

Hepburn

SHIRE COUNCIL

HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL MINUTES

TUESDAY 18 OCTOBER 2016

DOUG LINDSAY RECREATION RESERVE
LULLET STREET, CRESWICK
6:00PM

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Confirmed at the Ordinary Meeting of Council
held on Tuesday 15 November 2016



Chair, Mayor Cr Sebastian Klein

MINUTES

TUESDAY 18 OCTOBER 2016

Doug Lindsay Recreation Reserve
Victoria Street, Creswick
Commencing 6:00PM

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AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
18 OCTOBER 2016

1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

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

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

2. **OPENING OF MEETING**

PRESENT: CR NEIL NEWITT, CR BILL MCCLENAGHAN, CR GREG MAY, CR DON HENDERSON, CR PIERRE NICLAS, CR SEBASTIAN KLEIN, CR KATE REDWOOD AM

IN ATTENDANCE: AARON VAN EGMOND CHIEF EXECUTIVE OFFICER, GRANT SCHUSTER GENERAL MANAGER CORPORATE SERVICES, BRUCE LUCAS GENERAL MANAGER INFRASTRUCTURE, KATHLEEN BRANNIGAN GENERAL MANAGER COMMUNITY SERVICES, ALEX DALGLEISH GOVERNANCE AND INFORMATION COORDINATOR

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

Nil

5. CONFIRMATION OF MINUTES

RECOMMENDATION

- 5.1. That the Minutes of the Ordinary Meeting of Council held on 20 September 2016 (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 September 2016 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Cr Don Henderson

Seconded: Cr Pierre Niclas

Carried

6. NOTICES OF MOTION

Nil

7. ITEMS OF URGENT BUSINESS

Nil

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Neil Newitt, Cameron Ward

Councillors, during this past month as I have attended various functions and committee meetings I have had the opportunity to reflect on the past council term, and my year as mayor.

This month saw the inaugural staging of Cluneytunes, a weekend festival of Bluegrass, folk and Authentic music - held in Clunes over the weekend of 23-25 September. The festival featured over 34 musicians including highly acclaimed international and Australian musicians such as Skip Gorman, Shane Howard and the Davidson Brothers. Over a dozen volunteers from the area, including Smeaton, Talbot, Newstead, Creswick and Glenlyon helped make the event a success. Many businesses in town benefited from the festival goers that attended the three day event.

The festival was the brainchild of Philomina Carrol and Paul Wookey - musicians who have been instrumental in the success of numerous music festivals in Victoria. They acknowledge the assistance and enthusiasm of Bree, Jenny and the team of volunteers at the warehouse in the early planning of the event.

Phil and Paul decided to move to Clunes last year - partly in response to the vibrancy of the town and the area, but also with realisation that this festival could happen in Clunes through the enthusiasm and support of the community.

Last week I attended the Lee Medlyn Home of Bottles. The meeting heard and saw designs of new display areas to be constructed. I also saw the activity around the completion of the refit of the former lunchroom. Over the past couple of years, the building and grounds have been recognised as a valuable site for a number of community initiatives, including youth and art activities.

Yesterday, I attended the MAV Rural South Central meeting with our CEO. Various councils reported on their progress or not of projects they were wishing to deliver. Aaron and I were able to share the Rex project with them, explaining how it will work, how it will fit within Daylesford's retail precinct, and importantly, how it will deliver a return to council.

And that is how I would like to end this report. When I assumed the role of mayor last year, this council was working toward the realisation of rate-capping without knowing what that figure would ultimately be. I am pleased to have been a part of a team that has constantly worked toward strong financial responsibility. I wish to thank my fellow Councillors and the organisation for delivering a range of initiatives on behalf of our communities.

COUNCILLOR REPORTS

Councillor Greg May, Creswick Ward

It has been a reasonably quiet time since my last councillor report with just a few items to mention. Although I was unable to attend, I have been reliably informed that the recent sheep dog trials held at the Dean Recreation Reserve were again a great success. Committee President Brian Maher rang me to pass on the information. He reported that a crowd of around 300 people passed through the gate during the day. Brian had managed to organise some air time on the ABC radio program 'Macca' to advertise the event and as a result there were people in attendance from far and wide, even some overseas visitors.

I would also like to report that the Shire's White Ribbon Committee met again recently. The committee is fortunate to have very enthusiastic members who are all contributing to the committee's objectives. Plans are well under way for a White Ribbon Breakfast to be held at the RACV Goldfields Resort on November 24th and I'd like to thank Kathleen Brannigan and Tamara Patterson for their work on this. It's also very pleasing that we have at least 10 men out there in the community who are willing to become White Ribbon Ambassadors. It is planned to induct these men at the White Ribbon breakfast and once they have undertaken some training they will go back to their community organisations and sporting clubs and spread the word on the elimination of domestic violence.

