only.

d) The Gallery

The CNH will have agreed use of the Gallery, within parameters developed in consultation with the LMHB. External hire of this room will be managed by the LMHB and revenue from external hire will be held in a provisional account to jointly and equally offset electricity costs.

e) The Grounds (excluding the formal gardens which are the responsibility of Hepburn Shire Council)

A shared vision for the development and use of the grounds will be developed by both parties during the term of this lease. Responsibility for the development, costs, maintenance and use of the grounds will be determined as part of that consultation process. All reasonable measures will be taken to maximise the potential of the grounds and ensure amicable and fair management. Refer to item 6.

In the longer term:

a) The Storage Room

The current LMHB storage space will be divided into a Storage space used by the LMHB and a dedicated studio for community use, managed by the CNH. This is dependent on securing further funding to ensure the space is safe and suitable for use.

b) The Lunch Room

The long-term vision is for the CNH to have exclusive use of the Lunch Room as its Office and meetings area. Ideally this will need to be plastered, electricity and heating installed, and a kitchenette included. Specific plans would need to be agreed with all parties. This use will be dependent on Hepburn Shire Council or securing further funding to ensure the space is safe and suitable for use.

2. Building, Cleaning and Maintenance

a) Bookings

External booking of The Gallery are to be managed by the LMHB and reported monthly to the CNH. Income raised through external bookings will be placed in a provisional account which will be used to jointly and equally offset electricity costs.

The booking must include: name of group/organisation, contact number, date/s, commencement time, expected time of completion, duration, any special requirements, and fee.

Internal bookings of The Gallery are to be managed by the LMHB and included in the monthly report provided to the CNH.

b) Cleaning

The LMHB is responsible for:

- **cleaning of toilets**
- **putting out the bins**

The CNH is responsible for:

- **cleaning the areas that are its responsibility**
- **bringing in the bins**

Shared public spaces such as hallways and entrance ways must be kept clear and clean, in line with Occupation, Health and Safety guidelines.

The Kitchen must be cleaned after use by whoever has used it. Each entity will provide tea, coffee and cleaning products.

The Garden is to be jointly maintained as per item 1(e).

c) Maintenance and/or Improvements

Should the CNH secure funding to maintain or improve the premises, including (but not exclusive to) the Storage Room and the Lunch Room, then the cost of that investment will be deducted from the annual rent unless otherwise agreed. This may be done pro-rata (and never reduced by more than 50%) so as not to significantly impact on rental revenue that may be used by the LMHB to cover costs associated with sharing the premises.

Any improvements or works to the premises must be approved by Hepburn Shire Council prior to commitment.

d) Signage

The CNH is responsible for the costs of any signage relating to its own entity. New or additional signage by either party must be approved by both parties in advance, with neither party having greater prominence than the other unless agreed. It is agreed that the brochure display shelves adjacent to Masters Office are for the dedicated use of the CNH. The display shelves adjacent to the LMHB office are for the dedicated use of the LMHB.

e) Procedures

The LMHB and the CNH agree to jointly devise and document procedures for the building including: Opening/Lockup, Emergency, including Fire-plan, Security and any other items determined during the duration of this lease.

3. Access and Security

The CNH office hours are: Tuesday, Wednesday, Thursday and Friday 9.00 – 3.00pm. These office hours are subject to change. The CNH requires access on other weekdays; night time and weekends to conduct a community-based program.

The LMHB usual hours of operation are: Thursday - Sunday 11 am - 4pm. Variations to operating hours of both parties will be discussed in advance.

The CNH has a set of keys and its own security code. A key will be kept in a Key Safe for the use of community groups. Community Groups will have access to the CNH security code. The CNH will maintain a record of Community users who have access.

If possible, the CNH security code will de-activate the areas used by the CNH. The LMHB Museum will remain activated. The LMHB security code will de-activate the entire building.

4. Utilities

The electricity bill will be shared by the LMHB and the CNH. Revenue raised from the external hire of the building, including any external stallholders in the Shop Space (should it be used for this purpose), will be placed in a provisional account to offset electricity costs. The LMHB is responsible for paying the Bill.

Water is paid for by Hepburn Shire.

If any portable gas appliances are used i.e. BBQ or heating, then it is the responsibility of the user to pay for the gas.

5. Insurances

The LMHB and the CNH individually maintain the relevant insurances, including Public Liability.

6. Shared Vision.

The LMHB and the CNH will develop and document a shared vision for the site, and a strategy to achieve that vision.

To enable this they may undertake to jointly or individually, but with approval:

- **identify and source funding**
- **lobby and advocate**
- **identify and support reporting requirements of each organisation**

Either party has the right, with Hepburn Shire Council's written approval, to sublet the rental premises, or assign their interest to another party. Both parties however agree that this will not be done without prior consultation with the other parties, and will be done so within the spirit of this memorandum.

7. Meetings and Reporting

The LMHB and the CNH will meet at least 4 times a year, or as required, for the purposes of monitoring, evaluating and planning. Decisions at the meeting will be decided by consensus.

8. Funding and Financial Responsibilities:

The CNH will pay \$5,200 per year in rent to the LMHB for the dedicated use of the Masters Office, and the Shop Space (within specified conditions see item 1(b), agreed use of the Gallery, the studio area of the Storage Room and the Lunch Room. CNH will also have shared use of the Kitchen and the Grounds.

