

Hepburn

SHIRE COUNCIL

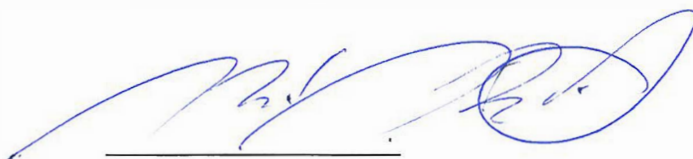
HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL MINUTES

TUESDAY 17 NOVEMBER 2015

CLYDESDALE HALL
249 LOCARNO ROAD, CLYDESDALE
6:00PM

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Confirmed at the Ordinary Meeting of Council
held on Tuesday 15 December 2015



Chair, Mayor Cr Neil Newitt

MINUTES

TUESDAY 17 NOVEMBER 2015

CLYDESDALE HALL
249 Locarno Road
Commencing 6:00PM

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AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
17 NOVEMBER 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.

The Mayor noted the following:

We would like to pause and acknowledge those victims of the recent terrorist attacks. Our thoughts are with the families and loved ones of those killed and wounded, and with all whose lives have been forever changed by this tragic event.

2. OPENING OF MEETING

PRESENT: Mayor Councillor Neil Newitt, Deputy Mayor Councillor Pierre Niclas, Coliban Ward Councillor Sebastian Klein, Creswick Ward Councillor Don Henderson, Creswick Ward Councillor Greg May, Holcombe Ward Councillor Bill McClenaghan

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

STATEMENT OF COMMITMENT

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

3. APOLOGIES

Nil

4. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Greg May declared conflict with item 11.7 - MOU for Andersons Mill Festival Committee.

5. CONFIRMATION OF MINUTES

RECOMMENDATION

- 5.1 That the Minutes of the Ordinary Meeting of Council held on 20 October 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 20 October 2015 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Cr Kate Redwood AM

Seconded: Cr Pierre Niclas

Carried.

6. NOTICES OF MOTION

6.1. CONFIDENTIAL - PUBLIC NOTICE OF INTENTION TO RE-APPOINT CHIEF EXECUTIVE OFFICER

A notice of motion to consider giving public notice of Council's intention to re-appoint the Chief Executive Officer has been received from Councillor Kate Redwood AM and will be considered in the confidential part of the meeting.

7. ITEMS OF URGENT BUSINESS

Councillor Pierre Niclas requested that Council hear an urgent item of business from him in relation to requesting leave.

MOTION

7.1. *That Council hears an urgent item of business.*

Moved: Councillor Don Henderson
Seconded: Councillor Bill McClenaghan
Carried.

MOTION

7.2. *That I, Cr Pierre Niclas, be granted a leave of absence for the ordinary meeting of Council on Tuesday 15 December 2015.*

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

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Neil Newitt, Cameron Ward

They say a weeks a long time in politics, and I agree with that sentiment after having been sworn in as Mayor last Tuesday night.

My first duty as Mayor was at the Remembrance Day service held at the Cenotaph in Clunes. I was asked to speak on the role the simple poppy has come to represent on Remembrance Day and to recite the poem "In Flander's Field".

Similar services of course were held across the shire and I acknowledge my fellow Councillors in representing the council at these.

On Saturday I attended the Open Day held at the Creswick Transfer Station - henceforth to be known as the Creswick Transformation Station.

I met Peter Buck, Manager - Recycling of the Eaglehawk Recycle Shop.

To say Peter is enthusiastic is an understatement, as he is most passionate in turning our unwanted into usable products. Each trailer that entered the yard would have Peter scanning its contents to extract the useful, and ultimately reduce the amount going to land fill. Peter explained how and what could be recycled and spoke with pride of those who work at the Eaglehawk facility and their inventiveness and ingenuity in building equipment to extract the most from every item dumped at the facility.

Along with the staff from the centre, and council officers on hand to answer communities questions (and tend to the sausage sizzle), I can report that our "rubbish" is in safe and responsible hands.

COUNCILLOR REPORTS

Councillor Sebastian Klein, Coliban Ward

Well it's been an incredibly busy month with a range of activities attended, the main theme of which is probably been AGMs... I was reminded of the work that goes in to maintaining our many facilities and community groups across the shire as I attended the Trentham Forum, Sportsground and Life Activities Club AGMs. Something which I was also reminded of at a fundraiser in East Trentham for the new Mechanics project.

Often these important efforts are overlooked, especially where the group's operate as agents of state government or as independent groups, as is the case with all of these. It was this agency that was at heart of a discussion about the New Mechanics

project in Trentham with Mary-Anne Thomas MLA when I met with her in Trentham. Also on the agenda were items like cycling safety, road speed limits, public transport, mobile communications, rate capping, walking and cycling and the state governments upcoming funding and legislation on climate change matters.

This was also a topic of discussion at the Melbourne University Business School entitled Paris and beyond: Climate and energy pathways for Australia. It was enlightening to see the economic modelling showing the cost to the economy of the weather variability resulting from a 2 degree warming which it appears currently heading for if we actually achieve agreement at the conference in Paris. Conversely, economic modelling from the London School of Business demonstrates that action on climate change can occur in the context of economic growth and that the countries who lead on this front will receive economic benefits as gains are realised later in the context of a new economic make up. It was great to see some of the leaders in this regards recognised at the Premiers Sustainability Awards in Melbourne.

I attended a range of other events listed in my written councillor report:

Ward meeting

Historical Gallipoli reading for the Daylesford Historical Society Meeting with ESC about the outcomes of the rate capping legislation passed last week by the upper house of the state parliament VLGA Board meeting VLGA Delegates event Hepburn Wind AGM.

Councillor Don Henderson, Creswick Ward

Happy Trails visited Creswick recently. This music event saw people from around the globe come together for a great afternoon and evening. The organisers picked the Railway Goods Shed from an arts atlas and they really enjoyed the space and many fell in love with the town and all vowed to come back. I thought that some of the bands must have thought the louder they played the more they would be enjoyed.

The Prospectors and Miners Association held their AGM at the Creswick Town Hall and businesses reported a massive boost to trade. I took some of them on a tour around some town hotspots and they too want to come back. Many were amazed to hear of the amounts of gold that came from the area and hoped to return to find some remnants. They were very public and loud in their praise for Hepburn Shire and staff at all levels. They have written to myself and I understand staff involved to thank them for a job well done.

Garden Lovers Weekend saw another influx of people from all over Australia come to see our many beautiful gardens and a flower show at the Town Hall. Many local groups got together to contribute to the success of the weekend. I surprised some folk from the Blue Mountains with the revelation that all of the famous Lindsay family came from Creswick. They began by asking why their famous Norman Lindsay was so

obsessed with Creswick. The best thing to come from the weekend from my point of view was the way all organisations worked together.

The RACV are now officially the new owners of the Goldfields Resort. A number of new businesses have opened in Creswick with scissors cutting ribbons. A new clothing shop The Farmers Wife opened on Melbourne Cup day and the ladies dressed up in their finery to help Bec and I cut the ribbon. A very bubbly opening it was too and a great way to make a new shop owner welcome to Creswick. Danny Charnook and myself opened Cafe 56 last Saturday. There is starting to be a shortage of shop space in the town.

Open day at the transfer station saw many happy people purchasing worm farms and sharing ideas and information with staff. Great to see the way the place looks these days. Spic and span with helpful staff and decent machinery on site.

I attended the AGM of John Curtin Hostel and heard about their plans to expand.

Along with many residents I went to the Remembrance Day service at Creswick and laid a wreath on behalf of the Shire.

Councillor Greg May, Creswick Ward

Firstly I'd like to congratulate Councillor Newitt on his appointment as the new mayor of the Hepburn Shire and Councillor Niclas on his appointment as deputy mayor. I look forward to working with them both over the next 12 months. I'd also like to acknowledge to wonderful job our previous mayor Councillor Redwood did during her term as mayor.

Last Saturday I had a most enlightening visit to the Creswick transfer station where I had the opportunity to speak with Mr Peter Buck from Future Employment Opportunities. I was particularly pleased to hear about their approach to recycling of all sorts of materials and many innovative ways of dealing unwanted, but still valuable goods. It was also pleasing to hear how the company provides training and employment opportunities for people who, as Peter put it, have slipped through the cracks. It was also encouraging to see council officers there providing visitors with information on composting and worm farms as well as providing them with an expertly cooked sausage or two.

The feedback to me was that take up of the subsidised compost bins and worm farms across the shire had exceeded expectations and more would need to be ordered to fill the demand. This must be a win / win situation, less material going to landfill and residents with healthier, more productive gardens.

I would also like to report on the progress of the new netball change rooms and public toilets at the Newlyn Recreation Reserve. Utility connections have taken place and the concrete slab for the building has been completed. All seems to be on track

for completion by the beginning of the next netball season so at last the local netball girls will have change room and shower facilities.

Lastly I'd like to report on local community event I attended a couple of weeks back along with Councillor Redwood and that was the Mollongghip Poetry Slam. This event is held annually in the Mollongghip Hall and attracts would be poets and visitors from far and wide. The poetry slam is a great example of a small community banding together to run a fun family event in their small but much loved local hall. Former Newlyn resident Mr Peter Yates again won the best poet award but this year shared the honour with long time Mollongghip resident Mr Barry Dimond.

Councillor Bill McClenaghan, Holcombe Ward

Firstly Councillors, let me welcome you to Clydesdale and the Clydesdale Hall. This building used to be the local state school as you may have seen on the heritage plaque outside. Like many buildings in this area it was constructed in a typical Swiss Italian style using local stone and has been carefully restored by the Crown Committee of Management that looks after this block of land. The biggest problem out here is termite infestation and even roof timbers required replacement a few years ago. The current project at Clydesdale is the construction of a rotunda with \$15,000 from Council's Budget between the hall and the local cenotaph. This project is being developed in co-operation with the Smeaton community which also has Council funding for a rotunda.

Much has happened in the past month. I attended the second MAV State Council for the year in Melbourne on Friday 23rd October, a Glenlyon Progress Association meeting at the Glenlyon Shire Hall and two subsequent meetings there to discuss arts funding for a community project and the proposed Telstra tower that is mooted for the phone exchange site in the town. This issue has the community somewhat divided; many want better mobile phone coverage straight away but some want the project put on hold till a better more elevated site can get funded. Such funding will be absolutely up to the Federal Government, which is funding 500 black spot projects out of a list of 1,500 genuine black spot sites. Council will shortly be receiving an Application for a Planning Permit from Telstra to build a 35 metre mobile phone tower and base station within the Glenlyon township.

The recent MAV State Council also encompassed the MAV Annual Report to the 79 member Councils. In the past few months, MAV has been active in implementing the endorsed Strategic Workplan and addressing issues raised in the VAGO Report together with strong advocacy for the Local Government Sector. For example, we are to receive \$83.7m kindergarten funding boost from the State in 2016 to fund 15 hours/week of kindergarten for all children. Also, 64 Councils in the CFA area will see additional emergency management funds. Then there's \$225m in additional roads funding from the Commonwealth as part of Roads to Recovery X 2. A bilateral

agreement has ensured the stability of HACC programs in the next three years, as sought by MAV, with a boost for 200,000 recipients of HACC services from local government. MAV has also been advocating on issues like rate capping, unconventional gas, climate change, energy efficiency targets and family violence. In the Federation Review, the Commonwealth will continue to be a major funder of Local Government.

In the MAV procurement and contract management program, 21/79 Councils have now signed up and 25/79 Councils have opted into the Local Government Funding Vehicle for 2016, giving access to cheaper loans than the major banks and financial institutions. Also 26/79 Councils have signed up to the workcover approved self-insurance scheme affording increased performance, cost saving and increased staff benefits. Unfortunately, a major commercial competitor is fighting hard against this and making some cash-strapped Councils offers they can't refuse having already signed up to the MAV scheme. Their sudden withdrawal has had serious effects on the viability of the scheme.

MAV has Net Assets of \$8.152m in 2015, up from \$4.808m in 2014. This was due to a sudden increase in the Grant Account, a matter that VAGO and one critical major newspaper had difficulty in understanding. When grants money was moved out of project funds, a final deficit was created instead of an \$100,000 operating surplus. Large insurance payouts and the sudden withdrawal of Councils from the public liability insurance scheme have also had large impacts on the MAV bottom line. One such payout was to settle a \$50m claim for bushfire damage in Hume after a tree falling on a powerline sparked the fire. (Of interest - the same thing happened at Drummond a few years ago but the fire was quickly contained.)

Also to report from State Council is a disturbing push by one large metropolitan Council to throw these meetings open to the public and to journalists rather than have them as a members' planning and reporting meeting for 79 member Councils. A motion to that effect was marginally carried and before you knew it a journalist from that aforementioned major newspaper turned up in response to somebody's phonecall. The same municipality has in the past almost demanded an as-of-right seat on the MAV Board because they are so important. There are challenging times ahead for MAV.

Lastly, on Remembrance Day, I attended the service at the Daylesford cenotaph and laid a posy of four large native flowers representing four of the small rural communities in Holcombe Ward where no services were held. The card read "From Clydesdale, Drummond, Denver and Glenlyon". Next time, a tribute from Mount Franklin, Porcupine Ridge, Wheatsheaf and Coomoora, communities not to be forgotten. "Lest we forget."

Councillor Pierre Niclas, Birch Ward

This will be a brief report and very much with a "local" feel, that said October and November were busy months, with many face to face meetings with residents in my Ward.

Swiss Italian Festa Official Opening.

On the 21st October I attended the opening of the 2015 Swiss Italian Festa at the Convent gallery in Daylesford. Through the very change in location, this year's event was well received and with respect to the Festa itself, has breathed new life in this event.

MSRAC Meeting.

On the 9th November I chaired the last meeting for this year of the MSRAC and am very pleased to report the great work this committee and Council's GM of Infrastructure Mr. Lucas has done to date, has resulted in the developing up and presenting of applications for funding of key works / projects for all the many Mineral Springs in this Shire, to the VMWC for their consideration. Under committees scope of review. If these applications are successful they will deliver the much needed works in these springs that have been long outstanding.

2015 Statutory Council Meeting.

10th November. Not a lot to say here other than once again congratulate the new Mayor - Cr. Newitt and wish him all the best in this role for this year and once again confirm my support.

Remembrance Day Ceremony in Daylesford.

11th November. Once again the RSL managed to deliver a moving and memorable event for this year's event and from a personal observation perspective can I say how pleasing it is to see the continual growth of public numbers to all these events. Cr. Redwood and I presented Councils wreath on behalf of Hepburn Shire Council. It is definitely an event I hope will continue to be strongly supported by the community for many years to come.

To close I would just like to take this opportunity to congratulate our Infrastructure team as a whole on the progress that has been delivered so far in relation to the widening of the "Hepburn Cutting". Although not a major highway project, it has been a desire of many local Hepburn residents and businesses for this work to be completed but never really thinking that it would be possible, well done Team Hepburn.

Councillor Kate Redwood AM, Birch Ward

The month has seen lots of arts related events:

- The Swiss Italian Festa. Cr Niclas and I attended the opening of the art show and the parade. Lots of fun and plenty of people attending
- The Daylesford Art Show. Well done Rotary for a great exhibition, and also well attended and enthusiastically supported
- The Pavilion Art Show in Creswick
- The Mollonghip Poetry Slam. Cr May performed, well done on a great poem Cr May! This event is surely a hidden treasure in our annual calendar. And by the way the MC, Gib Wettenhall was effusive in thanking council for a recent grant for a PA system
- The Public Art Panel meeting to shortlist submissions for the Lake Calemben work
- The increasingly successful Daylesford Macedon Ranges Open Studios weekend ably led by Jill Rivers and Sue Walker
- The Creswick Flower Show with a profusion of entries of beautifully presented flowers, crafts and preserves. Well done Val Lawrence and committee

...and lots of environment-related events

- An initial meeting of residents interested in pursuing a zero emissions strategy for the Shire, initiated by Candy Broad and Hal Swerinson, and attended by Cr Klein
- The annual Bushwalking Victoria dinner held at the Hepburn Primary School and involving some 250 bushwalkers from across Victoria at which both Mary Anne Thomas and I spoke
- A Cornish Hill Event with the local primary schools - Children Teaching Children – at which young children engaged in water testing, identifying life in water samples, and identifying birds
- Discussions re a new sewage recycling project for Trentham whereby sewage could be recycled for watering public land
- Parks Victoria re shared interests such as weeds and working with the Dja Dja Wurring, and attracting tourists
- University of Melbourne launch of Integrated Land Management curriculum, at the Forestry School Creswick
- A meeting with representatives from Wombat Forest Care regarding mining generally, and congratulations to that organisation on its state government sustainability award

....and more generally,

- A meeting with the member for Ripon and the Shadow Member for Local Government about rate capping

- The AGM of the Daylesford Football Netball Club where there was huge enthusiasm for standing for the Committee
- A meeting with a church representative about what the church community could do to assist refugees
- The monthly BATA breakfast
- The International Women's Day advisory committee
- A meeting with Ian Gowdie and Ian McBean at which our CEO and Director Corporate Services explained the financial model and costings for the Hepburn Hub project for an hour
- The public meeting at Glenlyon chaired by Cr McClenaghan to hear from Telstra officer, Bill Mundy about the proposed mobile phone tower in Glenlyon, and ask questions
- A presentation on a panel at the MAV conference in Melbourne on governance
- The Remembrance Day address at Daylesford, attended by Cr McClenaghan and Cr Niclas who laid wreaths.
- A public Q & A about Council held by the ALP Branch at the Daylesford Hotel
- The annual community fair at the community playground, Daylesford

And of course all the Council meetings and briefings, including the Statutory Meeting, and I take this opportunity to thank my colleagues for your kind words to me on that occasion, and once again congratulations to Cr Newitt on his election as mayor and Cr Niclas as deputy.

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 Bill McClenaghan

Seconded: Councillor Greg May

Carried.

9. PUBLIC PARTICIPATION TIME

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

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

Community members are invited to submit written questions to the 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

No questions were heard during the Council meeting. Ms Cate Evans had submitted two questions, but was not present at the meeting to ask the questions.

9.3. REQUESTS TO ADDRESS COUNCIL

Mr Keith Pyers, President of the Highland Gathering Committee, addressed Council in relation to Community Grants. Also present were representatives of the committee including Mr David Smith, Ms Rhonda Smith and Mr John McColl.

10. STATUTORY PLANNING REPORTS

10.1. DEVELOPMENT OF A DWELLING AND USE FOR SHORT TERM ACCOMMODATION AT 22 EIGHTEENTH STREET, HEPBURN

CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is for Council to make a determination on the application to use the proposed dwelling for short term accommodation.

BACKGROUND

The land has an area of 9534sqm and is vacant land. The dwelling is proposed to have eight bedrooms, has an open plan living, dining and kitchen area and be of a contemporary design. The dwelling is proposed to be set back 19m from the Twentieth Street frontage and a minimum of 10m from Eighteenth Street. Access to the land is via Eighteenth Street which is a sealed and maintained Council road.

The land is zoned General Residential Zone (GRZ), is subject to an Environmental Significance Overlay – Schedule 1 (ESO1) and a Bushfire Management Overlay(BMO). The permit triggers include buildings and works under the BMO (notification exempted) and use of the proposed dwelling for short term accommodation under the GRZ.

The application has been referred to CFA pursuant to Clause 66 of the Hepburn Planning Scheme who have provided conditional consent to the application.