On the 13th of October I attended the Municipal Emergency Management Planning Committee meeting held in Daylesford. A wide range of issues were discussed at the meeting and in particular the problems caused by the recent rain events. 39 rural councils have now applied for National Disaster relief funding to assist them with infrastructure repairs. Concerns were also raised about potential health risks posed by mosquito breeding in the remnant surface water.

Excessive spring rainfall will no doubt result in abundant grass growth which will in turn create a greater fire risk this summer.

In view of this, Shire community safety officer David George has produced a 'Fire Prevention' flyer to be sent to all shire residents detailing their responsibilities around having their properties fire ready.

As we all know this is the last meeting of this current council term and therefore the last meeting for Cr Niclas who isn't seeking re-election. I would like to thank him for his contribution to the Hepburn Shire over the last 4 years and also thank him for his good company and good humour and wish him and his family well for the future.

Councillor Bill McClenaghan, Holcombe Ward

Following the last Council meeting, I attended the AGM and bi-monthly meeting of the Glenlyon Recreation Reserve Special Committee. It is pleasing to report that Bob Kennedy was re-elected as Chair in absentia. Bob is now out of hospital, on the mend and here tonight. Best wishes are extended for a full recovery. The Special Committee faces two immediate challenges; firstly the lack of secretarial support and secondly the need for repairs to flood damage in the reserve as soon as possible but certainly before the annual New Year's Day Sports.

Also, regarding the Glenlyon Recreation Reserve, there is a toilet upgrade planned for the pavilion toilets as well as the public toilet block some distance away. Because of the close proximity to the Loddon River, a standard septic tank system is not possible here. Hence, a large collecting tank is to be installed and all effluent collected there is to be pumped uphill to the back of the reserve, across the racetrack and onto an area used as a cross country course by horse riding groups. This presents a problem should horses trample on the septic field so members of the Special Committee and some of the user groups met on site with one of our engineers to discuss the location of the effluent field and the pipework from the main holding tank. Also, flood damage was pointed out and required maintenance was itemized during this on-site meeting.

On Friday 7th October, I attended the opening of the electric vehicle charging bay outside the Daylesford Town Hall. It will take three hours to fully re-charge an electric vehicle and two can be charged at any one time. No cost for charging will be levied for the first three years.

Last month, I reported my attendance at the Daylesford Historical Society AGM and the Jack Stormer Green art exhibition. The Central Highlands Historical Society Inc. has produced an excellent "Central Highlands Historical Journal, Volume 5". Today, I am happy to present Council with a copy.

All Councils are aware of State Government cost shifting onto Local Government and in the past week, several local people have referred the latest rendition of this cost shifting to me. This time, it relates to the *Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016*. This is "A Bill for an Act to amend the *Domestic Animals Act 1994* to regulate the number of fertile female dogs to be kept by breeding domestic animal businesses, to further regulate the breeding of dogs and cats and the sale of dogs and cats in pet shops, to provide for registration of foster carers and for single use permits to sell certain animals, to further provide for the administration and enforcement of that Act and legal proceedings and to provide for other minor and related matters and for other purposes."

This situation has arisen because of many well publicized abuses of animal breeding, mainly the many puppy farm scenarios. However, there will be great impacts on small scale and family based breeders and those who just breed dogs and cats for a

hobby. There are fairly stringent requirements for registration and micro-chipping prior to any sale of dogs. Local Government will be impacted here as Councils will have to shoulder the administrative burden of any new legislation that amends the **Domestic Animal Act 1994** being the principle Act. In order to comply, all Councils will have to incur greater costs and responsibilities. The Bill is at the second reading stage in Parliament.

Lastly, I am happy to report the practical completion of the new rotunda at the Clydesdale Hall. This new structure sits in the Hall grounds beside the flagpole and the war memorial and has internal lighting that is wired up through underground power from the Hall. Congratulations to the Clydesdale Hall Committee of Management for their resilient patience in planning and developing this Council funded project over several years. The image below ends this Council Term's final report on a happy note.



Councillor Kate Redwood AM, Birch Ward

There has been more going on in the last month than one might imagine given the impending elections.

1. IWD. The final meeting of this advisory committee occurred just before the caretaker period. It is very pleasing to report that the Governor of Victoria, Linda Dessau AM, has accepted the invitation to be the keynote speaker for the 2017 Hepburn Shire International Women's Day event. We are advertising at present for nominations for the Heather Mutimer Honour Roll for Women.