Apart from the licence fee, nothing in this licence document shall be deemed to be a commitment or obligation of funds from either LMHB or the CNH.

The entities acknowledge that all or any financial arrangements must be negotiated and will depend upon the availability of funds.

LICENCE CONDITIONS

1 *Grant*

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

2 *Licensee's Obligations (Positive)*

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

2.1 *Licence fee*

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

2.2 *Rates and Taxes*

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

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

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

2.3 *Indemnity*

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

2.4 *Public Liability Insurance*

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

'the Hepburn Shire Council, its servants, agents and employees in respect to providing indemnity for personal injury and/or property damage caused by an occurrence, and/or for breach of Professional duty arising out of the negligent acts, errors or omissions of the Licensee and/or its servants agents and employees. The endorsement and extension to the policy does not extend to negligent acts, errors or omissions of the Council (and others above mentioned), and is limited to the amount shown in Item 14 of the Schedule for any one occurrence.'

2.5 *Maintenance*

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

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

2.6 *Fire Protection Works*

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

2.7 *Condition at Termination*

On expiry or prior determination of this Licence return the licensed premises to the Licensor in good order and condition and otherwise in accordance with the Licensee's obligations. Refer Special Condition 16.3.

2.8 *Notice of Defects and other matters*

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

2.9 *Compliance with Law*

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

2.10 *Arrears and Interest*

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

2.11 *Further Conditions*

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

3 *Licensee's Obligations (Negative)*

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

3.1 *Use of Licensed premises*

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

3.2 *Create nuisance*

Do not cause or permit to be done anything which constitutes an actionable nuisance, annoyance or disturbance to other persons lawfully entitled to use the licensed premises or to use any land in the vicinity or to occupiers of properties adjoining the licensed premises.

3.3 *Allow rubbish*

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

3.4 *Hazardous Chemicals*

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

3.5 *Assignment*

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

3.6 *Licensor's Entry*

- 3.6.1 Prevent, attempt to prevent or in any other way hinder, obstruct or permit the hindrance or obstruction of the Licensor or the Licensor's employee or agent or any other person who may have a right to use the Property at any time from entering and remaining on the licensed premises either with or without motor vehicles or other equipment for any purpose, and in particular, but without restricting the generality of the foregoing, for any of the following purposes:-
 - 3.6.1.1 retaking or attempting to retake possession of the licensed premises;
 - 3.6.1.2 inspection; or
 - 3.6.1.3 any other lawful purpose.

3.6.2 Notwithstanding 3.6.1 nothing contained herein permits the Licensor or the Licensor's employee or agent or any other person using the Property to access, interfere with, or damage the pipeline constructed in the licensed premises.

3.7 Void insurance

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

3.8 Erection of Improvements

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

4 General Conditions

4.1 Termination upon Default

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

4.2 Termination without Default

4.2.1 In addition to and not in substitution for the power to cancel this Licence under clause 4.1, the Licensor may by giving to the Licensee at least 30 days written notice to that effect cancel this Licence upon a date to be specified in that notice notwithstanding that there has been no breach by the Licensee of any term or condition of this Licence.

4.2.2 If the Licence is terminated under this clause the Licensee is entitled to receive and will be paid by the Licensor a refund of an amount of the Licence fee paid.

4.2.3 The amount of refund will be determined by the Licensor on a pro rata basis, taking into account any period of the Licence remaining at the date of cancellation.

4.2.4 Except as provided in sub clause 4.2.2 above no compensation is payable in respect of the cancellation of the licence.

4.3 Ownership of Improvements

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

4.4 Licensee's Chattels

4.4.1 Except as provided in sub-clause 4.4.3 the Licensee's chattels will remain the property of the Licensee.

4.4.2 On the cancellation or expiration of the Licence the Licensee must, within a period of time specified by the Licensor, remove all Licensee's chattels from the licensed premises and forthwith make good all damage caused to the licensed premises by the affixing, retention or removal of Licensee's chattels to the satisfaction of the Licensor.

4.4.3 If the Licensee's chattels are not removed at the end of the period of time specified under sub-clause 4.4.2, the Licensee's chattels will become the property of the Licensor.

4.5 Licensor may remove and dispose of Licensee's chattels

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

4.6 Licensor's Agents

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

4.7 Notices

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

4.8 Debt recovery

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

5 *Definitions*

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

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

"**Council**" means the Hepburn Shire Council (its successors in law) and includes the Licensor and each employee and agent of the Council;

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

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

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

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

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

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

"**Licensor**" means the Council;

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

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

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

"**sign**" includes names, advertisements and notices;