The application has been advertised by placing a notice on the site, sent to adjoining and adjacent owners and occupiers. Five objections were received.

ISSUE/DISCUSSION

State and Local Planning Policy encourages new development within township areas where infrastructure and services are available. The Municipal Strategic Statement (MSS) seeks to consolidate development in existing urban areas while ensuring new development contributes to the neighbourhood character.

Clause 13.05 refers to Bushfire and includes in its objective and overarching strategies include:

- To assist to strengthen community resilience to bushfire.
- Prioritise the protection of human life over other policy considerations in planning and decision-making in areas at risk from bushfire.

- Where appropriate, apply the precautionary principle to planning and decision-making when assessing the risk to life, property and community infrastructure from bushfire.

The subject site is located within urban growth boundary on the Hepburn Structure Plan where infill development is encouraged (Clause 21.05 Settlement and Housing).

Clause 17.03-1 refers to Facilitating tourism and includes in its objectives and strategies:

- To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.
- Encourage the development of a range of well designed and sited tourist facilities, including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail opportunities.
- Seek to ensure that tourism facilities have access to suitable transport and be compatible with and build upon the assets and qualities of surrounding urban or rural activities and cultural and natural attractions.
- Clause 21.01-7 refers to economic development and states:
- Tourism is becoming an increasing component of the local economy, resulting in a growth of accommodation facilities including guesthouses, bed & breakfast establishments, niche retailing and development focussed towards lifestyle and pure indulgence pursuits.

Particular Provisions

Clause 52.06 refers to car parking and Clause 52.06-1 requires that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land. The number of spaces required to be provided is specified in the table at Clause 52.06-5. Where a use of land is not specified in Table at Clause 52.06-5, car parking spaces must be provided to the satisfaction of the responsible authority. The application includes the provision of six designated spaces, (more available if required). As the use is not specified in the table, (short term accommodation) Council have determined that the provision of six spaces is satisfactory.

KEY ISSUES

Five objections were received which are summarised below. Each point is addressed in italics:

- The dwelling does not reflect or respect the neighbourhood character and amenity of the area.

The proposed dwelling is considered to be design responsive to the site and utilise materials and finishes consistent in this area.

- The noise from a large accommodation block

The proposal includes construction of one dwelling to be used for short term accommodation on a 9534sqm property. The noise levels anticipated from this site would be consistent with noise levels within a residential area. An general amenity condition would be applied to the permit should one be granted.

- Increased traffic

As above, the number of vehicular movements in and out of this site would be consistent with other dwellings in the area and Council's Engineers have not raised any concerns with the existing road network and additional traffic in this area.

- Filling in the dam due to the impact on our dam

The filling in of the existing dam is not a planning consideration.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

Not applicable

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Not applicable

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

The development of the dwelling has been assessed against the objectives of the Bushfire Management Overlay, and is considered appropriate in meeting the required fire safety standards. This is the only "design" control which requires planning assessment and approval.

The use for short term accommodation is considered appropriate having regard to the location of the land, the size of the land, and provision of car parking on the land.

Both State and Local policy give strong support to the use and development of facilities for tourism in appropriate locations.

OFFICER'S RECOMMENDATION

That Council having caused notice of planning application PA 956 to be given under Section 52 of the Planning and Environment Act 1987, and having considered all the matters required under Section 60 of the Act decides to issue a **Notice of Decision to Grant a Permit** under the provisions of Clauses 32.01, 44.06 and 52.47 of the Hepburn Planning Scheme in respect of the land known and described as 22 Eighteenth Street, Hepburn for the Development of a Dwelling and Use for Short Term Accommodation with the application dated 27/07/2015 subject to the following conditions:

10.1.1 LAYOUT NOT ALTERED

The development and layout of the use as shown on the endorsed plans must not be altered without the further consent from the Responsible Authority.

10.1.2 GENERAL AMENITY

The use must be managed so that the amenity of the area is not adversely affected through the emission of noise, light spill, or the movement of vehicles.

10.1.3 ENGINEERING

Stormwater Drainage

Stormwater shall be directed to the legal point of discharge to the satisfaction of the Responsible Authority. No stormwater shall drain or discharge from the land to adjoining properties.

Access

Vehicle access/crossing to the land is to be a culvert constructed using 300 mm class 2 concrete pipe laid to match existing invert levels. Pipe bedding shall be laid on solid subgrade and shall be a compacted depth of 75 mm of class 3 crushed rocks or equivalent gravel. The vehicle driveway area, parking area and pipe backfill shall be class 3 crushed rock or equivalent gravel and the driveway and parking area shall have a compacted depth of 150 mm to cater for domestic and normal traffic (not commercial). The culvert shall have endwalls to match the culvert invert preferably low profile precast concrete endwalls. Installation shall be in compliance with Councils Standard Drawing 2003-004.

Any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in

accordance with the requirements of the relevant Authority and shall be at the applicant's expense.

10.1.4 CFA

Bushfire Management Plan endorsed

The Bushfire Management Plan Figure II Bushfire Management Plan (version B; dated 24/07/'15; prepared by Regional Planning & Design Pty. must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Mandatory condition - Maintenance of bushfire mitigation measures

The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply, and access, must be maintained to the satisfaction of the responsible authority and the relevant fire authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Emergency Management Plan

Prior to the commencement of the use, an emergency management plan must be submitted to and approved by the responsible authority. Once approved, the plan will be endorsed, and will then form part of the permit. The plan must clearly set out steps and procedures to ensure the dwelling is vacated during code red days.

Notes:

This permit will expire if the permitted development is not started within two years of the date of this permit, or is not completed within four years of that date, or the permitted use is not started within two years of the completion of the development, or is discontinued for a period of two years.

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

- Within six months afterwards if the development has not been started, or the development is complete but the use has not started, or the use has been discontinued for a period of two years.
- Within twelve months afterwards if the development started lawfully before the permit expired.

MOTION

That Council having caused notice of planning application PA 956 to be given under Section 52 of the Planning and Environment Act 1987, and having considered all the matters required under Section 60 of the Act decides to issue a **Notice of Decision to Grant a Permit** under the provisions of Clauses 32.01, 44.06 and 52.47 of the Hepburn Planning Scheme in respect of the land known and described as 22 Eighteenth Street, Hepburn for the Development of a Dwelling and Use for Short Term Accommodation with the application dated 27/07/2015 subject to the following conditions:

10.1.1. **LAYOUT NOT ALTERED**

The development and layout of the use as shown on the endorsed plans must not be altered without the further consent from the Responsible Authority.

10.1.2. **GENERAL AMENITY**

The use must be managed so that the amenity of the area is not adversely affected through the emission of noise, light spill, or the movement of vehicles.

10.1.3. **ENGINEERING**

Stormwater Drainage

Stormwater shall be directed to the legal point of discharge to the satisfaction of the Responsible Authority. No stormwater shall drain or discharge from the land to adjoining properties.

Access

Vehicle access/crossing to the land is to be a culvert constructed using 300 mm class 2 concrete pipe laid to match existing invert levels. Pipe bedding shall be laid on solid subgrade and shall be a compacted depth of 75 mm of class 3 crushed rocks or equivalent gravel. The vehicle driveway area, parking area and pipe backfill shall be class 3 crushed rock or equivalent gravel and the driveway and parking area shall have a compacted depth of 150 mm to cater for domestic and normal traffic (not commercial). The culvert shall have endwalls to match the culvert invert preferably low profile precast concrete endwalls. Installation shall be in compliance with Council's Standard Drawing 2003-004.

Any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.

10.1.4. **CFA**

Bushfire Management Plan endorsed

The Bushfire Management Plan Figure II Bushfire Management Plan (version B; dated 24/07/'15; prepared by Regional Panning & Design Pty. must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Mandatory condition - Maintenance of bushfire mitigation measures

The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply, and access, must be maintained to the satisfaction of the responsible authority and the relevant fire authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Emergency Management Plan

Prior to the commencement of the use, an emergency management plan must be submitted to and approved by the responsible authority. Once approved, the plan will be endorsed, and will then form part of the permit. The plan must clearly set out steps and procedures to ensure the dwelling is vacated during code red days.

Notes:

This permit will expire if the permitted development is not started within two years of the date of this permit, or is not completed within four years of that date, or the permitted use is not started within two years of the completion of the development, or is discontinued for a period of two years.

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

- *Within six months afterwards if the development has not been started,*

or the development is complete but the use has not started, or the use has been discontinued for a period of two years.

- *Within twelve months afterwards if the development started lawfully before the permit expired.*

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

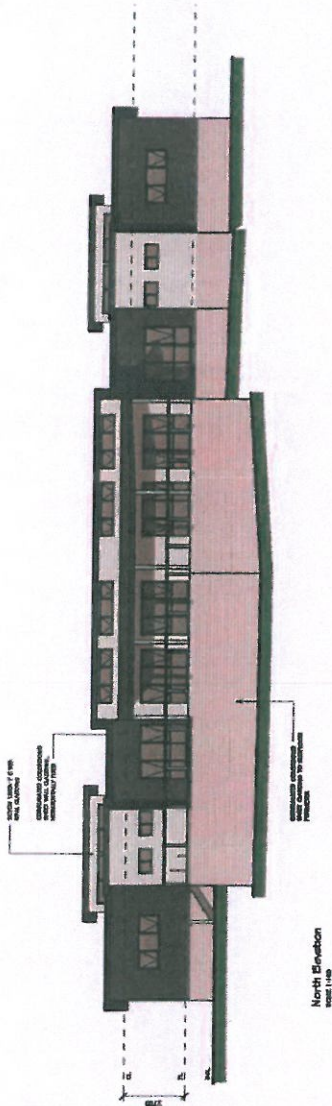
ATTACHMENT 1 - PLANS - PA95622 - EIGHTEENTH STREET, HEPBURN
SPRINGS



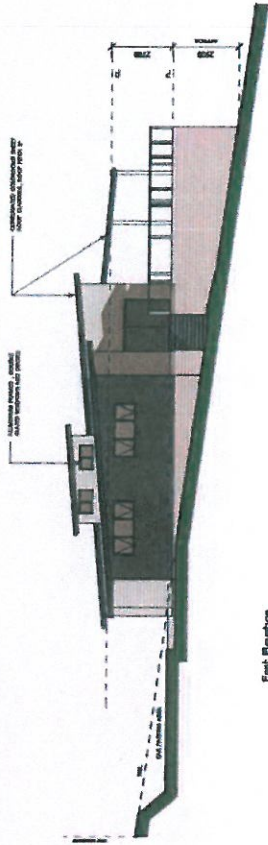
Hepburn
SHIRE COUNCIL

Created By :
 Date : Thursday, 29 October 2015
 Projection : MGA Zone 55, GDA 1994
 Map Scale : 1:3,812

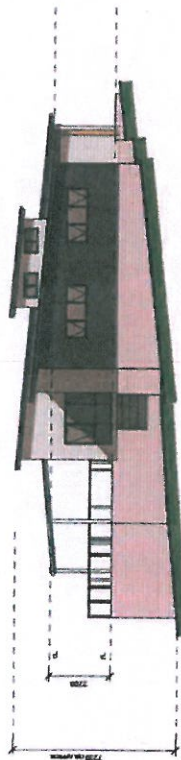
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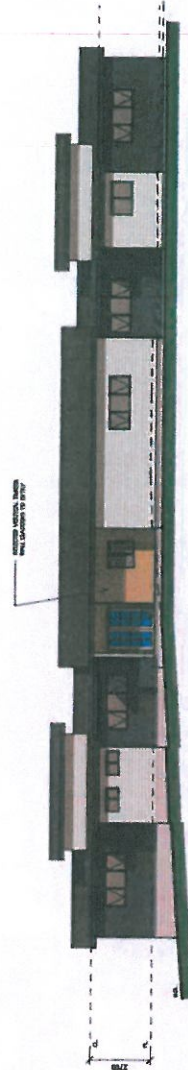
North Elevation
DATE 11/05



East Elevation
DATE 11/05



West Elevation
DATE 11/05



South Elevation
DATE 11/05

W.A. Q. Drafting
 2000-2001
 2002-2003
 2004-2005
 2006-2007

PROJECT NAME: Proposed Association Building	DATE: 12/09/2004	
PROJECT ADDRESS: 728 Highland Street, Napier	PROJECT NO. 2004	
CLIENT NAME: Napier and District Council	Drawn by: J.P.F.	Scale: 1:100

**10.2. DEVELOPMENT OF A DECK AND ASSOCIATED RETAINING WALL AND THE CONSTRUCTION OF TWO DOUBLE FRENCH DOORS WINDOWS AT 2 MINERAL SPRINGS CRESCENT, HEPBURN SPRINGS
CHIEF EXECUTIVE OFFICER**

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

PURPOSE

The purpose of this report is for Council to determine the application to construct a deck and associated retaining wall and two French doors.

BACKGROUND

Enforcement Action was commenced following illegal works to a dwelling which is subject to a Heritage Overlay. The works were undertaken without planning approval. The works included construction of a deck at the front of the dwelling and construction of two double french doors to replace two double hung windows located either side of the front door facing the street.

The enforcement action resulted in an enforcement order being lodged at the Victorian Civil and Administration Tribunal (VCAT) on 28 August 2015. VCAT ordered the applicant to lodge a planning application with Council by 11 September 2015. Council is required to make a determination on the application, which will be considered again by VCAT.

A retrospective planning application was lodged with Council on 24 August 2015.

The enforcement matter is scheduled to be considered on 23 November 2015 at VCAT following Council's determination.

ISSUE/DISCUSSION

The land is zoned General Residential Zone (GRZ), is subject to an Environmental Significance Overlay – Schedule 1 & 2 (ESO1 & ESO2), Bushfire Management Overlay (BMO) and a Heritage Overlay – Schedule 735 (HO735)

The trigger for the planning permit for the works is the Heritage Overlay.

The application was referred to Council's Heritage Advisor who does not object to the granting of a permit, subject to the inclusion of a landscape plan.

The application is exempt from advertising/notification.

State and Local Policy

State and local Planning Policy supports development that is sympathetic to the recognised heritage significance of the precinct.

Clause 15.03-1 refers to Heritage Conservation and includes in its objective to ensure the conservation of places of heritage significance. The proposed buildings and works are considered to accord with the above objective as the design, footprint and additional landscaping requirement, is considered appropriate and respectful of the existing residential area.

Heritage Overlay

The site is affected by Heritage Overlay HO735 (Hepburn Mineral Springs Heritage Precinct) which is the trigger for the works on the site. The site is not included on the Vic Heritage Register. The objectives of the Heritage Overlay include:

- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.

The application was referred to Council's Heritage Advisor who made the following comments:

The proposal is in accordance with the decision guidelines of the heritage overlay. The landscaping to the front garden will soften the new construction and create a well used outdoor area. The house is on the high side of the road, elevated by at least one or more metres from the footpath. The two double French doors maybe retained as the work is reversible at anytime in the future. It provides for very usable, attractive interior space, which makes the most of the natural setting and aspect of the place. It does not unduly detract from the visual aesthetic significance of the precinct

It is recommend that a landscape plan should be prepared to show how in conjunction with the timer decking the appearance of the cottage can be enhanced. Sufficient space should be set aside for landscaping. With low vegetation along the front boundary fence line.

The proposed works are considered sympathetic to the historic precinct and are supported by Council's Heritage Advisor subject to the inclusion of a landscape plan to enhance the appearance of the cottage

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

Not applicable

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Not applicable

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Not applicable.

CONCLUSION

Council Officers and Council's Heritage Advisor are satisfied that the works are satisfactory and achieve the outcomes sought by the Heritage Overlay and the provisions of the Hepburn Planning Scheme as demonstrated in this report.

OFFICER'S RECOMMENDATION

That Council having considered all the matters required under Section 60 of the Act decides to issue a Planning Permit under the provisions of Clause 43.01-1 of the Hepburn Planning Scheme in respect of the land known and described as 2 Mineral Springs, Hepburn for the construction of a deck, two double french doors to replace two double hung windows located either side of the front door and associated retaining wall with the application dated 24/08/2015 subject to the following conditions:

10.2.1. AMENDED PLANS REQUIRED

Within three months of the permit issue date, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- (a) Removal of the retaining wall/deck to maintain a minimum setback of 2.4m from the northern boundary for the length of the new deck and retaining wall to the satisfaction of the Responsible Authority.
- (b) A Landscape plan to scale and with dimensions prepared by a suitably qualified person detailing:
 - A combination of shrubs and grounds covers around the perimeter of the deck including low hedging plants along the front fence (east) elevation to the satisfaction of the Responsible Authority.
 - Surface materials and finishes.
 - Mulching/mounding treatment.

- Species selection to the satisfaction of the Responsible Authority.
- The maintenance thereof for a period of two years after completion of the works.

10.2.2. LAYOUT NOT ALTERED

The development as shown on the endorsed plans must not be altered with the further consent from the Responsible Authority.

10.2.3. COMPLETION OF LANDSCAPING

Before the use/occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority

10.2.4. LANDSCAPING MAINTENANCE

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

10.2.5. ONGOING SOIL EROSION CONTROL

All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the responsible authority.