2. Friends of Cornish Hill. The AGM of this vibrant organisation was held on 25 September and was well attended. I officiated for the elections to the committee. Apart from the extraordinary success in revegetating Cornish Hill, the Friends of Cornish Hill have engaged with the primary schools in the district in tree planting, science programs, in particular water quality testing, history with the help of the Daylesford and District Historical Society, and study of native wild life such as frogs and bats. The leadership of Margie Thomas is to be commended.

3. Launch of Diverse Seniors Week. This was a wonderful event, full of energy and happiness. Held at Vic Park, and with lots of residents having fun. Who could resist the 3 ukulele players with the gay remake of 1960s songs. The State Commissioner for GLBTI was present. Our staff who organised the event are to be congratulated.

4. White Ribbon Day Committee. The Committee met to continue planning for the White Ribbon Day celebrations in November - the first for this Shire, and to map out a program for the coming year. I will leave Cr May to talk about this as he chairs the Committee.

5. Daylesford Macedon Ranges Regional Tourism Board. The Workshop organised by DMRRTB, held to discuss the proposal to develop an annual event - opera on the lake - was held at the Lakehouse and attended by around 30 participants to discuss the proposal and identify the pros and cons for the purpose of supporting a funding submission.

6. Electric Vehicle Charging Station. Hepburn Wind, in partnership with Council and the electricity renewables maintenance firm, Powershop, installed and launched an electric vehicle charging station outside the Town Hall. While the number of electric vehicles is now low, put in the charging station and they will come. Perhaps in 5 years we will have driverless electric shuttle buses transporting residents and visitors to and from key destinations. Ah, I can dream.

I take this opportunity to thank my Councillor colleagues for what we have achieved together as a Council over the last four years, I thank the Council officers for their support and hard work, the Council's volunteers for the services that they support and that would not happen without them, and the wider community, whose interest and engagement with Council delivers benefits to all.

Councillor Don Henderson, Creswick Ward

Recently I was invited to the RACV Goldfields Resort to be part of the opening of over 6 kilometres of mountain bike track. The resort has stated that the public can use this track which has been professionally constructed. Their desire to be part of the community in the Hepburn shire is very welcome with them already supporting the Creswick Neighbourhood House, Garden Lovers Weekend and also things at schools. With their huge capacity to promote the area they are a very welcome addition to our community. On the day many cyclists from near and far came to try out the newly constructed tracks. There were also discussions about working in partnership with adjoining shires to create a whole long distance experience.

I must take time to put on record the many positive comments that have arisen from customer requests regarding road and infrastructure damage. Staff have responded to some very difficult situations and by and large people have been very understanding. I convey my thanks on behalf of the community to all involved in this effort.

I also attended the AGM of Creswick Museum Special Committee and it was pleasing to hear the future plans that they have and their ongoing commitment to progress at the museum.

Lastly I wish to acknowledge the work of the whole team and I mean by this all of the operational staff as well as management and councillors for the progress made. Sometimes it has not been easy but still it has taken a team effort to achieve all of the things that we have.

Councillor Pierre Niclas, Birch Ward

I want to talk about the highlights of the last 4 years from being on Council, it is hard to identify just one. There have been plenty of highlights, highlights are different, they are not just the establishment of important things like Vic Park or the Splash Park and other developments that are underway, it is also about what Council does.

On that note, I would like to echo what some of the other Councillors have said, in regards to the way that this Council has worked together, it started out setting some very difficult objectives and tasks, and it has delivered on just about all of them. From a self imposed rate cap just over 4 years ago, to be able to provide a program now that is much more fully funded, it is financially stable, and we have a key infrastructure addition like the Daylesford Hub coming that will provide positive income. There is also the 10 year plan which has been stuck to, and I hope the next Council looks at the plan and builds on top of it.

For me personally my highlights were:

- The Australia Day Citizenship Ceremonies, I found them to be fantastic, a time you could enjoy being Australian, and enjoy living in your town celebrating those important people around you.
- ANZAC Day ceremonies were exactly the same, I loved those.
- Installing the Aboriginal Flags, and acknowledging them in our Shire, was a very important step, maybe not for some, but for me it was a very important step to acknowledging our first Australians or our first Nation.
- I would like to commend Cr May on the White Ribbon Committee, the White Ribbon Committee is something that can be really nice and comfortable that you can sit on a committee, but its actual purpose has much further reaching effects, and I commend Cr May for pushing, and getting everybody to help him with establishing the Committee. I look forward to seeing what other good things come from the Committee.
- The rezoning of the main street at Hepburn, the main street at Hepburn has been suffering and going backwards from lack of attention, and thanks to the Officers we are looking to change that, and there is the potential for it to begin moving back in the right direction again and start to grow and assist the development of the community there become more of a community. I am really pleased about that.