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

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

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

6 *Interpretations*

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

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

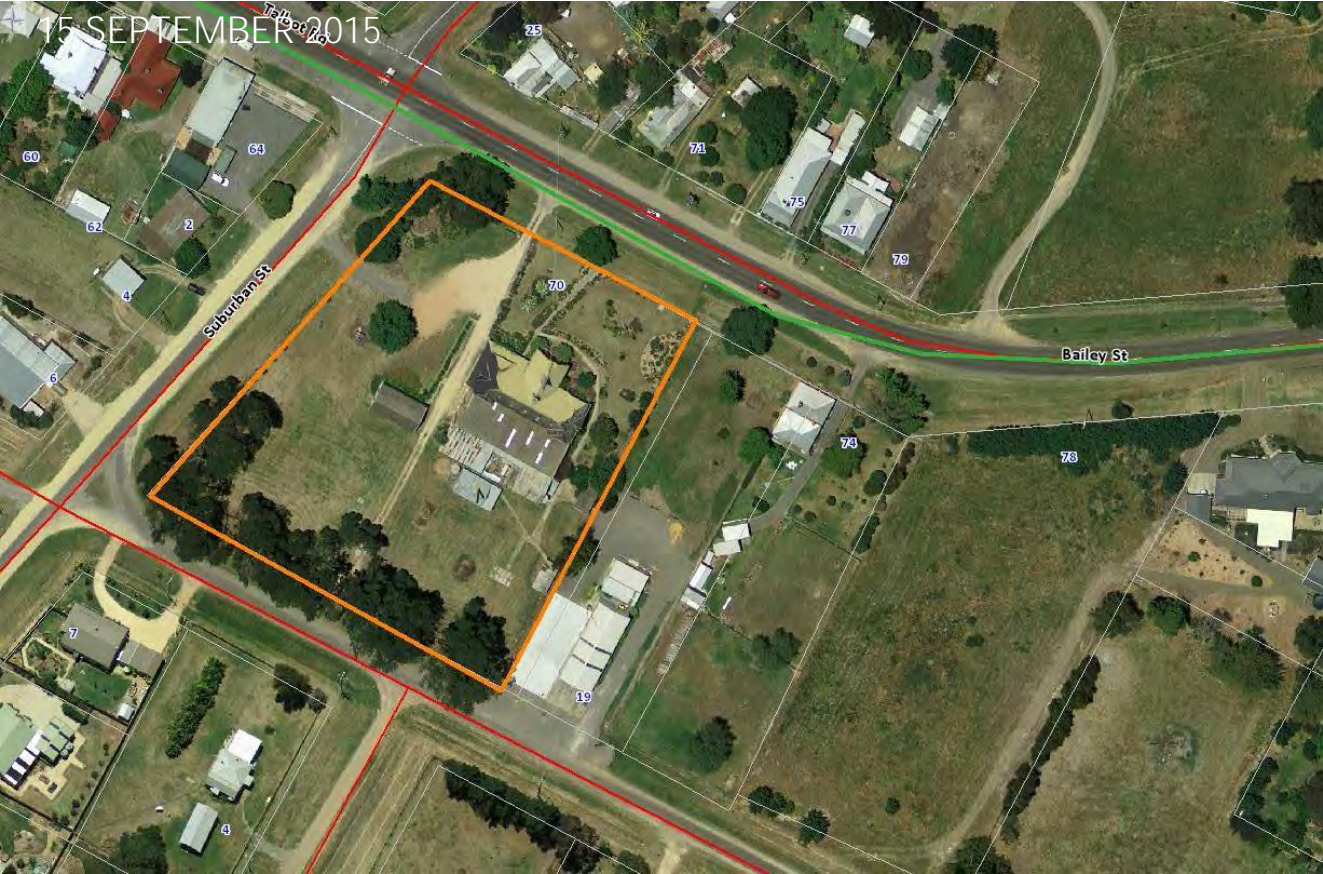
6.3 If any day appointed or specified by this Licence falls on a Saturday, Sunday or a day appointed under the *Public Holidays Act 1993* as a holiday for the whole day the day so appointed or specified is deemed to be the first day succeeding the day appointed or specified which is not a Saturday, Sunday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