Note:

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

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

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

MOTION

*That Council having considered all the matters required under Section 60 of the Act decides to **Refuse a Planning Permit** under the provisions of Clause 43.01-1 of the Hepburn Planning Scheme in respect of the land known and described as 2 Mineral Springs, Hepburn for the construction of a deck, two double french doors to replace two double hung windows located either side of the front door and associated retaining wall with the application dated 24/08/2015 on the following grounds:*

- 10.2.1. *The proposed works do not achieve the outcomes and objectives of the Heritage Overlay.*
- 10.2.2. *The proposed buildings and works are detrimental to the existing cottage and wider Mineral Springs Reserve Heritage Precinct.*
- 10.2.3. *The proposed building and works are out of character with the existing heritage dwelling.*
- 10.2.4. *The proposed building and works sets an uncharacteristic precedent in the heritage precinct.*
- 10.2.5. *Officers continue with the enforcement proceedings at VCAT to seek the removal of the decking, windows and French doors to return the dwelling to its pre-developed state and to seek a general penalty under section 127 of the Planning and Environment Act 1987.*

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

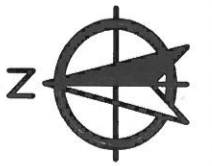
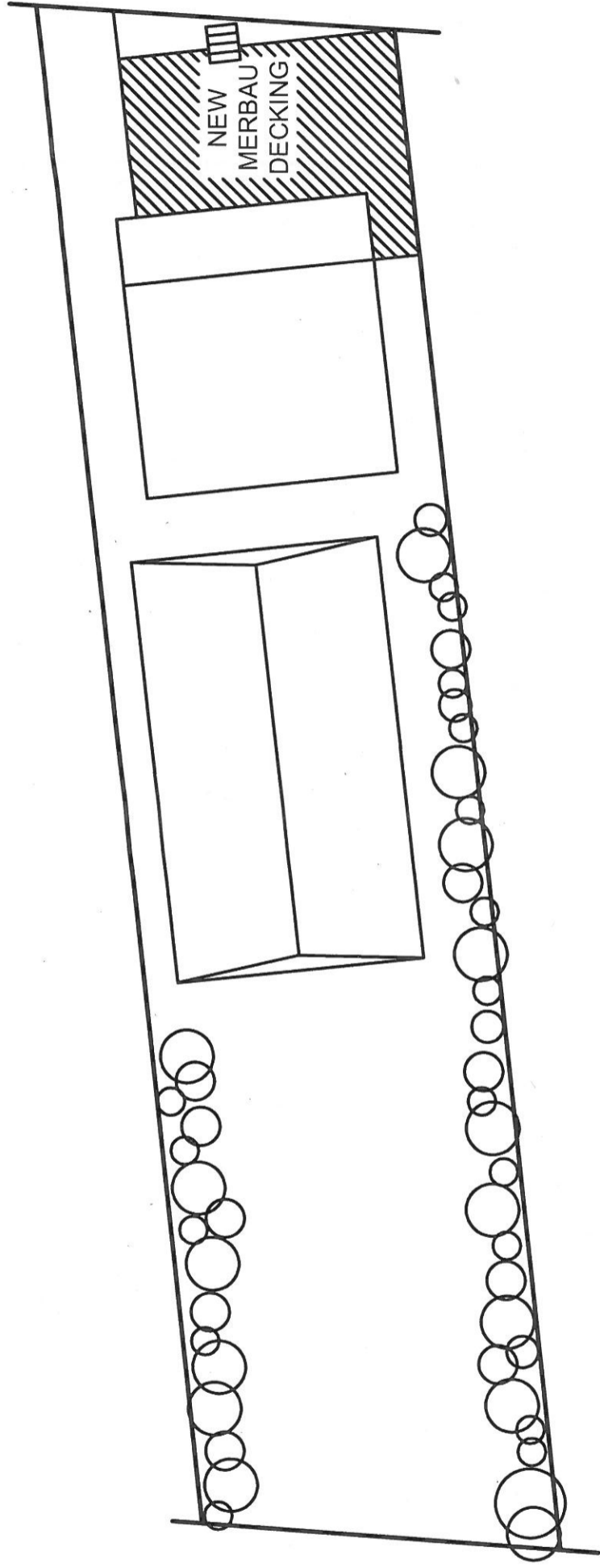
ATTACHMENT 2 - PLANS -PA986 - 2 MINERAL SPRINGS CRESCENT,
HEPBURN SPRINGS



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Created By :
 Date : Thursday, 15 October 2015
 Projection : MGA Zone 55, GDA 1994
 Map Scale : 1:1,312

Hepburn
 SHIRE COUNCIL



Proposed Site Plan
 2 Mineral Springs Cres, Hepburn Springs

DRAWN BY: DG

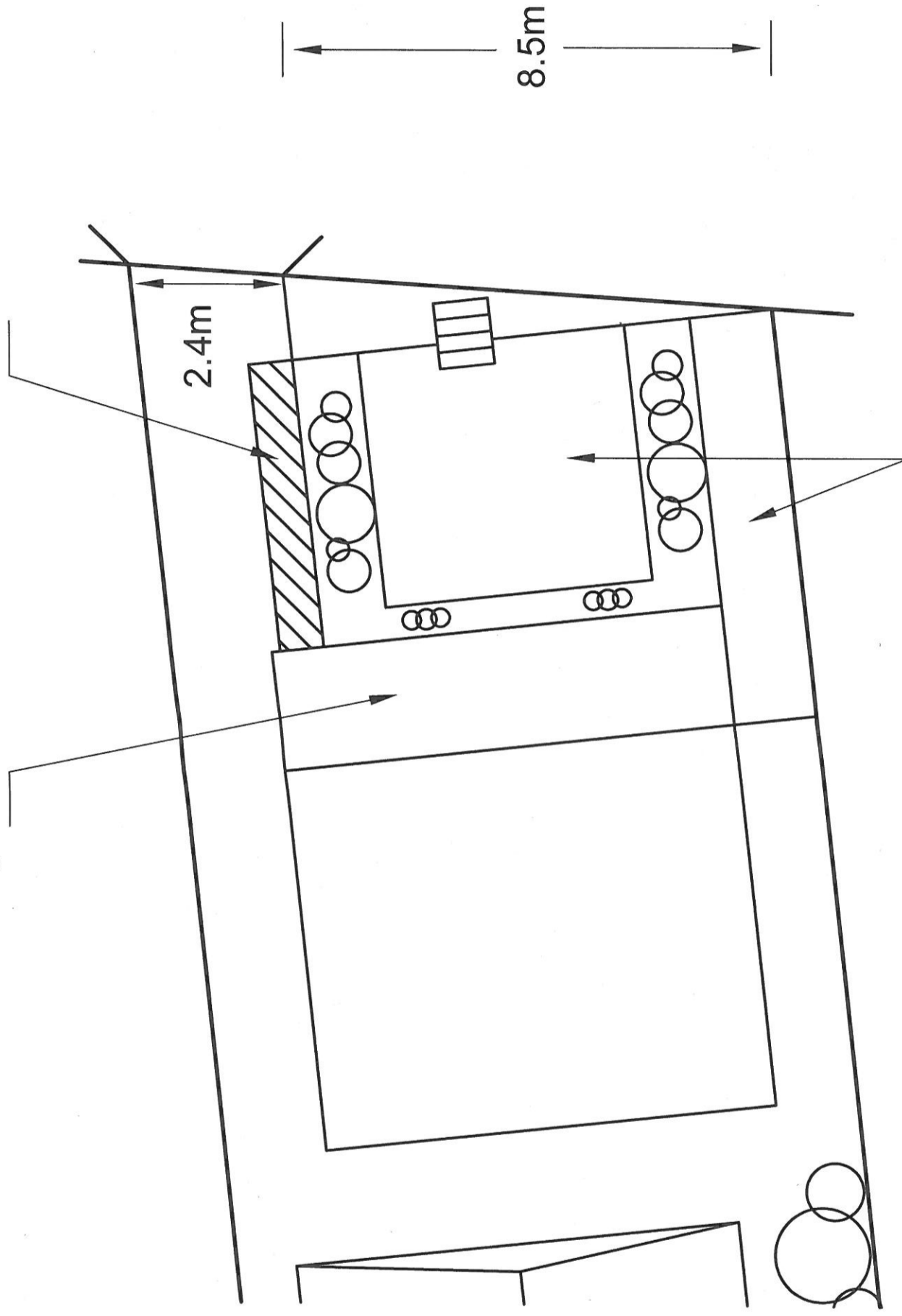
DATE: 23 Aug 2015

REVISION: 1 SCALE: 1:200

TP03

Replace existing verandah floor with merbau decking

Remove retaining wall/deck/landscaping within 2.4m setback and make good



New merbau decking



Proposed Floor Plan
2 Mineral Springs Cres, Hepburn Springs

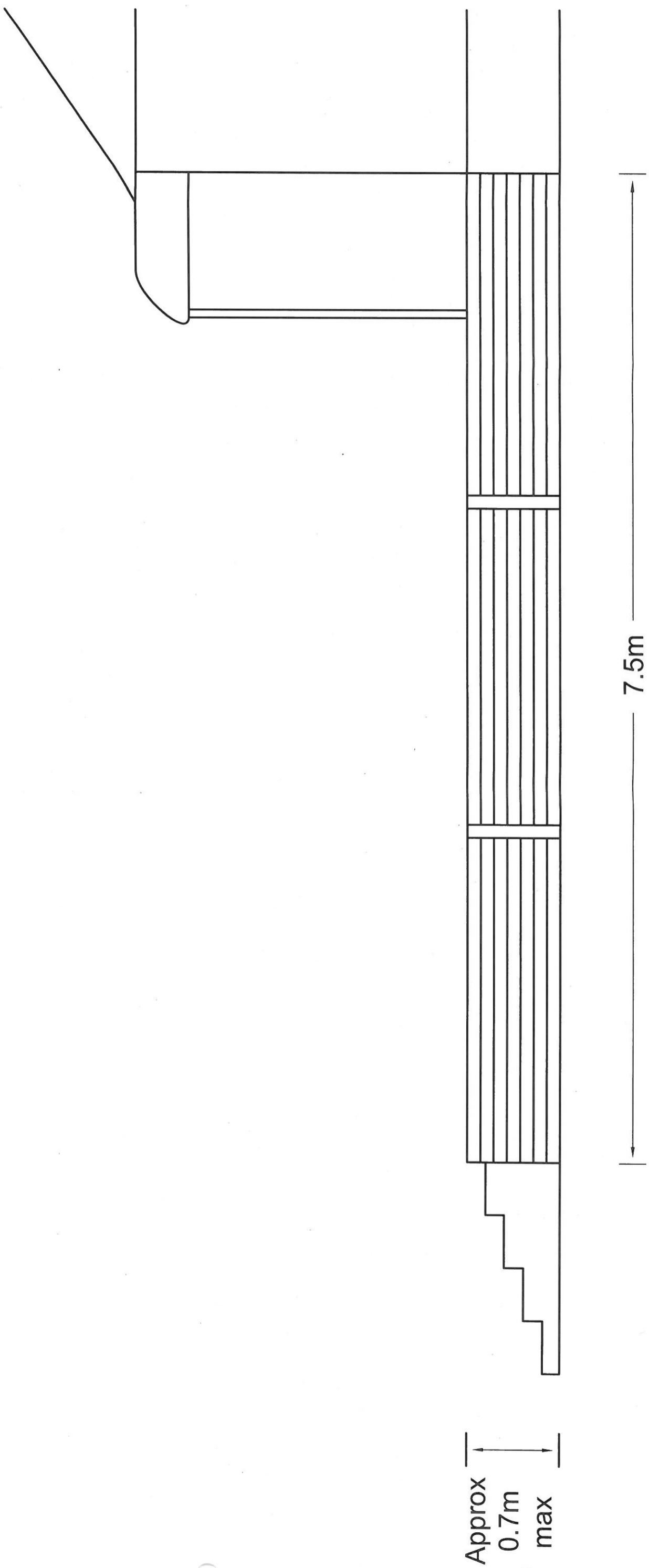
DRAWN BY: DG

DATE: 23 Aug 2015

REVISION: 1

SCALE: 1:100

TP04



Approx
0.7m
max



Proposed North Elevation
2 Mineral Springs Cres, Hepburn Springs

DRAWN BY: DG

DATE: 23 Aug 2015

REVISION: 1 SCALE: 1:30

TP05

10.3. HEPBURN SIGNIFICANT TREE REGISTER AMENDMENT C54

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Strategic Planner, I Joan Copland have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to:

- Consider all submissions received following exhibition of the Amendment.
- Recommend that Council adopt Amendment C54, with changes.

BACKGROUND

The Amendment implements the findings of the Hepburn Significant Tree Register – Statements of Significance Report 2015 (updated) by applying the Heritage Overlay or Vegetation Protection Overlay to trees recommended for inclusion on the Tree Register.

Council called for nominations from the community for suitable trees to be included in the Register and received a total of 70 nominations. Assessments of the nominated trees were subsequently undertaken.

The assessment was based on the National Trust (Victoria) categories of significance. These criteria are contained in the *Vegetation Protection Overlay Practice Note (DPCD February 1999)*.

The Hepburn Significant Tree Register – Statements of Significance Report 2015 (updated) contains recommendations for the inclusion of trees or groups of trees into Council's Significant Tree Register and the application of the Heritage Overlay or the Vegetation Protection to protect these trees.

The application of the Heritage Overlay (with tree controls included in the Schedule) or the Vegetation Protection Overlay will mean that planning permit applications would be required to remove or lop trees included in these overlays.

ISSUE/DISCUSSION

The amendment was authorised by the Department of Environment Land Water and Planning (DELWP) on 12 May 2015. Exhibition of the amendment was undertaken between 9 July 2015 and 10 August 2015.

Eight written submissions were received. These submissions are summarised in the attached Appendix together with recommended responses to the submissions.

Under the *Planning and Environment Act 1987*, Council must consider all written submissions received, and any unresolved submissions must be referred to an

independent Planning Panel. If a Panel is required, the Panel will consider all outstanding or unresolved submissions and make recommendations to Council.

Council officers have met with submitters in an attempt to resolve areas of concern. The summary of submissions (Attachment 1) provides a recommended response to each submission which addresses the matters raised and will avoid the need for the appointment of a Planning Panel.

The submissions received during the exhibition process can be summarised as follows:

- The tree or trees should not be included because they are decayed, dangerous or do not warrant inclusion.
- Additional trees not included in the Register are worthy of inclusion,
- The amendment will impose an unwarranted constraint on the use of the land.

It is clear from the original consultation calling for nominations and the response to the exhibition of the amendment that there are other trees worthy for listing on the Register. These additional trees cannot be included in this amendment because they did not form part of the exhibited documents and it would be contrary to the provisions of the Act to include them at this stage of the amendment process. They would need to be considered in any future Significant Tree Register amendment.

Council must now consider all the submissions and resolve to either:

- Revise the amendment in the light of submission received, and if no submissions remain outstanding, adopt the revised amendment and submit it to the Minister for Planning for approval.
- Not revise the exhibited amendment, or revise in part, and refer all outstanding submissions to a Planning Panel.
- Abandon the amendment.

The attached summary (Attachment 1) recommends that Council revise the amendment and adopt and submit the amendment to the Minister for Planning for approval.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The preparation, authorisation and exhibition of the planning scheme amendment complies with Council's obligations as a Planning Authority under the *Planning and Environment Act 1987*.

FINANCIAL IMPLICATIONS

Should Council determine to request the appointment of a Planning Panel to consider outstanding submissions, then Council will be responsible for all costs associated with this.

Should Council revise the amendment following consideration of all submissions, adopt the amendment and forward the adopted amendment to the Minister for

Planning, a fee of \$798 will be incurred. This fee will be funded from the existing planning budget.

RISK IMPLICATIONS

Although this amendment introduces additional controls to the Hepburn Planning Scheme relating to tree removal, Council's Vegetation Protection Exemptions Policy will over ride this requirement if the tree is assessed as presenting an immediate risk to people or property.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The protection of significant trees through this amendment will contribute positively to the environment and protect the landscape values of the shire for current and future generations.

Tourism forms a significant component of the Hepburn economy and the preservation of the landscape qualities of the Shire are an important component of the tourism offer.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Exhibition of the amendment to implement the Register was undertaken between 9 July 2015 and 10 August 2015 by means of:

- Notice to all affected property owners,
- Notice in two local papers and the Government Gazette,
- Information on Council's website,
- Notice on the DELWP website,
- Notice to Ministers prescribed under the *Planning and Environment Act 1987* and Native Title Services Victoria, and
- Notice and amendment documentation in all Customer Service Centres and libraries throughout the municipality.

Council officers have undertaken further consultation with submitters in an attempt to resolve their concerns.

CONCLUSION

Approval of this amendment is the final stage of the process to implement the Significant Tree Register 2015. The planning controls introduced by the amendment will result in the need to apply for a planning permit to remove or lop the identified trees. However, Council's Vegetation Protection Exemptions Policy will over ride this requirement if the tree presents an immediate risk to people or property.

The submissions received following exhibition of the amendment has resulted in some recommended changes to the amendment to address particular areas of concern.

It is recommended that Amendment C54 be adopted by Council with changes and forwarded to the Minister for Planning for approval.

OFFICER'S RECOMMENDATION

- 10.3.1. Having prepared and exhibited Amendment C54 to the Hepburn Planning Scheme under section 19 of the Planning and Environment Act 1987;
- 10.3.2. Having considered all submissions to Amendment C54 to the Hepburn Planning Scheme under section 22 of the Planning and Environment Act 1987;
- 10.3.3. Resolves to adopt Amendment C54 to the Hepburn Planning Scheme in accordance with section 29 of the Planning and Environment Act 1987, adopting the amendment with changes outlined and recommended in the attached summary of submissions;
- 10.3.4. Submits Amendment C54 to the Hepburn Planning Scheme with changes to the Minister for Planning for approval in accordance with section 31 of the Planning and Environment Act 1987.

MOTION

That Council

- 10.3.1. *Having prepared and exhibited Amendment C54 to the Hepburn Planning Scheme under section 19 of the Planning and Environment Act 1987;*
- 10.3.2. *Having considered all submissions to Amendment C54 to the Hepburn Planning Scheme under section 22 of the Planning and Environment Act 1987;*
- 10.3.3. *Resolves to adopt Amendment C54 to the Hepburn Planning Scheme in accordance with section 29 of the Planning and Environment Act 1987, adopting the amendment with changes outlined and recommended in the attached summary of submissions; and*
- 10.3.4. *Submits Amendment C54 to the Hepburn Planning Scheme with changes to the Minister for Planning for approval in accordance with section 31 of the Planning and Environment Act 1987.*

Moved: Councillor Kate Redwood AM

Seconded: Councillor Don Henderson

Carried.

ATTACHMENT 3 - SUMMARY OF SUBMISSIONS AND RESPONSES

Summary of Submissions and Responses

Tree No. Location	Submitter	Summary of Submission	Comments / Recommendations
<p>33 68B East St Daylesford</p>	<p>A Cooper</p>	<p>OPPOSE The tree is located on the adjoining property and is in excess of 150 years old. It is rotten and has dropped branches and caused damage to his fence in the past. He believes an arborist report should be provided and the tree should either be made safe or removed because of its current state or age.</p> <p>The tree is not a native species and he queries why it is proposed to be included in the Significant Tree Register (STR).</p>	<p>ACCEPT</p> <p>The submitter has been advised that the tree will be removed from the Significant tree Register.</p>
<p>5 Elizabeth Street Roadside Allendale</p>	<p>C Riske</p>	<p>OPPOSE The trees are rotten, have never been maintained, and present a danger to public safety and damage to property.</p> <p>The trees do not have any environmental, community or economic benefits and have no historic or commemorative</p>	<p>IN NEGOTIATION - SUBMISSION TO BE WITHDRAWN</p> <p>Retain HO with modified boundaries</p> <p>Include the entire avenue of trees for consideration in the next round of the STR project.</p> <p>Council officers met on site with C and K Riske.</p>

		<p>association.</p> <p>The process is a waste of resources.</p> <p>The assessment that was undertaken was flawed and an independent assessment should be undertaken.</p> <p>The trees are suckering and it has been left up to them to maintain the gutter and verges.</p> <p>Why has not the whole avenue of elms along Elizabeth Street been included?</p>	<p>The problems associated with the lack of maintenance of the trees were discussed and a customer service request has been logged for this to be addressed.</p> <p>The objectors also requested that the boundaries of the overlay be revised such that the overlay is contained wholly within the street reserve and does not encroach on to their land. An assessment of the trees canopy indicates that a reduction in the extent of the overlay is appropriate and it is recommended that the Planning Scheme Amendment Maps be revised to accord with this request.</p> <p>These matters are currently in the process of being finalized, and it is expected that both submitters will withdraw their objection.</p>
<p>5 Elizabeth Street Roadside Allendale</p>	<p>K Riske</p>	<p>OPPOSE The trees are dangerous and pose a risk to the public.</p> <p>In the 26 years they have lived there, the trees have never been maintained and as a result are in a state of decay and some show rot.</p> <p>The trees have damaged adjoining fences and the guttering.</p> <p>If a thorough independent inspection was undertaken this would confirm the decayed state.</p> <p>The trees have suckered and this is an eyesore.</p>	<p>AS ABOVE</p>