The only thing that I can see, that has not been able to be delivered is the various issues relating to Trentham, it would have been nice to have been able to deliver a major infrastructure project in Trentham, we have done that in most of the towns, it would have been nice to have been able to push through the gridlock, and deliver something that I believe most people wanted. At the end of the day we are going to have a Hub there, so that is a positive.

What I would like to urge the current and future Councillors is to take on a slightly affirmative action style plan for Trentham, as it is the only place where we have not spent a large amount of money on, we are going to now with the construction of the Hub, but there are always other things that can be done, and I think it will add value to the overall community.

I would like now to reflect on those things that were important to me:

- My wife and children, they have had to put up with me being a Councillor, the time away from them, and all the other aspects of being a Councillor. I have really enjoyed my time as a Councillor, but it has been difficult for my family, so I thank them publicly, my wife particularly.
- I would like to thank the volunteers for the things that they do around the town, as without them most Council's would collapse, and would not be able to deliver many of the benefits to the older people and the younger people in our community.

- I would like to thank my fellow Councillors, I think we have worked really well as a team, we had our moments, but as Cr Henderson stated all organisation's have those moments, and in the end we delivered on our vision statement "A cutting edge Council, making excellent decisions for the future". When you have a look at some of the key decisions, they have been future decisions that will make a very positive impact on this community.
- I would like to single out Cr Redwood, who I leant on a lot, she is a very smart and capable person, I am sure she will get back in, and I would like to thank her for her time and effort with me.
- I would like to thank the CEO, Aaron, great job. Aaron has been very positive for this council, and I think he, and we have grown as a group. I hope he enjoys his job and stays on for the future.
- I would like to thank the Council staff, from General Managers to those members of staff who do parks and gardens, some of the things that we have seen accomplished have been fantastic, and they have really picked up the pace.

To close, I thought I would borrow a line from Martin Luther King, and I think it sums my night up, it is: "Free at last, free at last, thank God almighty..(I am)... free at last", all the best to all of you.

Councillor Sebastian Klein, Coliban Ward

It's been a surprisingly busy caretaker month...

And a delicious and democratic one - with one of my favourite events - the Lyonville Cake Bake Off where I had the honour (and the effects of an intense sugar rush) of being a judge.

I attended the regular Meeting with Local Government Minister Hutchins on behalf of the Victorian Local Governance Association.

In Castlemaine I attended a forum known as Democracy for Dinner - where interested community members debated how to fix some of the deficiencies of our democratic systems - chiefly ideas around reducing our sphere of government by one and replacing state and local governments by regional governments, as well as how to ensure indigenous voice I our polity.

Following the VLGA AGM I had the experience of hosting the formidable intellect and political nouse of Fiona Patten MLC of the Sex Party for a presentation and Q and A. She shared many experiences of creating change as a minority in the State Government.

I also attended a meeting at the Bullarto PS who are creasing their presence in the community, offering their facilities for wider community use and launching a new

enrolment campaign - noting their credentials as a bush school with serious clout in terms of maths, science and english as well as a range of other strengths in terms of horticulture, livestock management and environmental science.

I also attended a meeting of the Trentham Forum.

And finally, I was sorry 150th anniversary of the Trentham Police Station and the launch of the first electric vehicle charging station in Hepburn Shire. I look forward to a few more and will advocate for a network of vehicles and charging stations that might one day form a car sharing scheme to get around the shire and beyond.

It's been great to work with Councillors who have been working for the whole shire - we made an initial commitment to working together and listening to each other when there were issues in our various wards - I would like to thank those who have stayed true to that - it has been a pleasure working with you.

And finally, to the Council staff who, in the past four years on council have worked incredibly hard to improve the financial standing of our council and seen some improvements in the performance reporting ratings on a number of measures.

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: Cr Kate Redwood

Seconded: Cr Don Henderson

Carried

MOTION

8.2. *That Council allows the CEO to be heard.*

Moved: Cr Don Henderson

Seconded: Cr Sebastian Klein

Carried

The Chief Executive Officer thanked the councillors on behalf of the organisation for their services during the council term.

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

Mr McIntosh was not present at the meeting and therefore his questions will be responded to in writing.

No other questions were submitted.