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

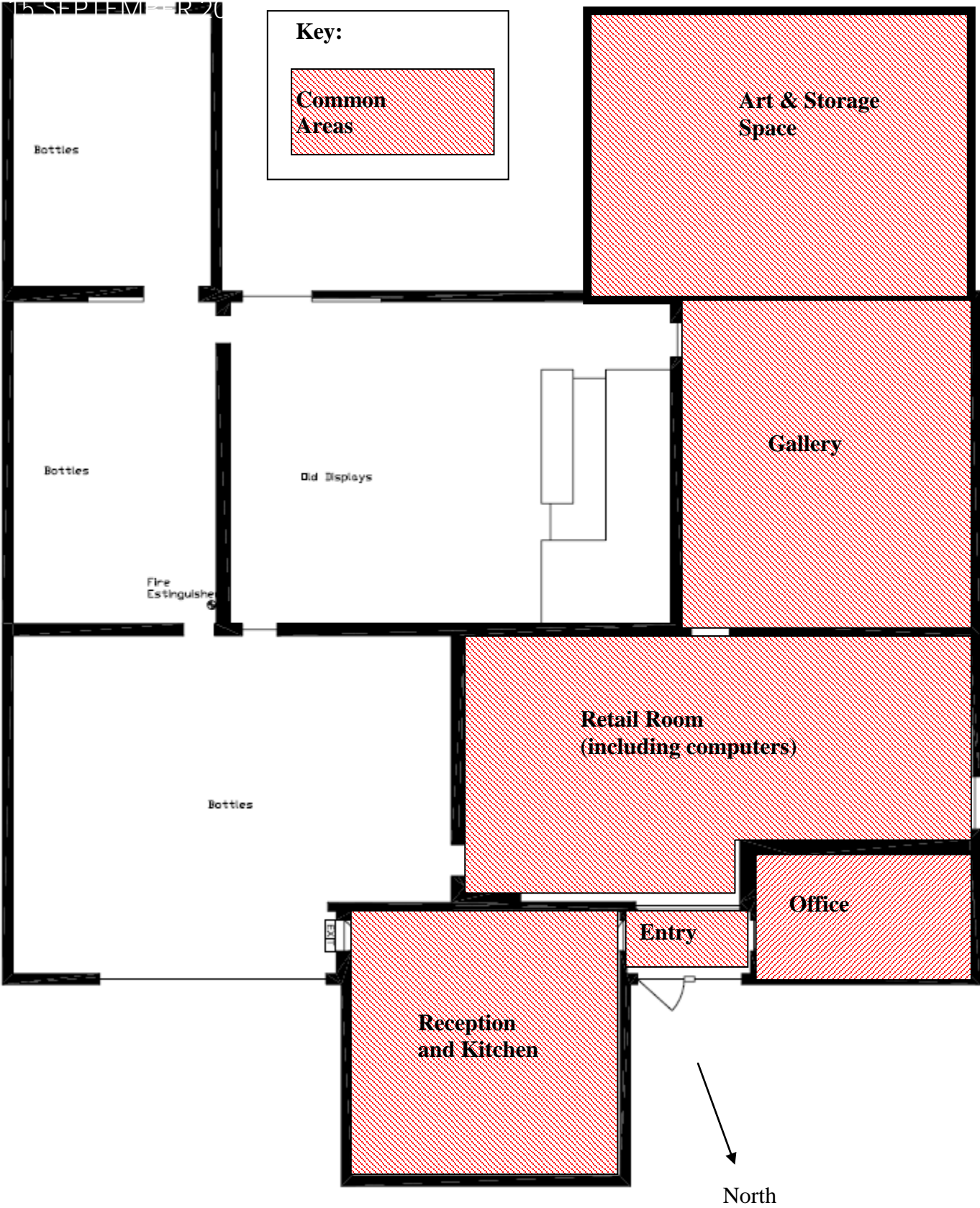
6.5 If the Licensee comprises more than one person, the covenants and agreements contained in this Licence shall be construed as having been entered into by, and are binding, both jointly and severally on all and each of the persons who constitute the Licensee.

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

Location Plan (refer to Licence Plan for detailed Licenced Area within the LMHB)



Licence Plan - Licenced Premises including Dedicated Space and Common Areas



11.8. REQUESTS FOR APPROVAL TO OPERATE 3 AXLE TRUCKS AND 4 AXLE DOG TRAILERS AT HIGHER MASS LIMITS ON LOCAL COUNCIL ROADS

GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Project Engineer, I Inoka Sanjeevanie have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider requests for renewal of existing permits to use Higher Mass Limit [HML] vehicles on local roads.

BACKGROUND

The following request for renewal of existing permits have been received from the National Heavy Vehicle Regulator (NHVR).

Ref	Organisation	Vehicles	Roads	Load Type	Time Frame as per Application	No of Trips (approx)
Renewal Requests						
46973 46988	Boral Resources Pty Ltd	PBS – 3 axle trucks and 4 axle dog trailers	East Street in Daylesford	Quarry products	02/09/2015 – 01/09/2018	3 trips per week

ISSUE/DISCUSSION

Council officers have assessed the applications considering the following:

- Community Safety
- Local Amenity
- Physical Limitations of the network
- Economic benefits
- Alternative access
- Cost implications to Council.

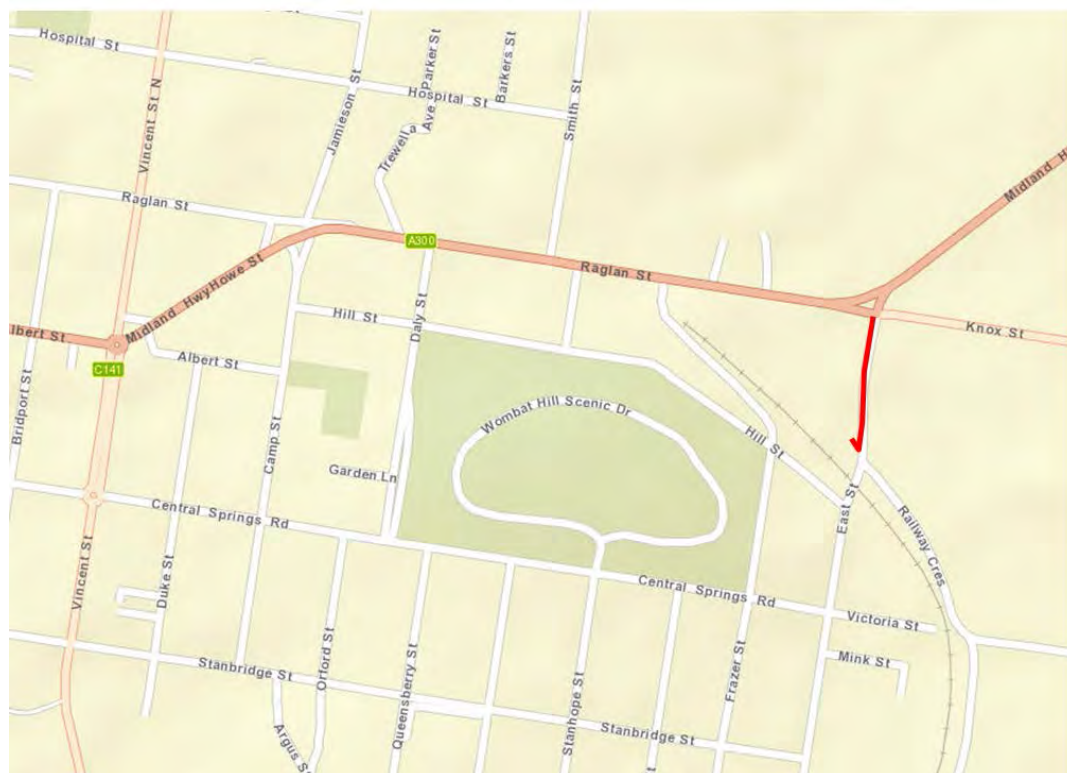
The results of the assessment are provided below along with any recommended conditions to be applied to any consent granted by Council.