		<p>The trees should either:</p> <ul style="list-style-type: none"> • Be removed and replanted with more appropriate trees (free from elm leaf beetles), • Plant a new avenue of trees on both approaches into Allendale along the Creswick-Newstead Road. 	
<p>N/A</p>	<p>J Robertson</p>	<p>Commends Council for undertaking the project. However there is an omission in that the avenue of trees in Market Street Trentham is not included. The STR should be amended to include these trees.</p>	<p>NOTED Include these trees for consideration for a future STR project. As the amendment is on exhibition, it is not possible to revise the report to include these trees at this stage of the amendment process. The trees are located within a Heritage Overlay with tree controls so already have protection under the planning scheme. However, they should be considered for inclusion in the STR in the next round of the project.</p>
<p>41 Bridge Road and Reed Track Little Hampton</p>	<p>S Decker (DELWP)</p>	<p>The application of the VPO1 for a single tree is not appropriate in respect to the purpose and objectives of the overlay. The exemption under Clause 42.02-3 for fire protection negates the protection provided by VPO1. Planned burning works in this area to protect the tree from risk of fire</p>	<p>ACCEPT Remove VPO1 from Tree No 41 The provisions of the VPO1 have been revised as part of this amendment so the application of the overlay to a single tree is now consistent with the provisions of the overlay. Although the exemptions for fire protection apply, the provisions of the overlay also protect the tree</p>

		<p>are scheduled for 2016 in DELWP's Fire Operation Plan (FOP). Preparations for the planned burn will include the removal of fuel loadings prior to commencing the burn.</p> <p>No further tree protection is required as the tree has adequate protection under existing planning controls, the reservation status of the Wombat State Forest and the FOP.</p>	<p>from cutting or lopping.</p> <p>It has been established that the tree is located within a Special Protection Zone within the Wombat State Forest's Management Regimes which prevents it from being logged or harvested.</p> <p>The Practice Note for Public Land Zones states that the decision about whether to apply an overlay to public land will depend on the nature of the overlay and the land management legislation of the public land manager.</p> <p>The Practice Note further states "For example, a <i>Vegetation Protection Overlay</i> over a state forest <i>duplicates the function of the public land manager.</i>"</p> <p>It is therefore considered that DELWP's legislative responsibilities and internal processes provide adequate tree protection.</p>
<p>52 8 Brien Street Trentham</p>	<p>J & S Lamb (neighbour)</p>	<p>The assessment of the tree is queried having regard to its current condition. The tree has been pruned which has detracted from its attractiveness and may have reduced its life expectancy.</p> <p>Information is also sought in respect to why the tree has been classed as significant "for scientific and aesthetic reasons."</p> <p>Clarification is sought as to what the implications on their own site will be in respect to the recommendations</p>	<p>ACCEPT</p> <p>Remove VPO2 from Tree No 52</p> <p>The tree is located within the recently subdivided southern section of Trentham within the Township Zone. This area comprises larger lots, the site containing this tree is 1143m² and surrounding lots of a similar size.</p> <p>The lower section of the tree has been severely pruned and is now very different in appearance to the picture in the Statement of Significance. Given that the tree is a <i>Pinus radiata</i>, its presence in what is now a suburban back yard can be problematic in terms of</p>

	<p>J Farfor (landowner)</p>	<p>for management of the tree.</p> <p>A late submission was received from the landowner. He advises he has been in hospital.</p> <p>A large limb broke off from the tree shortly after purchase of the property and crushed the boundary fence. An arborist was employed to assess the tree and, work was undertaken to remove other parts of the tree that may present a danger. This greatly diminished the spread of the tree.</p> <p>The tree is in an urban area and a number of additional trees that are more suitable to the size of the block have subsequently been planted.</p> <p>Requests that the tree be removed from the Register.</p>	<p>management.</p> <p>Having regard to the fact that the tree has lost its aesthetic values and the development of the surrounding area is unsuitable for the retention of a large pine tree, it is considered appropriate to remove the proposed overlay from this tree.</p> <p>It is recommended that the late submission be accepted. The above comments also apply to this submission.</p>
<p>15,16,17,18 University of Melbourne</p>	<p>University of Melbourne</p>	<p>The University raises a number of issues as summarized below:</p> <ul style="list-style-type: none"> • The VPO2 refers to 'vegetation' but 	<p>ACCEPT</p> <p>Remove VPO2 from Trees No 15, 16, 17 and 18.</p> <p>Officers met with university staff on site to discuss the</p>

School of Forestry
Creswick Campus

should be reworded to refer to 'significant trees'.

- The location of the proposed overlays on the Planning Scheme Maps appears to be incorrect.
- The University land is already significantly constrained by the current overlays, existing trees and heritage buildings.
- In order to meet its core function of education, the potential development of the land should not be further constrained.
- The VPO will cause unnecessary delay and inhibit the redevelopment of the land.
- The trees have the significant characteristics that have been identified because they have been successfully cared for by the University without the oversight of Council.
- The trees will continue to be cared for by the University and there is no need for the VPO.
- The University and is zoned Public Use Zone (PUZ) and its purpose is to provide appropriate flexibility to public authorities to use and develop land for the relevant public purpose. Accordingly there needs to be a convincing reason to impose additional controls on the University land.

matter on 1/9/2015.

Agreement was reached that the site contains many more trees that warrant inclusion in the STR than the four that were nominated. The campus site contains numerous tree species including rare and aged specimens, and in effect is an arboretum.

A whole of land management plan was considered a more appropriate means of vegetation management than the protection of a few individual trees.

The university advised that the proposed amendment has acted as an impetus to prepare a grounds management plan which has been in the pipeline for some time. The University's Urban Realm and Landscape Advisory Committee has now agreed to fund its preparation and Council will be kept informed as a key stakeholder.

The care and management of all the trees on the campus is consistent with the educational responsibilities of the School of Forestry. It is considered appropriate to support the preparation of a Management Plan that addresses the site holistically and will protect all the trees on the site rather than proceed with the application of an overlay on a few of the trees.

The *Practice Note Vegetation Protection in Urban Areas* includes a section titled *Other ways of protecting and managing vegetation*, which explores alternative processes and regulations, rather than utilizing planning controls.

Similarly, DELWP's *Strategic Assessment Guidelines Checklist* for Planning Scheme Amendments prompts

		<ul style="list-style-type: none"> • The amendment does not consider the specific circumstances applicable to the University and the overlay has been applied to public and private land without regard to its tenure. • The Statement of Significance (SOS) Report may be out of date as it was prepared in 2011. Tree No 15 has subsequently died and been removed from University land. • The SOS Report does not consider other trees and the contribution those trees make. • The SOS Report does not consider other planning controls, for example the Heritage Overlay (HO) does not include tree controls on the University land. 	<p>Councils to consider Is the planning scheme the most appropriate means of controlling the issue or can other existing regulatory or process mechanisms deal with the issue?</p> <p>In this instance it is considered the preparation of a Management Plan will more effectively meet the objectives of the project and for this reason it is recommended the amendment be modified to delete these overlays from the adopted amendment.</p>
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11. OFFICERS' REPORTS

11.1. RESPONSE TO PETITION - REQUEST FOR AN ENVIRONMENT EFFECTS STATEMENT FOR CLUNES – MT ROMMEL MINING LTD GENERAL MANAGER INFRASTRUCTURE

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

PURPOSE

The purpose of this report is for Council to consider the petition tabled at the Ordinary Meeting of Council on 20 October 2015 requesting that Council requests the Minister for Planning, Climate Change and Water to require Mt Rommel Mining Ltd ('Mt Rommel') to produce an Environment Effects Statement that identifies the environmental implications of any proposed mineral exploration works in Clunes.

BACKGROUND

Council received the petition at the Ordinary Meeting of Council held on Tuesday 20 October 2015. The petition has 212 signatures and 270 on-line signatures and reads:

'We the undersigned, ask Hepburn Shire to request the Planning Minister (sic) to instruct Mt Rommel Mining Ltd, or any other body which seeks to conduct mining in Clunes, to produce an Environment Effects Statement. An Environment Effects Statement is a summarised assessment of the environmental impacts of a proposed development. 71% of respondents of a short survey returned at the Clunes Goldmine Information Night on 31st Aug 2015, indicated they did not want a mine to proceed in Clunes. The residents of Clunes have expressed their severe reservations about the construction and operation of a gold mine in the centre of their small rural township. Concerns include:

- *health risks, particularly to children, those with low immunity and breathing difficulties from submicron dust from ore processing;*
- *accidental spillage from transport and storage of toxic chemicals;*
- *leaching of heavy metals into Creswick Creek and surrounding environment;*
- *toxic flows downstream affecting farmers;*
- *increased dust and noise pollution;*
- *damage to heritage buildings and houses by underground blasting; and*
- *dropping property values.*

Therefore, we believe an Environment Effects Statement is vital for the Clunes community.'

ISSUE/DISCUSSION

Under the *Mineral Resources (Sustainable Development) Act 1990* ('Act'), Council does not have authority to require the Minister for Planning, Climate Change and Water to require an Environment Effects Statement ('EES'). Under section 41A of the Act, the Minister for Energy and Resources may request a licensee to prepare an EES if the Minister is of the opinion that proposed exploration work under a Work Plan submitted by a licensee will have a material effect on the environment.

At this stage, Mt Rommel has not prepared nor submitted a Work Plan for exploration works under its Exploration Licence.

In the event that Mt Rommel subsequently intends to carry out mining works under a Mining Licence, it must first apply to Council for a planning permit under the *Planning and Environment Act, 1987*. A referral authority (e.g. Environment Protection Authority) may direct that an EES be prepared and submitted by Mt Rommel as part of the planning permit process. In the event that Council issues a planning permit for the proposed works, the requirements of the EES would form part of the planning permit conditions.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council's Meeting Procedures Local Law No 1 states that a petition presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the petition may be accepted by the Chairperson, unless the Council agrees to deal with it earlier.

FINANCIAL IMPLICATIONS

As there is no current planning permit application before Council for mining works to be carried out by Mt Rommel in Clunes under a Mining Licence, no financial implications have been identified.

RISK IMPLICATIONS

There is a possible reputational risk to Council due to community perceptions that Council has a greater role to play in the current exploration phase of Mt Rommel's activities.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Whilst the petitioners have identified a number of environmental/social/economic implications that an EES may address, Council is unable to request that an EES be prepared and submitted by Mt Rommel.

If Mt Rommel's proposal proceeds to the stage of undertaking mining works in Clunes - which will require a planning permit - Council will undertake further community and stakeholder engagement as part of the planning permit process.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Whilst significant community and stakeholder engagement has previously taken place in relation to Council's decision to refuse access to Council-owned freehold land for exploration works by Mt Rommel, no community or stakeholder engagement has occurred in relation to any requirement for an EES to be prepared.

If Mt Rommel's proposal proceeds to the stage of undertaking mining works in Clunes, Council will undertake further community and stakeholder engagement as part of the planning permit process.

CONCLUSION

Council notes the concerns of residents as detailed in the petition. However, at the current stage of mineral exploration by Mt Rommel, Council does not have the power to request the Minister for Planning, Climate Change and Water to request Mt Rommel to prepare an EES.

OFFICER'S RECOMMENDATION

That Council

- 11.1.1. Receives and notes the report which responds to the matter raised in the petition;
- 11.1.2. Notes that Council does not currently have the power to require Mt Rommel Mining Limited to prepare and submit an Environment Effects Statement;
- 11.1.3. Writes to the Minister for Energy and Resources to request that an Environment Effects Statement be submitted in the event that Mt Rommel Mining Ltd submits a Work Plan for exploration works under its Exploration Licence; and
- 11.1.4. Writes to the head petitioner to advise of the above actions.

MOTION

That Council:

- 11.1.1. *Receives and notes the report which responds to the matter raised in the petition;*
- 11.1.2. *Notes that Council does not currently have the power to require Mt Rommel Mining Limited to prepare and submit an Environment Effects Statement;*
- 11.1.3. *Writes to the Minister for Energy and Resources to request that an Environment Effects Statement be submitted in the event that Mt Rommel Mining Ltd submits a Work Plan for exploration works under its Exploration Licence; and*
- 11.1.4. *Writes to the head petitioner to advise of the above actions.*

Moved: Councillor Don Henderson

Seconded: Councillor Bill McClenaghan

Carried.

11.2. RESPONSE TO PETITION - PROPOSED LOCATION OF NEW TELSTRA TOWER FOR BULLARTO

GENERAL MANAGER COMMUNITY SERVICES

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

PURPOSE

The purpose of this report is for Council to consider the petition requesting Council thoroughly explore alternative options for a new Telstra tower in the Bullarto area as tabled at the Ordinary Meeting of Council on 20 October 2015.

BACKGROUND

Council received the petition which has 61 signatures from residents of Bullarto North, Bullarto South and nearby areas and states:

"We the undersigned residents of Bullarto North, Bullarto South and nearby areas oppose the proposed location of a new 35 metre Telstra tower at the Brunts Rd exchange in North Bullarto.

It is literally in the very LOWEST location possible in Bullarto, an area that is known to flood and is located at the northern most extremity of residences that extend several kilometres to the south. At this location it will also be highly obtrusive to adjacent properties and residences.

We believe there are far superior sites for both coverage and aesthetics to the south in farmland or on wide road reserves where there is readily available access, power and reasonable proximity to optic fibre cable.

There are various sites that could be considered that are at least 20 metres higher in elevation and that are much more central to the many residences of Bullarto South.

We ask Telstra and Council to thoroughly explore these alternative options."

Council resolved at the meeting on 20 October 2015 that it:

9.2.1 Receives the Petition requesting Council thoroughly explore alternative options for a new Telstra tower in the Bullarto area and notes that the petition lay on the table for one month.

9.2.2 Refers the petition to the General Manager Community Services for preparation of a report for consideration at the November 2015 Council Meeting.

9.2.3 Advises the head petitioner of the above process

ISSUE/DISCUSSION

Hepburn Shire Council's Mobile Communications Report presents the results and recommendations of the Hepburn Shire Mobile Communications Survey 2014. The Survey was conducted in late 2014 to provide Council with a better understanding of the mobile and broadband communication issues affecting residents, businesses and visitors. It recommended that:

- Council advocate and cooperatively develop plans with both Telstra and Optus as the major service providers within Hepburn Shire about opportunities to improve mobile service coverage and service quality.
- Council advocate to relevant State and Federal members for towns within Hepburn Shire to receive improved service through the Mobile Black Spot Programme.
- Towns that have both significant areas of mobile black spots and high bushfire risks are prioritised for improved mobile service coverage and service quality when advocating to both Government and Service Providers

The Commonwealth Government approved an application from Telstra for Round One Mobile Black Spot Programme funding for sites in Bullarto, Denver, Eganstown, Glenlyon, Leonards Hill and Lyonville in June 2015.

The rollout sequence and locations are being determined by Telstra and planning approval will be required for the new base stations. The Commonwealth Government have indicated that if mobile network operators are unable to obtain the necessary approvals to build a particular base station - that base station may be removed from the Commonwealth list of locations to receive funding.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – High Performing Organisation

Key Strategic Activity:

25. Respond to the changing needs of the Hepburn Shire Communities through the provision of timely, targeted and relevant internal and external communications, including advocacy on behalf of the community for important community concerns, projects and initiatives.

FINANCIAL IMPLICATIONS

Nil identified with this report.

RISK IMPLICATIONS

Nil identified with this report.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The Hepburn Shire Mobile Communications Survey identified that poor mobile coverage had a detrimental impact on small business and tourism.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

This report is in response to a petition.

CONCLUSION

Council has advocated for improved mobile phone coverage in Hepburn Shire and has welcomed the Black Spot Funding provided to Telstra by the Federal Government. Council will make a determination on any planning permit application submitted under the Planning and Environment Act.

OFFICER'S RECOMMENDATION

11.2.1 That Council notes this report and writes to the head petitioner to clarify Council's role and that it is the responsibility of Telstra to determine the location.

MOTION

That Council

11.2.1. *Notes this report and writes to the head petitioner to clarify Council's role and that it is the responsibility of Telstra to determine the location.*

11.2.2. *Informs the head petitioner of the outcomes and detail from representations to Telstra on the communities' behalf.*

11.2.3. *Requests that council officers continue to explore the possibility of situating the tower in a position more widely supported by the community wherever appropriate.*

Moved: Councillor Sebastian Klein

Seconded: Councillor Kate Redwood AM

Carried.

**11.3. COMMUNITY GRANTS (ROUND 1 2015-16)
GENERAL MANAGER COMMUNITY SERVICES**

In providing this advice to Council as the Community and Economic Development Project Coordinator, I Michael Hynes have no interests to disclose in this report.

PURPOSE

The purpose of this report is to recommend the allocation of the Round One 2015-16 Community Grants.

BACKGROUND

The Community Grants program allows Council to directly support the work of community groups and organisations as well as provide the chance for innovation across Hepburn Shire.

The program funds applications in a number of categories including: Sustainable Environment and Vibrant Economy, Active and Engaged Communities and Quality Community Infrastructure (including small equipment)

Round One 2015/16 Community Grants were advertised in *The Advocate*, in local newsletters, through Council email networks, via grant information sessions and on Council's webpage.

ISSUE/DISCUSSION

Round One of the 2015-16 Community Grants program opened on Monday 17 August and closed on 11 September, 2015.

A total of 23 applications were received for the Community Grants Program with 12 applications being recommended for funding by the Community Grants Assessment Panel for a total of \$15,709.

Of those projects not recommended by the Panel five applications were considered ineligible, of these two were from a school two were submitted late and one was for maintenance of a Council building. Another application was withdrawn by the applicant.

Council officers will assist applicants not recommended for funding in this round to prepare Round Two Community Grant applications that meet the assessment criteria.

Details of recommended and not recommended projects are at Attachment 1.

The grants were assessed by Council's Community Grant Assessment Panel. This assessment panel is made up of three community members with skills and experience in arts and culture, sustainability, land management, community development and events. The Manager Community and Economic Development, Community & Culture Officer and Events Coordinator also participated in the assessment.

Grant applications were assessed against the following criteria:

1. Why is this project needed? 30%
2. What will the project achieve? 40%
3. How will the project be implemented? 10%
4. How will risk and safety issues associated with the project be assessed? 10%
5. Financial details – income and expenditure budget 10%.

The recommended Community Grants allocation for Round One (2015/16) is \$15,709.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

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

FINANCIAL IMPLICATIONS

In the 2015/16 budget, Council has allocated \$40,000 for Community Grants. 12 grants to the value of \$15,709 are recommended for funding.

RISK IMPLICATIONS

All applicants are required to identify how project risk and safety issues will be managed, and this formed part of the assessment process.

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

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

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Community Grants support projects by volunteer community groups. The focus of these projects is to strengthen community resilience and connection, promote sustainability and to assist in the implementation of community priorities.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The request for applications for Round One 2015/16 Community Grants was advertised in The Advocate, in local newsletters, through Council email networks and on Council's webpage.