RENEWAL REQUESTS

Boral Resources Pty Ltd (Road Manager Request Numbers 46973 & 46988)

Boral Resources Pty Ltd requests Council consideration to renew its existing permits to use 3 axle truck and 4 axle dog trailer combinations at HML on East Street in

Daylesford (between Raglan Street and Railway Crescent), as marked in the plan below, for a period of three years.



The section of East Street under consideration is a sealed road with a pavement width of approximately 15m. It is considered that this section of East Street is capable of carrying heavy vehicles.

It is recommended that Council approves Boral Resources Pty Ltd to use 3 axle truck and 4 axle dog trailer combinations at HML on East Street in Daylesford (between Raglan Street and Railway Crescent), subject to the following conditions:

- It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
- Must not trim or remove any trees without all approvals being obtained.
- The use of compression brakes is to be avoided.
- Hours of Operation shall be 7:00am to 6:00pm.

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 Shire's Economic base.

FINANCIAL IMPLICATIONS

There are no expected financial implications of granting approval to the above operators to use heavy vehicles on subject Council maintained roads.

RISK IMPLICATIONS

There are no expected specific risk implications of granting approval to the above operators to use heavy vehicles on subject Council maintained roads.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

There are expected to be economic benefits for local business and economic development through granting of consents for access.

Council is obliged to provide an acceptable access route for industries located within the shire while respecting the safety and amenity of residents. Granting of consent endeavours to balance the needs of local businesses with the amenity of Shire residents.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No external engagement was undertaken in relation to this request. Relevant internal road staff has been involved in assessing these requests.

CONCLUSION

Council has received a request from the National Heavy Vehicle Regulator for consent to the renewal of existing permits to operate Higher Mass Limit vehicles on local roads.

Following a review of the requests, conditional consent is recommended for the operator as detailed.

OFFICER'S RECOMMENDATION

11.8.1. That Council approves Boral Resources Pty Ltd to use 3-axle trucks and 4-axle dog trailers at Higher Mass Limits on East Street in Daylesford (between Raglan Street and Railway Crescent) for a period of three years commencing 2 September 2015 and expiring on 1 September 2018, subject to following conditions:

- It is the responsibility of the permit holder to pay attention to:
 - Overhead cables
 - Overhanging trees
 - Steep inclines/declines, tight corners and narrow roads.
- Must not trim or remove any trees without all approvals being obtained.
- The use of compression brakes is to be avoided.
- Hours of Operation shall be 7:00am to 6:00pm.

MOTION

11.8.1. *That Council approves Boral Resources Pty Ltd to use 3-axle trucks and 4-axle dog trailers at Higher Mass Limits on East Street in Daylesford (between Raglan Street and Railway Crescent) for a period of three years commencing 2 September 2015 and expiring on 1 September 2018, subject to following conditions:*

- *It is the responsibility of the permit holder to pay attention to:*
 - *Overhead cables*
 - *Overhanging trees*
 - *Steep inclines/declines, tight corners and narrow roads.*
- *Must not trim or remove any trees without all approvals being obtained.*
- *The use of compression brakes is to be avoided.*
- *Hours of Operation shall be 7:00am to 6:00pm.*

Moved: Councillor Pierre Niclas

Seconded: Councillor Sebastian Klein

Carried

11.9. HEPBURN SHIRE COUNCIL INTERNATIONAL WOMEN'S DAY HEATHER MUTIMER WOMEN'S HONOUR ROLL ORGANISING COMMITTEE – APPOINTMENT OF MEMBERS

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 appoint members to the Hepburn Shire Council International Women's Day Heather Mutimer Women's Honour Roll Organising Committee.

BACKGROUND

In August 2009, Council adopted the following terms of reference for the Hepburn Shire Council International Women's Day Heather Mutimer Women's Honour Roll Organising Committee:

- To advise Council on the Heather Mutimer Women's Honour Roll nomination process;
- To oversee the Heather Mutimer Women's Honour Roll nomination process
- To provide recommendations to Council as to who to induct onto the Honour Roll
- To advise Council when to hold the Honour Roll event, and
- To organise the Honour Roll event.

The committee will comprise:

- a Councillor who will be the Chair of the Committee
- at least six community members
- a Council Staff member to provide administration support.
- Members of the Committee are appointed by Council and may at any time be removed from the Committee by resolution of Council.

ISSUE/DISCUSSION

Advertisements seeking Expressions of Interest for the Hepburn Shire Council International Women's Day Heather Mutimer Women's Honour Roll Organising Committee were placed in *The Advocate* newspaper and on Council's website during April and May 2015.