CONCLUSION

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

OFFICER'S RECOMMENDATION

That Council:

11.3.1. Awards the Community Grants for Round One 2015/16 to

Organisation / Club / Group	Project Name	Recommended Amount (\$)
Glenlyon Progress Association	Rebranding the Glenlyon Food and Wine Fair	2,000.00
Trentham District Cricket Club Inc	Cricket Kit for new Colts team	1,000.00
Dean Recreation Reserve and Tennis Courts Special Committee	Public Address System - Dean Recreation Reserve	1,000.00
Daylesford CFA	Daylesford CFA Rescue Vehicle - Equipment	1,027.00
Daylesford Region Landcare Group	Gorse management/eradication training day	1,000.00
Leonards Hill & District Fire Brigade	Pergola at Leonards Hill CFA shed for outdoor activities	2,000.00
Daylesford Youth Group	The Wild and Free Youth Camp	1,500.00
Kingston Agricultural Society	Public Announcement Upgrade	1,000.00
Daylesford Community Brass Band	Refurbishment of bandroom kitchen and library	2,000.00
Wombat Forestcare	Wombat Forestcare Community Research Project	787.00
Bake Share Care	52 Gifts – Community Meals Provision Project	2,000.00
Creswick Croquet Club	Equipment Upgrades	395.00
Total Recommended		\$15,709

MOTION

That Council:

11.3.1. *Awards the Community Grants for Round One 2015/16 to*

Organisation / Club / Group	Project Name	Recommended Amount (\$)
Glenlyon Progress Association	Rebranding the Glenlyon Food and Wine Fair	2,000.00
Trentham District Cricket Club Inc	Cricket Kit for new Colts team	1,000.00
Dean Recreation Reserve and Tennis Courts Special Committee	Public Address System - Dean Recreation Reserve	1,000.00
Daylesford CFA	Daylesford CFA Rescue Vehicle - Equipment	1,027.00
Daylesford Region Landcare Group	Gorse management/eradication training day	1,000.00
Leonards Hill & District Fire Brigade	Pergola at Leonards Hill CFA shed for outdoor activities	2,000.00
Daylesford Youth Group	The Wild and Free Youth Camp	1,500.00
Kingston Agricultural Society	Public Announcement Upgrade	1,000.00
Daylesford Community Brass Band	Refurbishment of bandroom kitchen and library	2,000.00
Wombat Forestcare	Wombat Forestcare Community Research Project	787.00
Bake Share Care	52 Gifts – Community Meals Provision Project	2,000.00
Creswick Croquet Club	Equipment Upgrades	395.00
Total Recommended		\$15,709

Moved: Councillor Sebastian Klein

Seconded: Councillor Greg May

AMENDMENT TO MOTION

Insert an additional item to the motion:

- 11.3.2. *Grants an additional allocation of \$1,000 to the Daylesford Highland Gathering Committee upon immediate receipt of further and better particulars as to how the money will be spent.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Don Henderson

Lost.

MOTION

That Council:

11.3.1. *Awards the Community Grants for Round One 2015/16 to*

Organisation / Club / Group	Project Name	Recommended Amount (\$)
Glenlyon Progress Association	Rebranding the Glenlyon Food and Wine Fair	2,000.00
Trentham District Cricket Club Inc	Cricket Kit for new Colts team	1,000.00
Dean Recreation Reserve and Tennis Courts Special Committee	Public Address System - Dean Recreation Reserve	1,000.00
Daylesford CFA	Daylesford CFA Rescue Vehicle - Equipment	1,027.00
Daylesford Region Landcare Group	Gorse management/eradication training day	1,000.00
Leonards Hill & District Fire Brigade	Pergola at Leonards Hill CFA shed for outdoor activities	2,000.00
Daylesford Youth Group	The Wild and Free Youth Camp	1,500.00
Kingston Agricultural Society	Public Announcement Upgrade	1,000.00
Daylesford Community Brass Band	Refurbishment of bandroom kitchen and library	2,000.00
Wombat Forestcare	Wombat Forestcare Community Research Project	787.00
Bake Share Care	52 Gifts – Community Meals Provision Project	2,000.00
Creswick Croquet Club	Equipment Upgrades	395.00
Total Recommended		\$15,709

Moved: Councillor Sebastian Klein

Seconded: Councillor Greg May

Carried.

ATTACHMENT 4 - COMMUNITY GRANTS ROUND ONE 2015/16
ASSESSMENT SUMMARY

Organisation / Club / Group	Requested Amount	Total Project Cost	Project Name	Grant Type:	Average	Recommended Amount
Glenlyon Progress Association	2,000	8,966	Rebranding the Glenlyon Food and Wine Fair	Active and Engaged Communities	76	2,000.00
Trentham District Cricket Club Inc	1,000	2,047	Cricket Kit for new Colts team	Small Equipment	75.6	1,000.00
Dean Recreation Reserve and Tennis Courts Special Committee	1,000	3,000	Public Address System - Dean Recreation Reserve	Small Equipment	74.8	1,000.00
Daylesford CFA	1,026.24	1,026	Daylesford CFA Rescue Vehicle - Equipment	Quality Community Infrastructure	73.6	1,027.00
Daylesford Region Landcare Group	1,000	1,600	Gorse management/eradication training day	Sustainable Environment and a Vibrant Economy	73	1,000.00
Leonards Hill & District Fire Brigade	2,000	7,917	Pergola at Leonards Hill CFA shed for outdoor activities	Active and Engaged Communities	72.8	2,000.00
Daylesford Youth Group	1,500		The Wild and Free Youth Camp	Active and Engaged Communities	71.8	1,500.00

Not Recommended

Organisation / Club / Group	Requested Amount	Total Project Cost	Project Name	Grant Type:	Average	Reason/Action
Lee Medlyn Home of Bottles	2,000	2,350	Facility Fit-out	Quality Community Infrastructure	49.2	Ineligible - Council responsibility
Guildford / Upper Loddon Landcare	600	600	Updated Computer	Small Equipment	43	Ineligible - No quotes, poor application
Bullarto Primary School Council	500	750	Sports Equipment	Small Equipment	0	Ineligible – School responsibility
Bullarto Primary School	1,000	1,500	Bullarto Bush dance		0	Ineligible, work with school to find auspice
Daylesford Highland Gathering	2,000	4,000	Event marketing		0	Ineligible - Not endorsed by Committee.
Clunes & District Agricultural Society	2,000	280,000	Purchase of 6 Grant Street	Quality Community Infrastructure	0	Ineligible - subdivision costs
Newlyn Dean Volunteer Fire Brigade	504	1,700	Newlyn Dean Volunteer Fire Brigade trailer upgrade	Small Equipment	0	Ineligible - Late application
Trentham Table Tennis Club Inc	2,000	8,604	Replacement of damaged equipment at Trentham Table Tennis Club	Small Equipment	0	Ineligible – Late application
Creswick Neighbourhood Centre	1,000	3,400	Happy bottoms-happy babies	Small Equipment	0	Withdrawn – Not assessed

11.4. COUNCILLOR REPRESENTATION ON COMMITTEES AND EXTERNAL BODIES GENERAL MANAGER CORPORATE SERVICES

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

PURPOSE

The purpose of this report is for Council to determine councillor representation on committees, boards and external bodies.

BACKGROUND

Council has established several advisory committees and special committees of Council which assist Council in making policy and strategy decisions and in some cases making decisions on behalf of Council. Many of these committees require that a councillor be appointed to those committees to represent Council.

In addition to this, Council is also a member of various associations and bodies which require that a councillor is appointed to be the Council representative.

At the 18 November 2014 ordinary council meeting, Council resolved to appoint councillors to the committees, boards and external bodies contained in the table below. On an annual basis, Council reviews the representation and makes amendments where required.

Organisations	Councillor Representation
External Bodies	
Committee of Management for DEPI (26 Committees)	All councillors represent their ward at these meetings when required
Municipal Association of Victoria	Cr Bill McClenaghan
Victorian Local Governance Association	Cr Sebastian Klein
Cultivate Agribusiness Central Highlands	Cr Greg May
Timber Towns	Cr Don Henderson
Grampians Central West Waste and Resource Recovery Group Forum	Cr Bill McClenaghan
Special Committees (Section 86)	
Lee Medlyn Home of Bottles Special Committee	Cr Neil Newitt
The Warehouse - Clunes Special Committee	Cr Neil Newitt
Statutory Council Advisory Committees	
Audit and Risk Advisory Committee (two positions)	Cr Kate Redwood Cr Pierre Niclas

Organisations	Councillor Representation
Municipal Emergency Management Planning Committee	Cr Bill McClenaghan
Other Advisory Committees	
Public Art Panel	Cr Kate Redwood
Mineral Springs Reserves Advisory Committee	Cr Pierre Niclas
Creswick Ward Community Committee	Cr Don Henderson Cr Greg May
International Women's Day Organising Committee	Cr Kate Redwood
Heritage Advisory Committee	Various Councillors as appropriate

ISSUE/DISCUSSION

Consistent with previous years, it is now an appropriate time to review and update the appointment of Councillors to the committees, boards and external bodies listed above.

There are a number of positions on the above list where multiple councillors expressed an interest in being appointed as representative. One option is presented in the officer's recommendation, however alternate representatives may be chosen by Council.

Following last year's decisions with the Heritage Advisory Committee, there has been some confusion as to how councillors are appointed. To resolve this, it is recommended that only the Mayor be appointed to the Heritage Advisory Committee to act as the *ex officio* Chair and the Terms of Reference for the Heritage Advisory Committee be amended accordingly.

It is recommended that a Councillor be appointed to the Municipal Emergency Management Planning Committee. If one is not appointed, the Terms of Reference of that advisory committee will require amending.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Many of these committees have been established to advise Council, or for Council to provide input, in the development of policy and strategy.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

Councillor representation is required on committees, boards and external bodies to ensure that public views are incorporated into the decision making process.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Effective community engagement provides the opportunity for Hepburn Shire community members to influence Council decisions and where appropriate play a partnership role in the planning and implementation of those decisions.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The purpose of these committees, boards and external bodies is to achieve effective community and stakeholder engagement both internally and externally.

CONCLUSION

The review of Councillor representation on committees, boards and external bodies, provides strong and diverse Council representation on behalf of the Hepburn Shire community.

OFFICER'S RECOMMENDATION

That Council

11.4.1 Appoints the following councillors to the listed committees, boards and external bodies:

Organisations	Councillor Representation
External Bodies	
Committee of Management for DELWP (26 Committees)	All councillors represent their ward at these meetings when required
Municipal Association of Victoria	Cr Pierre Niclas
Victorian Local Governance Association	Cr Sebastian Klein
Cultivate Agribusiness Central Highlands	Cr Greg May
Timber Towns	No representative to be appointed
Grampians Central West Waste and Resource Recovery Group Forum	Cr Bill McClenaghan
Special Committees (Section 86)	
Lee Medlyn Home of Bottles Special Committee	Cr Neil Newitt
The Warehouse - Clunes Special Committee	Cr Neil Newitt
Statutory Council Advisory Committees	
Audit and Risk Advisory Committee (two positions)	Cr Don Henderson Cr Sebastian Klein
Municipal Emergency Management Planning	INSERT NAME

Organisations	Councillor Representation
Committee	
Other Advisory Committees	
Public Art Panel	Cr Don Henderson
Mineral Springs Reserves Advisory Committee	Cr Pierre Niclas
Creswick Ward Community Committee	Cr Don Henderson Cr Greg May
International Women's Day Organising Committee	Cr Kate Redwood
Heritage Advisory Committee	Mayor – <i>ex officio</i> Chair of Committee

11.4.2. That Council amends the Terms of Reference for the Heritage Advisory Committee to only have one councillor representative and that representative is the Mayor who is the *ex officio* Chair of that Committee.

MOTION

That Council

11.4.1. *Appoints the following councillors to the listed committees, boards and external bodies:*

Organisations	Councillor Representation
External Bodies	
Committee of Management for DELWP (26 Committees)	All councillors represent their ward at these meetings when required
Municipal Association of Victoria	Cr Pierre Niclas
Victorian Local Governance Association	Cr Sebastian Klein
Cultivate Agribusiness Central Highlands	Cr Greg May
Timber Towns	No representative to be appointed
Grampians Central West Waste and Resource Recovery Group Forum	Cr Sebastian Klein
Special Committees (Section 86)	
Lee Medlyn Home of Bottles Special Committee	Cr Neil Newitt
The Warehouse - Clunes Special Committee	Cr Neil Newitt
Statutory Council Advisory Committees	
Audit and Risk Advisory Committee (two positions)	Cr Don Henderson Cr Sebastian Klein
Other Advisory Committees	
Public Art Panel	Cr Don Henderson
Mineral Springs Reserves Advisory Committee	Cr Pierre Niclas
Creswick Ward Community Committee	Cr Don Henderson Cr Greg May
International Womens Day Organising Committee	Cr Kate Redwood
Heritage Advisory Committee	Mayor – <i>ex officio</i> Chair of Committee
White Ribbon Committee	Cr Greg May

11.4.2. *Amends the Terms of Reference for the Heritage Advisory Committee to*

only have one councillor representative and that representative is the Mayor who is the ex officio Chair of that Committee.

- 11.4.3. *Defers the appointment of representative(s) to the Municipal Emergency Management Planning Committee to the December 2015 ordinary Council meeting in order to review legislative requirements.*

Moved: Councillor Sebastian Klein
Seconded: Councillor Kate Redwood AM
Carried.

**11.5. PUBLIC HOLIDAY ARRANGEMENTS 2015-2016
GENERAL MANAGER CORPORATE SERVICES**

In providing this advice to Council as the Manager People & Performance, I Kerrie Addison have no interests to disclose in this report.

PURPOSE

The purpose of this report is to seek Council's endorsement of the closure of the Hepburn Shire Council offices during the holiday period 2015-2016.

The report also seeks endorsement for an early closure of the offices on Friday 11 December 2015 to facilitate a staff end of year celebration.

BACKGROUND

It has been the practice of Hepburn Shire Council to close during the holiday period.

The holiday period closure enables staff to take a break with very little impact on service delivery and at the same time provides the opportunity for staff to reduce outstanding annual leave and rostered day off balances. This has been the practice over the past few years as there is limited demand placed on municipal services over this period and the closure is generally accepted by the community.

ISSUE/DISCUSSION

It is proposed that the Hepburn Shire municipal offices and Hubs be closed from 3.00pm on Thursday 24 December 2015, and reopen on Monday 4 January 2016.

The period comprises three work days and three public holidays. Public holidays have been assigned, under the *Public Holidays Act*, to Friday 25 December 2015 (Christmas Day), Monday 28 December 2015 (in-lieu of Boxing Day) and Friday 1 January 2016 (New Year's Day). It is proposed that the three work days (Tuesday 29 December, Wednesday 30 December, and Thursday 31 December) will be taken by staff as leave during this period.

A skeleton staff will continue to operate during the closure period to ensure that essential services continue. Staff involved in Emergency Management will undertake their roles and responsibilities in accordance with the Emergency Management procedures. On declared Code Red days, Hepburn Shire Council Emergency Management staff will be stationed in the Municipal Emergency Coordination Centre (MECC) in readiness for any incidents. Council will have a roster for Emergency Management Staff over the holiday period closure.

Further, each year Hepburn Shire Council holds an end of year break-up function to thank staff for their contribution to the organisation over the past 12 months. In order to facilitate this celebration, it is proposed that the municipal offices close early on Friday 11 December 2015 at 1.30 pm.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

There is no financial impact as a result of closing the offices and depots between Christmas and New Year. The closure provides the organisation with the opportunity to decrease its annual leave liability.

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

It is proposed that the office and depot closures will be advertised in *The Advocate* and *The Courier* newspapers.

Public advertisements will indicate the arrangements for service provision and emergency response over the Christmas/New Year period

CONCLUSION

It is appropriate that the Hepburn Shire Council offices close during the Christmas/New Year holiday period 2015-2016.

OFFICER'S RECOMMENDATION

That Council:

- 11.5.1. Closes the Hepburn Shire Council offices and depots for the period from 3.00pm on Thursday 24 December 2015 to return of business on Monday 4 January 2016 and close the municipal offices at 1.30pm on Friday 11 December 2015 to facilitate a staff end of year function.
- 11.5.2. Places advertisements in *The Advocate* and *The Courier* advising of the closure arrangements, indicating service delivery and emergency response arrangements during the 2015-2016 holiday period.

MOTION

That Council:

- 11.5.1. *Closes the Hepburn Shire Council offices and depots for the period from 3.00pm on Thursday 24 December 2015 to return of business on Monday 4 January 2016 and close the municipal offices at 1.30pm on Friday 11 December 2015 to facilitate a staff end of year function.*
- 11.5.2. *Places advertisements in The Advocate and The Courier advising of the closure arrangements, indicating service delivery and emergency response arrangements during the 2015-2016 holiday period.*

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

**11.6. COUNCIL MEETING DATES AND LOCATIONS 2016
GENERAL MANAGER CORPORATE SERVICES**

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

PURPOSE

The purpose of this report is for Council to determine locations and times for its 2016 meetings.

BACKGROUND

Over the past three years, Council has held its meetings in a range of locations across the five wards. For 2015, meetings were distributed across the five Hepburn Shire wards, as shown in the table below.

Ward	Number of Councillors	Number of Council Meetings
Birch	2	3
Cameron	1	2
Coliban	1	2
Creswick	2	3
Holcombe	1	2
	Total:	12

ISSUE/DISCUSSION

Briefings

It is proposed to continue with a councillor briefing session on the first Tuesday of each month.

The councillor briefing session is a non-decision making forum which provides councillors with the opportunity to:

- Comment on proposed policy or other strategic or community sensitive issues;
- Be informed of issues of significance; and
- Provide general guidance for Council officers to progress relevant issues.

A resolution of Council is not necessary to adopt a cycle of councillor briefing sessions as the meeting has no legal status.

Ordinary Meetings

It is suggested that Council continues to hold its ordinary meetings on the third Tuesday of each month starting at 6:00pm, and to hold meetings across the five wards as per this year. Below are the proposed dates and locations for the 2016 ordinary meetings, special meeting to hear budget submissions and statutory meeting to elect a mayor and deputy mayor.

PROPOSED ORDINARY MEETING DATES AND LOCATIONS 2016		
Date	Time	Location
Tuesday 19 January	6:00pm	Daylesford Senior Citizens' Room
Tuesday 16 February	6:00pm	Doug Lindsay Recreation Reserve, Creswick
Tuesday 15 March	6:00pm	Daylesford Senior Citizens' Room
Tuesday 19 April	6:00pm	Glenlyon Hall
Tuesday 17 May	6:00pm	Trentham Mechanics Institute
Tuesday 21 June	6:00pm	Daylesford Senior Citizens' Room
Tuesday 19 July	6:00pm	The Warehouse - Clunes
Tuesday 16 August	6:00pm	Creswick Senior Citizens' Centre
Tuesday 20 September	6:00pm	The Warehouse – Clunes
Tuesday 18 October	6:00pm	Doug Lindsay Recreation Reserve, Creswick
Tuesday 15 November	6:00pm	Glenlyon Hall
Tuesday 20 December	6:00pm	Trentham Mechanics Institute

PROPOSED OTHER MEETINGS 2016		
Date	Time	Location
Meeting to Hear Budget Submissions - Tuesday 7 June	6:00pm	Daylesford Senior Citizens' Room
Statutory Meeting - Tuesday 8 November	6:00pm	Doug Lindsay Recreation Reserve, Creswick

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

In accordance with Section 89(4) of the *Local Government Act 1989*, at least seven days' notice must be given before Ordinary Meetings of Council.

FINANCIAL IMPLICATIONS

There are minimal financial implications within Council's operating budget in rotating Council's ordinary meetings around the Shire.

RISK IMPLICATIONS

Adopting an annual schedule of meeting dates and locations contributes to managing the risks associated with the good governance of Council meetings.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The varied locations of ordinary council meetings provide increased community engagement and participation in the democratic process of local government.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Council meeting timetable will be advertised in local newspapers. Upcoming Council meetings will also be listed in Council's Advocate page fortnightly. The timetable will also be placed on Council's website.

CONCLUSION

An annual schedule of Council meeting dates and locations provides the community with advance notice of meetings and an opportunity to attend, observe and participate, where appropriate, in Council meetings.

The review of Councillor representation on committees, boards and external bodies, provides strong and diverse Council representation on behalf of the Hepburn Shire community.

OFFICER'S RECOMMENDATION

That Council:

11.6.1. Adopts the Council meeting dates and locations for the 2016 meetings of Council as presented in the tables below.

ORDINARY MEETING DATES AND LOCATIONS 2016		
Date	Time	Location
Tuesday 19 January	6:00pm	Daylesford Senior Citizens' Room
Tuesday 16 February	6:00pm	Doug Lindsay Recreation Reserve, Creswick
Tuesday 15 March	6:00pm	Daylesford Senior Citizens' Room
Tuesday 19 April	6:00pm	Glenlyon Hall
Tuesday 17 May	6:00pm	Trentham Mechanics Institute
Tuesday 21 June	6:00pm	Daylesford Senior Citizens' Room
Tuesday 19 July	6:00pm	The Warehouse - Clunes
Tuesday 16 August	6:00pm	Creswick Senior Citizens' Centre
Tuesday 20 September	6:00pm	The Warehouse – Clunes
Tuesday 18 October	6:00pm	Doug Lindsay Recreation Reserve, Creswick
Tuesday 15 November	6:00pm	Glenlyon Hall
Tuesday 20 December	6:00pm	Trentham Mechanics Institute

OTHER MEETINGS 2016		
Date	Time	Location
Meeting to Hear Budget Submissions - Tuesday 7 June	6:00pm	Daylesford Senior Citizens' Room
Statutory Meeting - Tuesday 8 November	6:00pm	Doug Lindsay Recreation Reserve, Creswick

- 11.6.2. Places a public notice in local newspapers to advertise the dates and locations for meetings of Council for the 2016 calendar year in accordance with section 89(4) of the Local Government Act 1989.
- 11.6.3. Makes the Council meeting dates and locations for 2016 available on Council's website.

MOTION

That Council:

- 11.6.1. *Adopts the Council meeting dates and locations for the 2016 meetings of Council as presented in the tables below.*

ORDINARY MEETING DATES AND LOCATIONS 2016		
Date	Time	Location
Tuesday 19 January	6:00pm	Daylesford Senior Citizens' Room
Tuesday 16 February	6:00pm	Doug Lindsay Recreation Reserve, Creswick
Tuesday 15 March	6:00pm	Daylesford Senior Citizens' Room
Tuesday 19 April	6:00pm	Glenlyon Hall
Tuesday 17 May	6:00pm	Trentham Mechanics Institute
Tuesday 21 June	6:00pm	Daylesford Senior Citizens' Room
Tuesday 19 July	6:00pm	The Warehouse - Clunes
Tuesday 16 August	6:00pm	Creswick Senior Citizens' Centre
Tuesday 20 September	6:00pm	The Warehouse – Clunes
Tuesday 18 October	6:00pm	Doug Lindsay Recreation Reserve, Creswick
Tuesday 15 November	6:00pm	Glenlyon Hall
Tuesday 20 December	6:00pm	Trentham Mechanics Institute

OTHER MEETINGS 2016		
Date	Time	Location
Meeting to Hear Budget Submissions - Tuesday 7 June	6:00pm	Daylesford Senior Citizens' Room
Statutory Meeting - Tuesday 8 November	6:00pm	Doug Lindsay Recreation Reserve, Creswick

11.6.2. *Places a public notice in local newspapers to advertise the dates and locations for meetings of Council for the 2016 calendar year in accordance with section 89(4) of the Local Government Act 1989.*

11.6.3. *Makes the Council meeting dates and locations for 2016 available on Council's website.*

Moved: Councillor Kate Redwood AM

Seconded: Councillor Bill McClenaghan

Carried.

Cr Greg May left the meeting at 8:15pm due to a direct conflict of interest in relation to item 11.7 as a member of the organising committee for the Andersons Mill Festival.

**11.7. MEMORANDUM OF UNDERSTANDING – ANDERSONS MILL FESTIVAL
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 present to Council a draft three year Memorandum of Understanding (MOU) between Hepburn Shire Council and the Andersons Mill Festival Committee.

BACKGROUND

The historic five storey Andersons Mill situated in Smeaton hosts the annual Andersons Mill Festival which is in its 21st year. The festival is a celebration of local foods, wine and music and has grown from a local community event to a regionally significant event.

The Memorandum of Understanding is intended to clarify the roles and responsibilities and to create a working relationship between the Hepburn Shire Council (Council) and the Andersons Mill Festival Committee, to ensure the future sustainability and growth of the event in the Hepburn Shire. It seeks to ensure that a transparent and accountable agreement is in place between Council and the Andersons Mill Festival Committee.

ISSUE/DISCUSSION

In line with Council's Events Strategy it is proposed that Council enter into a three year MOU with the Andersons Mill Festival Committee. This MOU would provide the Andersons Mill Festival event with \$5,000 funding annually and operational event support, e.g. waste bins, road closures, marquees etc.

When assessed against the funding and support framework in the Events Strategy, the Andersons Mill Festival meets the criteria to be eligible for Council support and funding for a 'Regional Event'.

Each year the Andersons Mill festival attracts over 3,000 people and receives state wide media attention. The Events Strategy, recommends that Council introduce a set of Key Performance Indicators (KPIs) for Andersons Mill Festival that ensure the event is continuing to grow, is attracting overnight visitors, is enhancing its economic impact and is attracting further media coverage to encourage inter and intra state visitation. The KPI's include:

- a. The committee must strengthen partnerships with Daylesford Macedon Ranges Regional Tourism Board, Visit Victoria and other tourism marketing bodies to enhance their support and investment to the event with a goal of securing further funding for the event.
- b. Attract local and state media coverage to encourage inter and intra state visitation.
- c. Increase the number of overnight visitors who attend the Andersons Mill Festival by 10%.
- d. *Continue significant engagement of local community groups and businesses and provide evidence of local community groups and business involvement.*

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

The implementation of a three year MOU with this event will see a funding allocation of \$5,000 annually go towards the Andersons Mill Festival. This amount is currently within the 2015/16 budget. Operational support to the value of \$1600 per year has been provided and it is proposed that this is increased based on actual costs which will need to be reflected in the 2016/17 and 2017/18 budgets.

RISK IMPLICATIONS

As part of the MOU agreement, the Andersons Mill Festival Committee is required to provide Council with an event business plan, annual risk management plan and emergency management plan. Additionally, the Andersons Mill Festival Committee is required to provide to Council copies of its public liability insurance prior to the event.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The Andersons Mill Festival attracts approximately 3,000 people to the event. Based on the latest research figures provided by Tourism Research Australia, average spend per visitor per night in Hepburn Shire is \$203, while a day tripper spends on average \$74. The growth of this event will have a significant positive impact on the Shires economy.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Andersons Mill Festival Committee has been involved in the development of this MOU, through a series of meetings with Council officers where feedback was sought.

CONCLUSION

The Andersons Mill Festival is a significant event for the Shire and the proposed MOU helps to secure the financial sustainability of this event and ensures that the event continues to grow over the length of the MOU by providing annual KPIs for the committee to meet.

OFFICER'S RECOMMENDATION

11.7.1. *That Council authorises the Chief Executive Officer to sign the 2016 - 2018 Memorandum of Understanding between the Andersons Mill Festival Committee and Hepburn Shire Council.*

MOTION

11.7.1. *That Council authorises the Chief Executive Officer to sign the 2016 - 2018 Memorandum of Understanding between the Andersons Mill Festival Committee and Hepburn Shire Council.*

Moved: Councillor Kate Redwood AM

Seconded: Councillor Pierre Niclas

Carried.

Councillor Greg May returned to the meeting at 8:24 pm.

ATTACHMENT 5 - ANDERSONS MILL FESTIVAL MEMORANDUM OF UNDERSTANDING

**Memorandum of Understanding
Between
Hepburn Shire Council and the Andersons Mill Festival Committee**

Purpose: The Memorandum of Understanding is intended to clarify the roles and responsibilities and to create a working relationship between the Hepburn Shire Council (Council) and the Andersons Mill Festival Committee to ensure the future sustainability and growth of the Andersons Mill Festival in the Hepburn Shire.

It seeks to ensure that a transparent and accountable agreement is in place between the Hepburn Shire Council and the Andersons Mill Festival Committee.

Term: This MOU is for a 3 year period to be reviewed on an annual basis.

Parties: Committee - refers to Andersons Mill Festival Committee
Council – refers to Hepburn Shire Council

1. Hepburn Shire Sponsorship Support

The Council will provide an annual sponsorship sum of \$5,000 subject to the requirements and provisions of this Memorandum of Understanding (MOU).

The historic 5 storey Andersons Mill situated in Smeaton hosts the annual Andersons Mill Festival which is in its 21st year. The festival is a celebration of local food, wine and music and has grown from a local community event to a regionally significant event.

The funding will be provided by the Council for the Committee to assist with conducting a safe, accessible and professionally run event.

Subject to the receipt of a tax invoice from the Committee, Council will make the sponsorship payments for the event as follows:

Payment – of \$5000 (plus GST) - 100% to be paid upon receipt of invoice from the Committee at least 12 weeks before the event.

2. Operational Support provided by Council

The Hepburn Shire Council will provide the following in-kind support and services (summarised maximum costings detailed in Appendix A) for the term of the MOU, subject to the outcome of annual evaluations and reviews.

- Council Marquees (x3)
- Water cart (1,000 litres)
- Webbing and steel posts

- Witches hats and bollards
- Set of stage steps from Creswick Town Hall

2.1 Waste Management

- a. The Committee will develop a Waste Management Plan in conjunction with Council, outlining the type and amount of wastes generated, waste management strategies and responsibilities.
- b. Council will provide up to 30 bins and as many bin caps as are available from Council for the event. The bins and bin caps will be delivered on the Friday prior to the event and collected on the Monday following the event by Council. The bins will be delivered to a site negotiated between Hepburn Shire Council and the Committee.

Additional recycling bins and bin caps for the event will be sourced from Grampians Central West Waste and Resource Recovery Group, if they are available (the Council cannot guarantee they will be available). The cost of transporting any additional bin caps and bins from CHWMG to and from the venue will be met by the Committee.

- c. The committee agrees to work with Council to conduct a Waste Wise event.
- d. Council will fund and supply one 5m³ rubbish skip for use during the event. The committee must ensure waste from the smaller bins is emptied into the skips throughout the event.
- e. The Committee is responsible to ensure event locations are left in a clean and tidy condition as per the Waste Management Plan.
- f. A review of the Waste Management Plan will be conducted annually within 8 weeks of the conclusion of the Festival.

2.2 Traffic, Parking, Signage, Pedestrian and Transport Management Plans

- a. The Committee is responsible for developing a Traffic Management Plan (TMP) incorporating parking, pedestrian management and the road closures required for the weekend.
- b. The Committee must participate in event planning meetings with Council and relevant emergency authorities to assist in reviewing and developing the plan. Planning must commence in December to ensure timely and sufficient notice of traffic management requirements, the Traffic Management Plan is to be completed at least 8 weeks prior to the event.
- c. Road closure signs and equipment for the road closures will be provided by Council, including their installation, delivery and collection in accordance with the time schedule as outlined in the TMP.

- d. Suitably qualified and experienced personnel (including Traffic Controllers where indicated in the TMP) to assist in implementing and maintaining the TMP throughout the event weekend must be provided by the Committee. All event marshals and traffic controllers must be familiar with the TMP and implement it in accordance with the Plan and instructions from relevant authorities (including Victoria Police).
- e. The Committee must develop a Parking and Pedestrian Plan for the event weekend. It is the Committees responsibility to provide suitably qualified and experienced personnel to implement the Parking and Pedestrian Plans. Council will provide advice to the Committee in the development of the Plans.
- f. Council will provide and deliver agreed signage (portable parking signs including disabled parking) for the event weekend. Directional and other signs required for the Parking Plan will be provided by the Committee (or Council where available and negotiated in advance).

2.3 Venue and Venue Infrastructure

- a. The Committee will provide adequate toilet and wash room facilities (including accessible toilets) in accordance with the requirements of the relevant section of Council (Environmental Health and/or Building).

2.4 Marketing and Communications

- a. Council will provide promotion of the Andersons Mill Festival at the Daylesford Regional Visitor Information Centre, including one free display cube, Creswick Visitor Information Centre and The Warehouse - Clunes, and on www.visitdaylesford.com.au . This will be on-going as assessed by the Visitor Services Team Leader.
- b. Council will allocate the Committee the events signage frames at key entry points to Daylesford and Creswick four weeks prior to the Andersons Mill event. The Committee will supply, install and remove the signs during the approved period.
- c. Council will provide links to the Andersons Mill Festival website on Councils website and will include the festival in event calendar listings. The Committee is required to submit all information required for these listings.
- d. Where possible, Council will support the marketing activities of the Committee.
- e. The Committee agrees to provide recognition to Council via the following mechanism:
 - Recognition of the Hepburn Shire Council as a Major and/or Government Partner (or equivalent) in all information relating to the Andersons Mill Festival including its website, marketing material, media releases and communications. The usage of Council's logo must be in accordance with the directions provided by the Hepburn Shire.
 - Provide Councillors and Council officer's invitations to official Andersons Mill Festival functions, events and launches.

- Provision of a stall throughout festival weekend. Council must inform the Committee before March 1st with confirmation of the need for a stall.
- Logo placement on program & advertisement

3. Occupational Health and Safety, Risk and Compliance

- a. The Committee must comply with all of Council's and other authority's requirements in relation to occupational health and safety, local laws, legislation, regulations, standards and codes, and the conditions of use as outlined in facility booking forms.
- b. The Committee must obtain and pay all fees associated with all the necessary permits, permissions and licenses required to conduct the event from Council and other authorities. These include, but are not limited to liquor licensing, temporary food premises permits, traffic related permits/permissions, fire safety requirements, plant and equipment use and temporary building permits.
- c. The Committee must participate in Council's Event Management Planning process including risk and safety planning meetings with Council and other authorities, and provide a detailed Risk, Safety and Emergency Management Plan to Council in accordance with Council guidelines and pro-forma plans where available, at least 8 weeks prior to the event. Plans must be updated continuously as the event date nears, and must be reviewed as soon as practical following the event.
- d. The Committee must notify the Council in writing of any incident or accident occurring on Council land or property including any road, reserve or building as soon as possible after the incident or accident has occurred.

4. Indemnity and Insurance

- a. The Committee must indemnify and keep indemnified and hold harmless the Hepburn Shire Council, its servants and agents from and against all actions, costs, damages, loss or claims from any activities or decisions arising from the conduct of the Committee.
- b. The Committee and/or its auspice must maintain up to date insurances applicable to the event, including Public Liability Insurance for a minimum of \$10 million. The insurance policy must be maintained for the duration of the event (including the planning stages) and a copy of the certificate of compliance must be provided at least one month in advance of the event date. Stallholders and contractors involved with the event should also have Public Liability Insurance.
- c. The Committee agrees that if there is any loss or damage to Council land or property as a result of the event, the Committee will immediately notify Council by making contact with the Events Coordinator (or other Council officer if Events Coordinator is not available) and cover restoration, replacement or repair costs of the loss or damage.

- d. The Committee agrees to remain auspiced throughout the term of this MOU and/or maintain a legal status during the term of this MOU as an Association registered under the Incorporations Act 1981.

5. Strategic and Business Planning

- a. The Committee agrees to develop a Business Plan and an operational Event Management Plan to be reviewed and updated annually. The Business Plan will include the key objectives for the Festival and specific performance indicators. It must be provided to Council at least four months prior to the event date.

6. Key Performance Indicators

The Committee must meet the following annual KPI's, which have a focus on developing tourism and economic impacts within Hepburn Shire:

- a. The Committee must strengthen partnerships with Daylesford Macedon Ranges Regional Tourism Board, Visit Victoria and other tourism marketing bodies to enhance their support and investment to the event with a goal of securing further funding for the event.
- b. Attract local and state media coverage to encourage inter and intra state visitation.
- c. Increase the number of overnight visitors who attend the Andersons Mill Festival by 10%.
- d. Continue significant engagement of local community groups and businesses and provide evidence of local community groups and business involvement.

6. Review and Evaluation

- a. Council will assess the achievements against the outcomes within this MOU, and the key objectives contained in the Andersons Mill Festival Business Plan with input from the Committee.
- b. The Committee will attend a post event evaluation meeting with Council and other authorities following the conclusion of the event.
- c. The Committee will provide a preliminary report to Council within 8 weeks of the conclusion of the event providing estimates of the information below. Within 16 weeks the Committee will provide Council with a complete report containing detailed findings of the items below:
 - i. Attendance numbers for the Andersons Mill Festival.
 - ii. Details of the origin and estimated length of stay of visitors to the Andersons Mill Festival.
 - iii. Estimates of the economic and tourism impact of the festival applying a Council approved methodology used to produce these results.

- iv. Impact assessment on the Hepburn community (positive and negative impacts).
- v. Media and marketing obtained for the Hepburn Shire region as a result of the event.
- vi. Detailed event budget, including estimates of direct spend and fundraising contribution to the local community.
- vii. Details of specific event operational and other issues associated with the event including recommendations for improvements in future years.

7. Dispute resolution

- a. In the event of a dispute arising out of a failure to meet any of the obligations required by this MOU, either party may give the other party written notice specifying the details of the dispute. Within 7 days, a representative of both parties will agree to meet to resolve the issue.
- b. If a dispute occurs within two weeks of the event date, both parties will agree to meet to resolve the issue within 2 working days of the notice.
- c. If the dispute is unable to be resolved, the matter will be referred to any form of alternative dispute resolution procedure on which the parties agree. Where a mediator is involved, the parties must agree to comply with the mediators instructions.
- d. The charges for the mediation will be paid equally by the parties.
- e. Council will not enter into a dispute resolution procedure for the following issues:
 - 1. The level of Council's financial and in-kind contribution
 - 2. The requirement for the Committee to comply with Council's local laws, and other regulations and legislation relating to the conduct of the event.

8. Termination of MOU

- a. If the Committee is unable to deliver the outcomes specified in this MOU, Council may review the level of sponsorship and in-kind support provided to the event.
- b. If Council or the Committee is in breach of the terms of this MOU this MOU may be terminated in writing by the Chief Executive Officer of Council.

MOU between Hepburn Shire Council and the Andersons Mill Festival Committee

Signed for and on behalf of the **Hepburn Shire Council**:

Signature of authorised officer

Title of authorised officer

Date

Witness signature

Witness name

Date

Signed for and on behalf of Andersons Mill Festival Committee:

Signature of authorised officer

Title of authorised officer

Date

Witness signature

Witness name

Date

Appendix A: Estimate of Hepburn Shire Council's In-Kind Support

Support provided	Details	Estimated Cost to Council
Waste Management	Supply, delivery, collection of rubbish bins and lids – locations to be in waste management plan	\$500
Road Closures	Provision of equipment, signage, delivery and installation for road closures	\$300
Visitor Services	Provision of Visitor Information Centre Cube display	\$300
Equipment	Witches hats and bollards, webbing and posts, water cart, marquees, step set	\$500
	Total estimated in-kind support value	\$1,600

Additional in-kind support provided by Council's Events Coordinator and other officers (details below). The value of this support has not been costed.

- Advice on development of event Memorandum of Understanding
- Advice on development of Traffic Management Plan for Road Closures
- Advice on development of Risk Management Plan for Event
- Advice on development of an Emergency Management Plan
- Inspection (if required) on Saturday of event by an Environmental Health Officer to ensure all temporary food premises have relevant permits.