Council received five nominations from community representatives.

One new nomination was received from:

1. Denise Hanaphy-Shearer.

Four nominations were received from the following members of the last committee seeking to be appointed for another term:

1. Mabel Moran
2. Joan Rattray
3. Roma Wiseman
4. Margie Thomas

It is recommended that all five applicants are appointed as members, with one appointed for three years and four appointed for two years, to provide continuity of members when the next reappointment occurs.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

'Not applicable'.

FINANCIAL IMPLICATIONS

Council has allocated \$4,500 in the 2015-16 Budget for the 2016 International Women's Day Women's Honour Roll event.

RISK IMPLICATIONS

Nil

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The Hepburn Shire Council International Women's Day Heather Mutimer Women's Honour Roll Organising Committee plays an important role in organising the annual International Women's Day Heather Mutimer Women's Honour Roll civic function which celebrates International Women's Day and recognises the contribution of outstanding Hepburn Shire women who are inducted to the Heather Mutimer Women's Honour Roll.

Interested members of the public are invited to attend the civic function.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Expressions of Interest were publicly advertised in The Advocate and on Council's website during April and May 2015.

CONCLUSION

That Council appoints one Committee member for a period of three years ending 16 July 2018 and four committee members for a period of two years ending 16 July 2017 to provide continuity of members.

OFFICER'S RECOMMENDATION

That Council:

- 1.1.1. Appoints the following community members to the Hepburn Shire International Women's Day Heather Mutimer Women's Honour Roll Organising Committee for a period of three years ending 16 July 2018:
 - Denise Hanaphy-Shearer.
- 1.1.2. Appoints the following community members to the Hepburn Shire International Women's Day Heather Mutimer Women's Honour Roll Organising Committee for a period of two years ending 16 July 2017:
 - Mabel Moran
 - Joan Rattray
 - Roma Wiseman
 - Margie Thomas.

MOTION

That Council:

- 11.9.1. *Appoints the following community members to the Hepburn Shire International Women's Day Heather Mutimer Women's Honour Roll Organising Committee for a period of three years ending 16 July 2018:*
 - *Denise Hanaphy-Shearer.*
- 11.9.2. *Appoints the following community members to the Hepburn Shire International Women's Day Heather Mutimer Women's Honour Roll Organising Committee for a period of two years ending 16 July 2017:*
 - *Mabel Moran*
 - *Joan Rattray*
 - *Roma Wiseman*
 - *Margie Thomas.*

Moved: Councillor Don Henderson

Seconded: Councillor Sebastian Klein

Carried

11.10. RECORD OF ASSEMBLIES OF COUNCILLORS GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Governance and Corporate Support Officer, I Mary Dancuk 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.

ISSUE / DISCUSSION

The *Local Government Act 1989* (as amended) requires the record of an Assembly of Councillors to be:

1. reported at an Ordinary Meeting of the Council; and
2. incorporated in the minutes of that Council Meeting.

For this purpose, the following records of Assemblies of Councillors are reported:

Assemblies of Councillors		
Date	Location	Committee Name
31 July 2017	Creswick RSL	Public Art Panel
4 August 2015	Council Chamber, Daylesford Town Hall	Councillor Briefing

10 August 2015	Council Chamber, Daylesford Town Hall	Mineral Springs Reserves Advisory Committee
18 August 2015	Creswick Senior Citizens' Centre	Councillor/CEO Meeting
Assemblies of Councillors		
Date	Location	Committee Name
18 August 2015	Creswick Senior Citizens' Centre	Pre Council Meeting Briefing

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

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

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

Information provided for noting.

OFFICER'S RECOMMENDATION

11.10.1 That Council receives and notes the Records of Assemblies of Councillors for the month of August 2015.

MOTION

11.10.1. *That Council receives and notes the Records of Assemblies of Councillors for the month of August 2015.*

Moved: Councillor Neil Newitt

Seconded: Councillor Sebastian Klein

Carried

ATTACHMENT 10 - RECORDS OF ASSEMBLIES OF COUNCILLORS –
AUGUST 2015

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Public Art Panel
 Date: Friday 21 July 2015
 Time: 12:00pm – 2pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|---|--|
| <input type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | - Manager Community and Economic Development, Adam McSwain |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | - Community and Economic Development Co-ordinator |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | - Community and Cultural Development Officer, Kate Gerritsen |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

- | | |
|---|--|
| <input type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | Community and Cultural Development Officer, Kate Gerritsen |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: 

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

PUBLIC ART PANEL AGENDA

MEETING 31 JULY 2015 – 12PM - 2PM

CRESWICK RESI, 60 ALBERT STREET, CRESWICK

Attendees: Dr Sue Walker AM (Chair), Brad Hooper, Glenn Mack, Kim Percy, Dr Louiscann Zahra-King, Ian Hoad, Elizabeth Hiddle, Petrus Spronk, Frances Guerin, Corey Pugh, Mayor Cr Kate Redwood AM, Cr Greg May, Cr Don Henderson, Adam McSwain, Michael Hynes, Kate Gerritsen