**11.8. HERITAGE POLICY REVIEW - CONSOLIDATION OF HERITAGE CONSERVATION, HERITAGE LOANS AND HERITAGE PLAQUES POLICY
CHIEF EXECUTIVE OFFICER**

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

PURPOSE

The purpose of this report is for Council to adopt the Heritage Policy.

BACKGROUND

Council adopted the Heritage Conservation Policy at the Ordinary Meeting of Council dated 17 June 2014 and adopted the Heritage Loans Policy at the Ordinary Meeting of Council dated 16 September 2014. The Heritage Plaques Policy has lapsed and requires a Council motion to adopt it.

The purpose of the Heritage Conservation Policy, Heritage Loans Policy and the Heritage Plaques Policy is to provide guidance to Council, developers, public agencies and the general community on heritage related matters.

The objective of all three policies aims to promote the conservation and protection of heritage places in the Shire.

It is proposed to consolidate the three policies into one policy to be titled - Heritage Policy. The draft Heritage Policy is attached.

ISSUE/DISCUSSION

- All three policies aim to conserve and protect heritage in the Shire
- All three policies are currently reviewed and updated at different times
- There are no changes to the content of the policies they have simply been incorporated into one policy.
- The advertising, review and administration of the policies if consolidated will be simplified and a more efficient process.
- The new policy will provide guidance to Council, developers, public agencies and the general community in one simplified policy rather than separate policies.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The Heritage Policy has been reviewed to ensure relevance and consistency with legislation and other policies.

FINANCIAL IMPLICATIONS

Council has made a contribution of \$20,000.00 for the heritage loans scheme.

RISK IMPLICATIONS

There are no risk implications associated with this policy.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Information about the Heritage Policy will be available on Council's website.

CONCLUSION

The consolidation of the Heritage Conservation, Heritage Loans and Heritage Plaques Policies into one Heritage Policy will continue to provide guidance for Council, ratepayers and the general community and should be placed on Council's website for public inspection.

OFFICER'S RECOMMENDATION

That Council:

- 11.8.1. Adopts Council Policy 16 - Heritage Policy - November 2015
- 11.8.2. Makes Council Policy 16 - Heritage Policy - November 2015 available for public inspection on Council's website.

MOTION

That Council:

- 11.8.1. Adopts Council Policy 16 - Heritage Policy - November 2015*
- 11.8.2. Makes Council Policy 16 - Heritage Policy - November 2015 available for public inspection on Council's website.*

Moved: Councillor Kate Redwood AM
Seconded: Councillor Sebastian Klein
Carried.

ATTACHMENT 6 - DRAFT HERITAGE POLICY

POLICY NUMBER: 16

NAME OF POLICY: HERITAGE POLICY

DATE AMENDED:

DATE OF NEXT REVIEW:

DATE ADOPTED:

RESPONSIBLE OFFICER: Manager Planning

REFERENCES:

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

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

Best Value Principles

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

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

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

Purpose

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

- Re-development, restoration or alteration to places of heritage significance.
- New developments within designated sites and precincts or other areas of historical significance.
- Public or private works on infrastructure such as roads, drainage channels, footpaths, lighting, parkland, and so on.
- The value and role of heritage preservation in maintaining and enhancing the unique character of the varied localities within the Shire.
- The administration of the Hepburn Shire Council's Heritage Loans Scheme.
- Applications to Council to have a Hepburn Shire Heritage Plaque installed on a building, place, asset or object in the Shire.

Policy Objectives

It will be Council's policy to:

Guiding Principles

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

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

Council Awareness

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

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

Statutory Planning

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

Education

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

Compliance and Enforcement

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

Heritage Loans

Heritage Loans are proposed to:

- Promote the conservation and protection of heritage places in the Shire by the provision of financial assistance to worthy conservation projects.
- To provide a loan scheme, which will fund, wholly or partly, restoration works to buildings, sites or objects listed in the Hepburn Planning Scheme's Heritage Overlay.

Application Criteria and administration of the Heritage Loans is attached as Appendix 1

Heritage Plaques

The objective is to provide for heritage plaques for privately owned buildings, places, asset or objects in recognition of the historic importance and value of a building, place, asset or object to the community.

This policy provides guidelines in respect of:

- The type of building, place, asset or object which is eligible for a heritage plaque.
- The terms and conditions under which a Hepburn Shire Heritage Plaque will be provided and installed.
- The accountability of each party.
- Provide the details of the cost of Heritage Plaques to the applicant.

Application Criteria and administration of the Heritage Plaques is attached as Appendix 2

Appendix 1 - Application Criteria and administration of the Heritage Loans

Heritage Loans Application Criteria

Applications for funds under this scheme will only be considered if they meet the following criteria:

- The project involves carrying out work on;
- A heritage asset, object or place listed in the Hepburn Planning Scheme's Heritage Overlay, or
- A heritage asset, object or place proposed for inclusion in the Heritage Overlay.
- Where the work to be funded is external and will be visible from the public realm or is otherwise necessary to conserve the significant fabric.
- Will be likely to comply with the requirements of the Heritage Overlay.
- The project involves other recommendations from the Hepburn Shire Council's Heritage Advisor.
- Where all proposed works are adequately documented by the applicant to the satisfaction of the Heritage Advisor and are likely to receive relevant permits

Funds will not be made available for:

- Projects which involve undertaking research, recording and documentation of heritage places.
- The applicant's own labour.
- The payment of building insurance.
- Works that have been completed or are in progress prior to the lodgement of an application for a Heritage Loan.
- Planning and Building permit fees.

Council Commitment

The Hepburn Shire Council will make available funds of \$20,000.00 for the scheme. The balance of funds remaining in the pool at each financial year's end will be credited forward to the Scheme.

The funding arrangements are to be reviewed at the next policy review date.

ELIGIBILITY CRITERIA OF THE APPLICANT

The applicant must:

- Be the owner or occupier of the place or object.

- Or have the written consent of the owner for the submission of the application and conduct of the works.
- Have the ability to fulfill the requirements of the loan contract as determined by Council at its discretion.

ADVERTISING OF LOANS

Council will advertise the availability of the Heritage Loans and call for applications annually to be considered in July of every year, subject to the availability of funds.

ASSESSMENT AND DECISIONS IN RESPECT OF APPLICATIONS

Applications will be assessed by the Council's Heritage Advisor and Council Officers. A recommendation will be given to Council's Chief Executive Officer to make a determination of any application/s received.

REPORTING REQUIREMENTS

Council officers will report on the progress of the Scheme to Council at the end of each financial year.

TERMS OF THE LOAN AGREEMENT

Principal

The minimum amount of any loan is \$1,000.

The maximum amount of any loan is \$7,000.

Payment to contractors

10% of any payments to contractors is to be withheld by the applicant subject to the satisfactory completion of the works as determined by Council.

Duration

The maximum term for the loan repayment is 24 months. The term will be determined during the approval process.

However, the maximum loan term for a loan of \$1,000 (the minimum amount for a loan) shall be 12 months from the final payment.

Repayments

Loans are to be repaid monthly or at other agreed intervals over the term of the loan.

Repayment method to be determined by agreement prior to approval of any loan.

Interest rate

The interest rate will be fixed for the period of the loan and will be set at the Reserve Bank of Australia official cash rate applicable at the time of the loan.

Defaults in conduct of the works

Should the works not be carried out satisfactorily as determined by Council and/or are not in accordance with any planning or building permit obtained, Council may give notice, in accordance with the provisions of the agreement [see following clause], of its intention to terminate the agreement.

Defaults in repayment

If the recipient of a loan should make unreasonable default in the repayment of the loan, or performance of the works, Council shall give seven days notice of its intent to terminate the loan agreement. Upon the expiry of the seven days the whole of the moneys owing shall become payable and recoverable as a debt due to the Council.

APPLICATION INFORMATION

Applicants will be required to submit the following information:

- A completed application request.
- Proof of ownership or occupation of the place, object, asset or property. This can include a recent copy of the Certificate of Title, or in the case of an occupier written approval from the owner (along with Certificate of Title as before).
- Proof of ability to repay the loan such as payslips, business activity statement, bank statement and details of existing borrowings and other financial commitments, all as required by Council.
- A description of the proposed works, which are the subject of the loan application including the extent and nature of the works.
- If available, a copy of the relevant planning permit and/or building permit, which has been issued for the proposed works.
- Any architectural, archaeological or horticultural reports where appropriate.
- Photographs of the existing condition of the object or place.
- Two quotes or costs estimates from appropriately registered and experienced builders/contractors.

- Identification of any works to be carried out using the applicant's own labour.
- Where painting involving a change of colour scheme is proposed, samples of the proposed colours and their locations.

APPLICATION

The application is to be in the form of a written request to the Chief Executive Officer, Hepburn Shire Council.

LOAN CONTRACT

The loan contract shall be binding between the two parties to the satisfaction of Council.

Appendix 2 - Application Criteria and administration of Heritage Plaques

ELIGIBILITY CRITERIA

The installation of plaques may be proposed by owners of places, by the Hepburn Shire Heritage Advisory Committee [the Committee], or by members of the public or organizations not directly associated with the place. Applications for a Heritage Plaque under this scheme will only be considered if they meet the following criteria:

- The place has high or special historic and/or cultural value for the heritage of the Shire. Places of low or only representative value will not be considered.
- The place has a citation in a relevant Heritage Study or other heritage listing and is included or is proposed to be included in the Schedule to the Heritage Overlay of the Hepburn Planning Scheme.
- The place is nominated and/or approved by the Committee and Council.
- Where nominated by the Committee, the owner of the place agrees to the installation.
- Places and their plaques are in publicly accessible locations. Priority will be given to those places of highest value and most accessible to the public.
- The place does not have a plaque provided under the schemes operated by the Heritage Council or the National Trust.

ADVERTISING OF THE HERITAGE PLAQUE SCHEME

Hepburn Shire Council will publicise the existence of the Heritage Plaque Scheme.

Nomination Process

The following processes will be adopted in the nomination and installation of Heritage Plaques:

- Council will retain the all rights to the design of the Hepburn Shire Heritage Plaques.
- Council will retain the all the rights to provide and install the plaques. No other arrangements will be entered into without the consent of Council.
- The cost of a Heritage Plaque, including administrative costs, the cost of manufacture and the cost of installation will be borne by the Hepburn Shire Council.
- When applications from private persons are received, the application will be presented to the next available meeting of Council's Heritage Advisory Committee for consideration.
- The Heritage Committee in consultation with Council will consider the merits of the application and the accuracy of the information provided with the application.

- The Heritage Advisory Committee will determine the proposed wording for the Heritage Plaque. The final decision regarding wording shall rest with the Committee.
- Applicants will be advised of the outcome of their application once Council has considered the recommendations of the Committee regarding the provision and installation of a Heritage Plaque.
- The location for the installation of all Heritage Plaques will be determined by Council in consultation with the property owner.
- The plaque will be provided and installed by Council.
- Once a Heritage Plaque has been installed, the owner of the property shall take full responsibility for the maintenance of the plaque and the element on which it is located and shall not relocate the plaque without the prior approval of the Council.
- Plaques may not be removed without the consent of Council

**11.9. REVIEW OF POLICY 32 (C) – FILM 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 Film Policy.

BACKGROUND

Councils' Film Policy is due for review in November 2015. In August 2014 new legislation was passed which outlines how public agencies including Councils, must respond to filming requests. The reviewed film policy reflects requirements as set out in the Filming Approval Act 2014.

Hepburn Shire Council was the first rural Council in Australia to become a film-friendly Council back in 2002. The Hepburn Shire is regarded as having some of the most filmable locations in the State and the Council has a strong film-friendly reputation amongst the film industry.

ISSUE/DISCUSSION

In August 2014, the Victorian Parliament passed the Filming Approval Act 2014 (the Act) to establish a clear and consistent framework which Victorian public agencies must comply with when considering applications for commercial filming on public land. These flexible, administrative principles ensure that commercial filmmakers have a positive experience and receive a responsive, consistent, transparent service across Victoria, it also provides public agencies the tools available to balance filming requests with the needs of the local area.

The objective of the reviewed film policy is to align Councils requirements with the Act to ensure that Council complies with the legislation and also retains its film-friendly status. The policy outlines four main principals around, Applications, Approvals, Single Point of Contact and Fees.

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.

RISK IMPLICATIONS

The implementation of this policy reduces risk in providing clarity and structure around responding to film requests. It ensures that Council's policy aligns with the Filming Approval Act 2014.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The screen industry is a significant economic contributor to the state of Victoria. This reviewed policy will make it easier for an important industry to do business in the Shire, increase the Shire's competitiveness as a production location and make the Shire more 'film friendly' – which can have a significant impact in attracting and stimulating additional filming activity.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The policy had been developed in consultation with Film Victoria, using the Filming Approval Act 2014 as a reference. Local business associations have also been consulted.

CONCLUSION

The Film Policy, as it is presented, will ensure Council is aligned with legislative filming approval requirements and maintains its 'film-friendly' status. The Film Policy will be implemented in accordance with Victoria's Film Friendly Guidelines and will be reviewed every four years or sooner if required by legislation or organisational changes.

OFFICER'S RECOMMENDATION

That Council:

- 11.9.1. Adopts Policy 32 – Film Policy – November 2015 and makes it available for public inspection on Council's website and at Council's offices.

MOTION

That Council:

11.9.1 *Adopts Policy 32 – Film Policy – November 2015 and makes it available for public inspection on Council’s website and at Council’s offices.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Pierre Niclas

Carried.

ATTACHMENT 7 - FILM POLICY

► FILM POLICY

POLICY NUMBER:	32 (C)
NAME OF POLICY:	FILM POLICY
DATE OF NEXT REVIEW:	November 2019
DATE APPROVED:	<Insert date adopted by Council>
RESPONSIBLE OFFICER:	Events Coordinator & Film Liaison
REFERENCES:	<i>Filming Approval Act 2014</i> <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 <i>Filming Approval Act 2014, Victorian Film Friendly Guidelines</i>

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

Victoria is internationally recognised as a world-class screen production destination with excellent crews, stunning locations, film friendly location providers and exceptional production facilities.

In turn, screen production has a profoundly positive impact on the state and its residents - economically, culturally and socially. Hepburn Shire is proud to be supporting the screen industry and the opportunities it brings to businesses and the broader community.

This policy has been produced as a resource for filmmakers seeking permits or approvals to film on public land within the jurisdiction of Hepburn Shire Council and will provide certainty and consistency when dealing with film location enquiries.

SCOPE

This policy covers all areas of the municipality of the Hepburn Shire; to coordinate filming activity occurring on land under its care and management.

POLICY

1. Applications

A wide range of filming will require a film permit, including;

- Commercial filming
- Television
- Feature films
- Advertising and television commercials
- Documentaries

► FILM POLICY

- Music videos
- Student films
- Commercial stills photography (e.g. magazine fashion shoot)

A film permit ensures public space is used safely and in accordance with all applicable legislation, local laws and regulations. At the same time, it ensures any disruption is minimal, public land and facilities are managed effectively and that anyone who may potentially be impacted is notified.

2. Approvals

A public agency (including Hepburn Shire Council) that receives an application for a film permit must not unreasonably withhold the approval of that application, subject to the Filming Approval Act 2014.

This principle creates an expectation that public agencies will grant film permits unless a clear reason exists not to do so. It creates obligations that make the granting of film permits standard practice, and refusal the exception.

This principle provides front-line staff with a workable balance between meeting the needs of filmmakers and the necessary safeguards to protect public amenity and public land.

Film permit applications will be processed in a prompt and timely manner, within 5 working days of receipt of application.

Councils Events Coordinator & Film Liaison will assess an application and contact other relevant internal and/or external stakeholders where required.

Where a film application is considered to be complex, approval may take more than 5 working days.

A film permit will be provided once Council is satisfied and will include details of terms and conditions that apply.

3. Single Point of Contact

Assessing a film permit application will often require consultation with different departments within Council. Council is committed to providing a single-point of contact for all film enquiries. This principle ensures that the responsibility for managing these internal communications is taken by Council itself and is not placed on the applicant.

A single point of contact within Council will provide the applicant with a seamless customer experience throughout the application process. Having a consistent channel of communication to the applicant will also enable the agency to understand and manage the impact of the filming activity on its jurisdiction.

Duplication, gaps in information and response times will be reduced, creating a more efficient process and enabling decisions to be made in a timely manner.

4. Fees

Hepburn Shire Council wishes to ensure greater access to its locations and encourage filming activity by providing a “no fees policy” for film permit processing. However, in lieu of a Fee to Council, and to demonstrate support of the local community in which you are working, a donation can be made to a local community group, relative to the film location.

Unless existing fees apply to exclusive use of a particular area (e.g. parks, gardens), the “no fees policy” to Council will apply to filming activity that occurs on council-owned or managed land or property. However, costs to council in providing supervisory personnel (if required), expenses associated with advertising, traffic control, road closures and any other costs incurred in the facilitation of the application will be borne by the applicant. These costs will not exceed cost recovery.

A bond may be required for filming activity in buildings and on or around property owned by council. A bond is refundable and will act as a security deposit to be

► FILM POLICY

paid to Hepburn Shire Council subject to the conditions of the “Film Permit”. A bond may be applied based on an assessment of risk to, or adverse impact on council property, or the environment and to ensure that the production company follows the conditions of the film permit.

The bond (if applicable) will be negotiated before filming begins and will be returned within 14 days of its conclusion, subject to any claim for damages.

If a location is not cleaned-up appropriately and returned back to its original state, Council may apply charges to the applicant. This will not exceed cost recovery for the clean-up.

The fees mentioned above do not cover private arrangements entered into by the applicant with private land or property owners.

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.
Film liaison	Is a common description used for staff responsible for managing filming requests.
Filmmaker/Applicant	The person or company responsible for the film permit application.
Film permit	Is a permit, licence, approval or other authority issued by a public agency to conduct commercial filming on public land.
Public agency	Means a committee of management, Council, Court Services Victoria, a Department Head, Minister, public entity, the Secretary of the Department of Environment and Primary Industries, a trust established by legislation to manage Crown land or the Victoria Racing Club Limited.

Term	Definition
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FURTHER INFORMATION

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

IMPLEMENTATION

This policy will be implemented in accordance with Victoria's Film Friendly Guidelines by Council's Events Coordinator & Film Liaison and the Community and Economic Development department.

The policy will be made available on Council's website, alongside 'A Guide to Filming in Hepburn Shire' and Filming Approval Act 2014.

A standard film permit application form will be made available on request to Council's Event Coordinator & Film Liaison and will also be made available on Council's website.

REVIEW

The Film 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 & Film Liaison.

11.10. REQUESTS FOR APPROVAL TO OPERATE HIGHER MASS LIMIT VEHICLES 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 renewals of existing permits to use Higher Mass Limit [HML] vehicles on local roads.

BACKGROUND

The following requests 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						
52921	a) R & M Diesel Pty Ltd	Tow Truck	All roads	Disabled or broken down heavy vehicles	30/10/2015 – 29/10/2016	As required
53231	b) Primal Surfacing Pty Ltd	Rigid Tipper fitted with aggregate spreader box	All roads	Aggregate	27/10/2015 – 26/10/2018	Varies
53803 53778 53760	c) Porter Excavations Pty Ltd	3 axle truck and 4 axle dog trailer	West Berry Road	General freight	11/11/2015 – 10/11/2018	Approx 10 trips per week
52307	d) Inroads Pty Ltd	Rigid Tipper fitted with aggregate spreader box	West Berry Road	Aggregate	16/10/2015 – 13/10/2016	Varies

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

a) R & M Diesel (Road Manager Request Number 52921)

R & M Diesel Pty Ltd requests Council to renew its existing permit to use Council roads in order to tow accident damaged or incapacitated vehicles for a period of one year.