Apologies: Karoona Hodgson

Item	Time	Agenda Item	Presenter
1	12pm	Welcome & Apologies. Acceptance of previous minutes 29 May 2015	Chair
2	12.10pm	Update on progress of Jason Waterhouse commission (NB Standing item for commission delivery period)	Kate Gerritsen
3	12.20pm	Site visits in Creswick - Creswick VIC - Site of the old Creswick Bowling Club - Creswick Post Office - Midland Highway site	All
4	1.30am	Discussion – 2015-16 Public Art Program - Review map of potential sites - EOI process/timeline for Creswick commission	All
5	1.55am	Conclusion and close Next Meeting proposed: 25 September 2015	Chair

► CONTACT

Kate Gerritsen
03 5321 6428 or 0437 075 185
kgerritsen@hepburn.vic.gov.au

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 August 2015
Time: 12:30pm – 5:15pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond | - Manager Community and Economic Development, Adam McSwain |
| <input checked="" type="checkbox"/> GM Corporate Services Grant Schuster | - Library and Visitor Services Coordinator, Ellie Beer |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | - Manager Planning, Justin Fiddes |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | - Strategic Planner, Joan Copland |
| <input checked="" type="checkbox"/> Other, please specify:
- Manager Aged and Disability Services, Melanie Perks | + Julie Nixon |

Conflict of Interest Disclosures:


Councillor Name	Time Left and Returned
<i>MI</i>	

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 Grant Schuster | <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 Governance Officer for filing.

Tuesday 4 August 2015
 Council Chamber, Daylesford Town Hall
 12:30pm – 5:15pm

PRESENT:

Councillors Kate Redwood AM, Don Henderson, Greg May, Bill McClenaghan, Neil Newitt, Pierre Niclas

Officers Chief Executive Officer, General Manager Corporate Services, General Manager Community Services, General Manager Infrastructure and other officers as required

CHAIR: Mayor Cr Kate Redwood AM

APOLOGIES: Cr Sebastian Klein

No	Time	Agenda Item		Presenter	No
	12:30pm	Lunch Lunch will be provided			
1.	1:00pm	Report	Council Policy Review – Summary and Specific Policies	General Manager Corporate Services	Page 4
			Attachment 1 – Draft Policy 74 (C) - Protected Disclosures Policy	Manager Aged and Disability Services	Page 12
			Attachment 2 – Draft Policy 39 (C) – Access and Inclusion Policy		Page 23
2.	1:45pm	Presentation	2016/17 Community Support Infrastructure Fund	Manager Community and Economic Development	Page 29
3.	2:30pm	Report	Daylesford Community Park Management Plan	Manager Community and Economic Development	Page 31
			Attachment 3 – Daylesford Community Park Master Plan		Page 33

No	Time	Agenda Item	Presenter	No	
		Attachment 4 – Daylesford Community Park Management Plan		Page 35	
4.	3:00pm	Report & Presentation	Visitor Information Centres – Strategic Directions	Library and Visitor Services Coordinator	Page 101
		Attachment 5 – Visitor Information Centre Membership Fee Prospectus 2015/16		Page 104	
		Attachment 6 – Visitor Information Centre Merchandise Strategy		Page 117	
		Attachment 7 – Visitor Information Centre Volunteer Recruitment and Retention Strategy		Page 120	
	3:30pm	Break			
5.	3:45pm	Presentation	Active Service Model in Practice: Engaging Activities for People with Dementia	Manager Aged and Disability Services	Page 134
6.	4:15pm	Report & Presentation	Youth Strategy Update	Manager Community and Economic Development	Page 135
7.	4:45pm	Report	Proposed Rezoning to Mixed Use Zone in Hepburn Springs	Strategic Planner	Page 138
		Attachment 8 - Hepburn Springs Structure Plan		Page 141	
8.	5:00pm	Verbal Presentation	Planning Update	Manager Planning	Page 142
		Attachment 9 – VCAT Hearing List – As at 24 July 2015		Page 143	

DRAFT MINUTES
ORDINARY MEETING OF COUNCIL
CONFIDENTIAL
15 SEPTEMBER 2015
▶ COUNCILLOR BRIEFING AGENDA
TUESDAY 4 AUGUST 2015

No	Time	Agenda Item	Presenter	No
9.		For Noting Agenda Items – Next Council Meeting		Page 145
10.	5:15pm	CLOSE OF MEETING		Page 146

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Mineral Springs Reserve Advisory Committee
 Date: Monday 10 August 2015
 Time: 5.30pm to 7.30pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|---|--|
| <input type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | James Lowe |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

- | | |
|---|---|
| <input type="checkbox"/> CEO Aaron van Egmond | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: 

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

Mineral Springs Reserve Advisory Committee

Monday 10 August 2015

Council Chambers

5.30pm – 7.30pm

Attendees: Cr Pierre Niclas, Bruce Lucas, James Lowe, Bill Guest, Gary Lawrence, Sissy Austin, Lisa Rodier, Victor Szwed,

Apologies: Andrew Shugg

Item No	Time	Agenda Item	Presenter
1	5.30pm	Welcome and Apologies	Cr Pierre Niclas
2	5.35pm	Adoption of Minutes – 15 June 2015	Cr Pierre Niclas
3	5.40pm	Creation of Works/Projects List	All
4	6.10pm	Review of Action Register Items	All
5	6.20pm	General Business	All
	6.30pm	Meeting Close	
Next meeting – Monday 12 October 2015			

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 August 2015
 Time: 1:30 pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|---|---|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

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 checked="" type="checkbox"/> CEO Aaron van Egmond | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: 

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

COUNCILLOR & CEO MEETING

Tuesday 18 August 2015

Creswick Senior Citizens Centre

1:30PM

PRESENT: Councillors Kate Redwood AM, Neil Newitt, Don Henderson, Pierre Niclas, Greg May, Bill McClenaghan, CEO Aaron van Egmond

CHAIR: Councillor Kate Redwood AM

APOLOGIES: Councillor Sebastian Klein

No.	Time	Agenda Item	Presenter
1.	1:30PM	Order of Australia	Aaron van Egmond
2.		Arrangements for opening the Creswick Office	Aaron van Egmond
3.		White ribbon committee arrangements	Aaron van Egmond
4.		CCTV Security systems progress	Aaron van Egmond
5.		Vic Park fund raising and tree planting	Cllr Kate Redwood AM

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Pre Council Meeting Briefing
 Date: Tuesday 18 August 2015
 Time: 3:30pm – 5:00pm

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

Councillors present:

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

Members of Council Staff present:

CEO Aaron van Egmond Other, please specify:
 GM Corporate Services Grant Schuster Manager Community & Economic
 GM Community Services Kathleen Brannigan Development, Adam McSwain
 GM Infrastructure Bruce Lucas

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
<i>Nil</i>	

Matters Considered:

Council Meeting Agenda – Tuesday 18 August 2015

Agenda Attached

Name and title of Officer responsible for this written record:

CEO Aaron van Egmond Other, please specify:
 GM Corporate Services Grant Schuster
 GM Community Services Kathleen Brannigan
 GM Infrastructure Bruce Lucas

Signature: *Grant Schuster*

Note: This form MUST be completed by the attending Council Officer and returned immediately to Governance Officer 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 Governance and Corporate Support Officer, I Mary Dancuk 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 Committees (Section 86).

BACKGROUND

Special Committees are established by Council under section 86 of the *Local Government Act 1989* and their function and responsibilities outlined in an Instrument of Delegation. Under the Instruments of Delegation, special committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council for review.

ISSUE/DISCUSSION

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

- Minutes from the Creswick Museum Special Committee – AGM – 3/08/2015.
- Minutes from the Creswick Museum Special Committee – General Meeting – 3/08/2015.
- Minutes from the Lee Medlyn Home of Bottles Special Committee – AGM and General Meeting – 12/08/2015.
- Minutes from the Lyonville Hall Special Committee – 25/08/2015.
- Minutes from the Drummond Hall Special Committee – AGM and General Meeting – 28/08/2015.

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

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

- Minutes from the Creswick Museum Special Committee - AGM - 3/08/2015.
- Minutes from the Creswick Museum Special Committee – General Meeting - 3/08/2015.
- Minutes from the Lee Medlyn Home of Bottles Special Committee – AGM and General Meeting – 12/08/2015.
- Minutes from the Lyonville Hall Special Committee – 25/08/2015.
- Minutes from the Drummond Hall Special Committee – AGM and General Meeting – 28/08/2015.

MOTION

- 12.1.1. *That Council receives and notes the following minutes of Special Committees (Section 86) which have been distributed under separate cover:*
- *Minutes from the Creswick Museum Special Committee - AGM - 3/08/2015.*
 - *Minutes from the Creswick Museum Special Committee – General Meeting - 3/08/2015.*
 - *Minutes from the Lee Medlyn Home of Bottles Special Committee – AGM and General Meeting – 12/08/2015.*
 - *Minutes from the Lyonville Hall Special Committee – 25/08/2015.*
 - *Minutes from the Drummond Hall Special Committee – AGM and General Meeting – 28/08/2015.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Pierre Niclas

Carried

13. COUNCIL ADVISORY COMMITTEES

13.1. MINUTES OF ADVISORY COMMITTEES GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Governance and Corporate Support Officer, I Mary Dancuk 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

- Public Art Panel – Draft Minutes – 31/07/2015.

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 minutes of the following Advisory Committees which have been distributed under separate cover:

- Public Art Panel – 31/07/2015.

MOTION

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

- *Public Art Panel – 31/07/2015.*

Moved: Councillor Don Henderson

Seconded: Councillor Sebastian Klein

Carried

14. CONFIDENTIAL ITEMS

14.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

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

RECOMMENDATION

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

- 14.1.1. 89(2)(d) Contractual matters
Proposed New Commercial Tenancy – Creswick Hub – First Floor, 68 Albert Street, Creswick; and
- 14.1.2. 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.

MOTION

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

- 14.1.1. 89(2)(d) Contractual matters
Proposed New Commercial Tenancy – Creswick Hub – First Floor,
68 Albert Street, Creswick; and*
- 14.1.2. 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.*

Moved: Councillor Neil Newitt

Seconded: Councillor Don Henderson

Carried

The meeting was closed to the public at 7:48pm.

15. RE-OPENING OF MEETING TO PUBLIC

RECOMMENDATION

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

MOTION

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

Moved: Councillor Don Henderson

Seconded: Councillor Neil Newitt

Carried

The Meeting re-opens to Members of the Public at 7:50pm

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

14.2.1 Grants a four year Council lease to Wintringham to occupy the first floor at 68 Albert Street, Creswick in accordance with the Retail Lease to be prepared by Council's solicitors, BJT Legal.

16. CLOSE OF MEETING

The meeting closed at 7:56pm