Considering the type of operation, it is not possible to specify the routes and roads that will be used given the potential need to respond to vehicle breakdowns.

After consideration of this request to make use of all Council roads and confirming the permit requirements with NHVR, it is recommended that Council approves R & M Diesel Pty Ltd to use Council roads subject to following conditions:

- Must not travel on a road, bridge or structure if it would exceed any sign posted mass or dimension limit.
- Must not travel beneath a bridge or overhead structure which has a restricted clearance if the height of the vehicle is equal to or greater than the clearance shown on the sign.
- Must not travel beneath any bridges, overhead structures, cables, wires or trees unless there is adequate safe clearance to the highest point of the vehicle.
- 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.

b) Primal Surfacing Pty Ltd (Road Manager Request Number 53231)

Primal Surfacing Pty Ltd has requested Council to renew its existing permit to use a rigid tipper fitted with aggregate spreader box that will be used for road sealing works, for a period three years.

Council is using Primal Surfacing Pty Ltd for its annual re-sealing program. Considering the type of operation, it is considered that Council roads can cater for the rigid tipper fitted with aggregate spreader box.

Therefore, it is recommended that Council approves Primal Surfacing Pty Ltd to use a rigid tipper fitted with aggregate spreader box on Council roads for a period of three years subject to following conditions:

- Must not travel on a road, bridge or structure if it would exceed any sign posted mass or dimension limit.
- Must not travel beneath a bridge or overhead structure which has a restricted clearance if the height of the vehicle is equal to or greater than the clearance shown on the sign.
- Must not travel beneath any bridges, overhead structures, cables, wires or trees unless there is adequate safe clearance to the highest point of the vehicle.
- 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.

c) Porter Excavations Pty Ltd (Road Manager Request Number 53760, 53778 & 53803)

Porter Excavations Pty Ltd requests Council consideration to extend its existing permit to use 3-axle Truck and 4-axle Dog Trailer combinations at HML on West Berry Road, as marked in the plan below, for a period of three years.



Expected number of trips shall be 10 per week.

Subject road has been assessed as suitable for use by trucks and trailers at HML.

It is recommended that Council approves Porter Excavations Pty Ltd to use 3-axle Truck and 4-axle Dog Trailer combinations at HML on West Berry Road (between Clunes-Creswick Road and Creswick-Lawrence Road) 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.
- Hours of Operation shall be 7:00am to 6:00pm.

d) Inroads Pty Ltd (Road Manager Request Number 52307)

Inroads Pty Ltd requests Council consideration to renew its existing permit to use a Rigid Tipper fitted with aggregate spreader box at HML on West Berry Road, as marked in the plan below, for a period of one year.



Subject road has been assessed as suitable for use by trucks and trailers at HML. It is recommended that Council approves Inroads Pty Ltd to use a Rigid Tipper fitted with aggregate spreader box at HML on West Berry Road between Clunes-Creswick Road and Creswick-Newstead Road subject to the following conditions:

- It is the responsibility of the permit holder to pay attention to:
 - o Overhead cables
 - o Overhanging trees
 - o 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.

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 requests from the National Heavy Vehicle Regulator for consent to the issue renewals of existing permits to operate Higher Mass Limit vehicles on local roads.

Following a review of the requests, conditional consent is recommended for the operators as detailed.

OFFICER'S RECOMMENDATION

That Council:

11.10.1. Approves R & M Diesel Pty Ltd to use tow trucks on Council Roads as required for a period of one year commencing 23 November 2015 and expiring on 22 November 2016, subject to following conditions:

- Must not travel on a road, bridge or structure if it would exceed any sign posted mass or dimension limit.
- Must not travel beneath a bridge or overhead structure which has a restricted clearance if the height of the vehicle is equal to or greater than the clearance shown on the sign.
- Must not travel beneath any bridges, overhead structures, cables, wires or trees unless there is adequate safe clearance to the highest point of the vehicle.
- 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.

- 11.10.2. Approves Primal Surfacing Pty Ltd to use a Rigid Tipper with aggregate spreader box on Council Roads for a period of three year commencing 23 November 2015 and expiring on 22 November 2018, subject to following conditions:
- Must not travel on a road, bridge or structure if it would exceed any sign posted mass or dimension limit.
 - Must not travel beneath a bridge or overhead structure which has a restricted clearance if the height of the vehicle is equal to or greater than the clearance shown on the sign.
 - Must not travel beneath any bridges, overhead structures, cables, wires or trees unless there is adequate safe clearance to the highest point of the vehicle.
 - 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.
- 11.10.3. Approves Porter Excavation Pty Ltd to use 3-axle Truck and 4-axle Dog Trailers combinations at HML on West Berry Road (between Clunes-Creswick Road and Creswick-Lawrence Road) for a period of three years commencing on 23 November 2015 and expiring on 22 November 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.
 - Hours of Operation shall be 7:00am to 6:00pm.
- 11.10.4. Approves Inroads Pty Ltd to use a Rigid Tipper fitted with aggregate spreader box at HML on West Berry Road (between Clunes-Creswick Road and Creswick-Newstead Road) for a period of one year commencing on 23

November 2015 and expiring on 22 November 2016, 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

That Council:

- 11.10.1. Approves R & M Diesel Pty Ltd to use tow trucks on Council Roads as required for a period of one year commencing 23 November 2015 and expiring on 22 November 2016, subject to following conditions:
- Must not travel on a road, bridge or structure if it would exceed any sign posted mass or dimension limit.
 - Must not travel beneath a bridge or overhead structure which has a restricted clearance if the height of the vehicle is equal to or greater than the clearance shown on the sign.
 - Must not travel beneath any bridges, overhead structures, cables, wires or trees unless there is adequate safe clearance to the highest point of the vehicle.
 - 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.
- 11.10.2. Approves Primal Surfacing Pty Ltd to use a Rigid Tipper with aggregate spreader box on Council Roads for a period of three year commencing 23 November 2015 and expiring on 22 November 2018, subject to following conditions:
- Must not travel on a road, bridge or structure if it would exceed any sign posted mass or dimension limit.
 - Must not travel beneath a bridge or overhead structure which has a restricted clearance if the height of the vehicle is equal to or greater than the clearance shown on the sign.
 - Must not travel beneath any bridges, overhead structures, cables, wires or trees unless there is adequate safe clearance to the highest point of the vehicle.

- *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.*
- 11.10.3. *Approves Porter Excavation Pty Ltd to use 3-axle Truck and 4-axle Dog Trailers combinations at HML on West Berry Road (between Clunes-Creswick Road and Creswick-Lawrence Road) for a period of three years commencing on 23 November 2015 and expiring on 22 November 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.*
 - *Hours of Operation shall be 7:00am to 6:00pm.*
- 11.10.4. *Approves Inroads Pty Ltd to use a Rigid Tipper fitted with aggregate spreader box at HML on West Berry Road (between Clunes-Creswick Road and Creswick-Newstead Road) for a period of one year commencing on 23 November 2015 and expiring on 22 November 2016, 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 Kate Redwood AM

Seconded: Councillor Sebastian Klein

Carried.

11.11. RECORD OF ASSEMBLIES OF COUNCILLORS GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Administration Support Officer, I Tracye Sutton 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
21 October 2015	Council Chamber, Daylesford	International Women's Day Organising Committee
20 October 2015	Doug Lindsay Recreation Reserve, Creswick	Pre-Council Meeting Briefing
12 October 2015	Council Chamber, Daylesford	Mineral Springs Reserve Advisory Committee
6 October 2015	Council Chamber, Daylesford	Pre-Council Meeting Briefing
16 September 2015	The Mayors Room, Daylesford	International Women's Day Organising Committee

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

11.11.1. That Council receives and notes the Records of Assemblies of Councillors for October 2015 and the 16 September 2015.

MOTION

11.11.1. *That Council receives and notes the Records of Assemblies of Councillors for October 2015 and the 16 September 2015.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Sebastian Klein

Carried.

ATTACHMENT 8 - RECORDS OF ASSEMBLIES OF COUNCILLORS

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: International Women's Day Organising Committee
 Date: Wednesday 21 October 2015
 Time: 4:00pm

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 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 | Executive Assistant - Michelle Collett |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | Administration Assistant - Tracye Sutton |
| <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 type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | Executive Assistant - Michelle Collett |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: *M R Collett*

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

▶ INTERNATIONAL WOMEN'S DAY - AGENDA

Chair Cr Kate Redwood AM

Date 21 October 2015

	Time	Agenda Item	Presenter
1.	4:00pm	Welcome, meeting opens	Chair
2.		Follow up on keynote speaker	Chair
3.		Decorations	Chair
4.		Discuss celebration of Joan Kirner	Chair

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Pre Council Meeting Briefing
 Date: Tuesday 20 October 2015
 Time: 3:30pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – *Doug Lindsay Reserve Community Facility, Creswick*

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 checked="" 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 checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Corporate Services Grant Schuster | Manager Planning, Justin Fiddes |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | Manager Finance & IT, Trafford Thompson |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
<i>Cr May</i>	<i>4:40pm - 4:42pm</i>

Matters Considered:

Council Meeting Agenda – Tuesday 20 October 2015

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 checked="" type="checkbox"/> GM Corporate Services Grant Schuster | |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input type="checkbox"/> 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.

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 12 October 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 12 October 2015

Council Chambers

5.30pm – 7.00pm

Attendees: Cr Pierre Niclas, Bruce Lucas, James Lowe, Gary Lawrence, Sissy Austin, Lisa Rodier, Victor Szwed, Andrew Shugg, Grant Schuster

Apologies: Bill Guest

Item No	Time	Agenda Item	Presenter
1	5.30pm	Welcome and Apologies	Cr Pierre Niclas
2	5.35pm	Financial Reserve Status	Grant Schuster
3	5.50pm	Adoption of Minutes – 10 August 2015	Cr Pierre Niclas
4	5.55pm	Review of Action Register Items	Cr Pierre Niclas
5	6.10pm	Team Update/Overview	Bruce
6	6.20pm	Funding Application Update	Bruce
7	6.30pm	Pavilion Café Works	Bruce
8	6.40pm	Update on Cottage and Timeline	Bruce
9	6.45pm	General Business	All
	7.00pm	Meeting Close	
Next meeting – Monday 14 December 2015			

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 6 October 2015*

Time: *9.45am - 5.00pm.*

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 (arrived 10.50am) |
| <input checked="" type="checkbox"/> Cr Kate Redwood AM | <input checked="" type="checkbox"/> Cr Neil Newitt |
| <input checked="" 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 checked="" type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | Acting GM Corporate Services Kerrie Addison |
| <input checked="" 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
Cr. Bill McClenaghan	4.15pm (did not return, end of meeting)

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 | Acting GM Corporate Services Kerrie Addison |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Signature: *Kerrie Addison*

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

CONFIDENTIAL

► COUNCILLOR BRIEFING AGENDA
TUESDAY 6 OCTOBER 2015

Tuesday 6 October 2015
Council Chamber, Daylesford Town Hall
9:45am – 5:00pm

PRESENT: Councillors Kate Redwood AM, Don Henderson, Sebastian Klein, Greg May, Bill McClenaghan, Neil Newitt, Pierre Niclas

Officers Chief Executive Officer, Acting General Manager Corporate Services, General Manager Community Services, General Manager Infrastructure and other officers as required

CHAIR: Mayor Cr Kate Redwood AM

APOLOGIES:

No	Time	Agenda Item		Presenter	No
1.	9:45am	External Presentation	Development of the Grampians Central West Regional Waste & Resource Recovery Implementation Plan	Manager Strategic Asset Management	Page 5
2.	10:30am	Report	Mt Rommel Mining Update Attachment 1 – Aerial Photo Scenic Drive, Clunes	Manager Strategic Asset Management	Page 6
3.	11:00am	Report	Trentham Hub – Community and Council Agreement Attachment 2 – Draft Agreement between Council & Trentham Community for the New Mechanics	General Manager Community Services	Page 13

No	Time	Agenda Item		Presenter	No
4.	11:15am	Presentation	Customer Service Front Counters	Chief Executive Officer	Page 17
5.	12:15pm	Discussion	Streetscape Seating	Manager Strategic Project Delivery	Page 18
	12:30pm	Lunch Break Lunch will be provided			
6.	1:00pm	Report	Sport and Recreation Funding Applications	Manager Community & Economic Development	Page 19
7.	1:30pm	Report	Community Engagement Policy Attachment 3 – Draft Community Engagement Policy	General Manager Community Services	Page 22
8.	2:00pm	Report	Dja Dja Wurrung and Reconciliation Action Plan Attachment 4 – Dja Dja Wurrung Recognition and Settlement Agreement Attachment 5 – Schedule 1 and 6 – Recognition and Settlement Agreement for the Recognition of the Dja Dja Wurrung	Community & Cultural Development Officer	Page 25
9.	3:00pm	External Presentation	John Curtin Development	General Manager Community Services	Page 29

No	Time	Agenda Item		Presenter	No
	3:30pm	Break			
10.	3:45pm	Report	Proposed Local Law No. 3 – Operation and Maintenance of Onsite Wastewater Treatment Systems Attachment 6 – Proposed Local Law No 3 – Operation and Maintenance of Onsite Wastewater Treatment Systems	Manager Planning	Page 30
11.	4:00pm	Presentation	Vegetation Exemptions Protection Policy (including expansion to a new Development Policy that covers other discretionary areas) Attachment 7 – Draft Revised Policy (C) – Vegetation Exemptions Project Attachment 8 – Draft Arboricultural Vegetation Risk Assessment	Manager Planning	Page 33
12.	4:15pm	Report	PA791-41 Hyde Park Road Creswick – 2 lot subdivision Attachment 9 – Planning Application 791 – 41 Hyde Park Road, Creswick	Statutory Planner	Page 36
13.	4:30pm	Report	Lake Road Amendment (recommend abandon amendment) Attachment 10 – Planning Scheme Amendment C62-96 Lake Road, Daylesford	Coordinator Planning	Page 40

CONFIDENTIAL

▶ COUNCILLOR BRIEFING AGENDA
TUESDAY 6 OCTOBER 2015

No	Time	Agenda Item	Presenter	No
14.	4:45pm	Planning Update Attachment 11 – VCAT Hearing List	Manager Planning	Page 44
15.		For Noting Agenda Items – Next Council Meeting		Page 46
16.	5:00pm	CLOSE OF MEETING		Page 47

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: International Women's Day Organising Committee
 Date: Wednesday 16 September 2015
 Time: 4:00pm

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 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 | Executive Assistant - Michelle Collett |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | Administration Assistant - Tracye Sutton |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered: Guest Speaker
 Confirmation of Selection panel
 Discuss photo exhibition
 Review of nomination documents

Agenda Attached

Name and title of Officer responsible for this written record:

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

Signature: *M R Collett*

Note: This form MUST be completed by the attending Council Officer and returned immediately to 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 Administration Support Officer, I Tracye Sutton 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 Lee Medlyn Home of Bottles Special Committee 14/10/2015
- Minutes from the Dean Recreation Reserve & Tennis Courts Special Committee – regular meeting 6/8/2015
- Minutes from the Dean Recreation Reserve & Tennis Courts Special Committee – AGM 6/8/15

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

That Council:

12.1.1. Receives and notes the following minutes of Special Committees (Section 86) which have been distributed under separate cover:

- Minutes from the Lee Medlyn Home of Bottles Special Committee 14/10/2015
- Minutes from the Dean Recreation Reserve & Tennis Courts Special Committee – regular meeting 6/8/2015
- Minutes from the Dean Recreation Reserve & Tennis Courts Special Committee – AGM 6/8/2015

MOTION

That Council:

12.1.1. Receives and notes the following minutes of Special Committees (Section 86) which have been distributed under separate cover:

- *Minutes from the Lee Medlyn Home of Bottles Special Committee 14/10/2015*
- *Minutes from the Dean Recreation Reserve & Tennis Courts Special Committee – regular meeting 6/8/2015*
- *Minutes from the Dean Recreation Reserve & Tennis Courts Special Committee – AGM 6/8/2015*

Moved: Councillor Sebastian Klein
Seconded: Councillor Kate Redwood AM
Carried.

13. COUNCIL ADVISORY COMMITTEES

13.1. MINUTES OF ADVISORY COMMITTEES GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Administration Support Officer, I Tracey Sutton 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

- Mineral Springs Reserve Advisory Committee – 12/10/2015
- Minutes Audit and Risk Advisory Committee – 7/09/2015
- Minutes of International Women's Day Organising Committee – 16/9/2015
- Minutes of International Women's Day Organising Committee – 21/10/2015

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:

- Mineral Springs Reserve Advisory Committee – 12/10/2015
- Minutes Audit and Risk Advisory Committee – 7/09/2015
- Minutes of International Women's Day Organising Committee – 16/9/2015
- Minutes of International Women's Day Organising Committee – 21/10/2015

MOTION

13.1.1 That Council receives and notes minutes of the following Advisory Committees which have been distributed under separate cover:

- *Mineral Springs Reserve Advisory Committee – 12/10/2015*
- *Minutes Audit and Risk Advisory Committee – 7/09/2015*
- *Minutes of International Women's Day Organising Committee – 16/9/2015*
- *Minutes of International Women's Day Organising Committee – 21/10/2015*

Moved: Councillor Sebastian Klein
Seconded: Councillor Greg May
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

Confidential Request by Jubilee Lake Co-Operative Ltd to Extend the Outside Camping Area – Jubilee Lake Recreation Reserve- Daylesford

Confidential – H637-2015 – 46 Albert Street, Creswick – Water Play Design And Construction

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

Confidential – Tender H634 -2015 Provision of Maternal and Child Health Services

Confidential Notice of Motion – Public Notice of Intention to Re-Appoint Chief Executive Officer

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*

Confidential Request by Jubilee Lake Co-Operative Ltd to Extend the Outside Camping Area – Jubilee Lake Recreation Reserve- Daylesford

Confidential – H637-2015 – 46 Albert Street, Creswick – Water Play Design And Construction

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

Confidential – Tender H634 -2015 Provision of Maternal and Child Health Services

Confidential Notice of Motion – Public Notice of Intention to Re-Appoint Chief Executive Officer

Moved: Councillor Don Henderson
Seconded: Councillor Bill McClenaghan
Carried.

The Meeting was Closed to Members of the Public at 8:35pm

15. RE-OPENING OF MEETING TO PUBLIC

RECOMMENDATION

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

MOTION

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

Moved: Councillor McClenaghan

Seconded: Councillor Pierre Niclas

Carried.

The Meeting re-opened to Members of the Public at 9:09pm.

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

14.3.1 *Awards the Tender for Contract – H637-2015 – 46 Albert Street, Creswick – Water Play Design And Construction to Farley Pools Australia Pty Ltd for the price of \$127,900 (exclusive of GST).*

14.4.1 *Awards the Tender for Contract - H634 -2015 Provision of Maternal and Child Health Services to Hepburn Health Services for a period of two years and seven months at the annual price for 2014-15 of \$323,496 (exclusive of GST).*

16. CLOSE OF MEETING

The Meeting closed at 9:10pm.