9.3. REQUESTS TO ADDRESS COUNCIL

Nil

10. STATUTORY PLANNING REPORTS

Nil

11. OFFICERS' REPORTS

11.1. ANNUAL REPORT 2015/16

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 receive and note the Annual Report 2015/16 for the year ended 30 June 2016.

BACKGROUND

Under section 34 of the Local Government Act 1989 (the Act), Council is required to receive the Annual Report at a meeting of Council as soon as practicable after the Council has sent the Annual Report to the Minister for Local Government. The 2015/16 Annual Report was sent to the Minister on 29 September 2016, as required under the Act.

ISSUE/DISCUSSION

The 2015/16 Annual Report contains the following information as required by the Local Government (Planning and Reporting) Regulations 2014 (the Regulations):

- A report of operations for the financial year;
- Audited financial statements; and
- Audited performance statement.

The audited performance statement and financial statements were adopted in principle by Council at its Ordinary Meeting held on Tuesday 20 September 2016.

Key elements of the Annual Report are as follows:

- Review of performance against the Council Plan;
- Major changes that have taken place during the year;
- Other major operations, achievements and future directions;
- Legislative, economic or other factors which have had an impact on the Council's performance;
- Major policy initiatives undertaken by the Council;
- Major budget initiatives undertaken or completed;
- List of names of all Councillors and their background;

- Names of senior staff (executive) with brief description of their area of responsibility;
- Organisation Chart;
- Audited Financial and Performance Statements;
- Contact details for Council offices;
- Places where prescribed information can be inspected and copied;
- Victorian Local Government Performance Reporting Indicators;
- Number, classification and types of jobs of members of Council staff; and
- Statement in relation to equal opportunity program.

The 2015/16 Annual Report is available for viewing at Council's offices, Hubs, Libraries and on Council's website.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The requirements to prepare an Annual Report are contained in Section 131 of the Act and Part 4 of the Regulations.

FINANCIAL IMPLICATIONS

Funds for preparing and publishing the annual report are included in the recurrent budget each year.

RISK IMPLICATIONS

Council has managed the compliance risks by submitting the Annual Report within the required timeframes, giving public notice and considering the report at this meeting.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Publishing the Annual Report allows the public to evaluate how Council is progressing towards the objectives identified in its 2013 – 2017 Council Plan and the financial results of Council for the year ended 30 June 2016.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As required by the Act, a public notice was placed in The Advocate to advise that the Annual Report has been prepared and that Council will consider it at the Ordinary Meeting of Council on 18 October 2016.

CONCLUSION

The Annual Report 2015/16 presents the operational and financial performance of Council for the previous year, including the many highlights and achievements.

OFFICERS RECOMMENDATION

11.1.1 That Council receives and notes the Hepburn Shire Council Annual Report 2015/16, including Report of Operations, Audited Financial Statements and Audited Performance Statement.

MOTION

11.1.1. *That Council receives and notes the Hepburn Shire Council Annual Report 2015/16, including Report of Operations, Audited Financial Statements and Audited Performance Statement.*

Moved: Cr Don Henderson

Seconded: Cr Pierre Niclas

Carried

ATTACHMENT 1 - ANNUAL REPORT 2015/16
(ISSUED UNDER SEPARATE COVER)

11.2. REQUEST FOR APPROVAL TO OPERATE HIGHER MASS LIMIT VEHICLES ON LOCAL COUNCIL ROADS
GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Property & Assets Coordinator, I Mahmud Kaiser have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider new and renewal requests to use Higher Mass Limit (HML) vehicles on local roads.

BACKGROUND

The following requests for new and renewal of existing permits have been received from the National Heavy Vehicle Regulator (NHVR).

Ref	Permit Type	Organisation	Vehicles	Roads	Load Type	Time Frame as per Application	No of Trips (approx)
a) 84219	New	Raccosta Haulage	Semi-trailer combination	East Street, Daylesford (Between Knox Street and 6 East Street)	Concrete sand, pebbles and stone	21/10/2016-20/10/2019	10 Per Year
b) 85770	Renew	R & M Diesel	Tow truck	All Council roads	Towing of broken down and disabled heavy vehicles	06/11/2016-05/11/2017	When needed to respond in emergency situations (average 2 per year)

The request from Pristine Logistics Pty Ltd which was a deferred item from the September 2016 Ordinary Council Meeting, was withdrawn by the applicant.

ISSUE/DISCUSSION

Council officers have assessed the applications considering the following:

- Community safety
- Local amenity
- Physical limitations of the network
- Economic benefits
- Alternative access

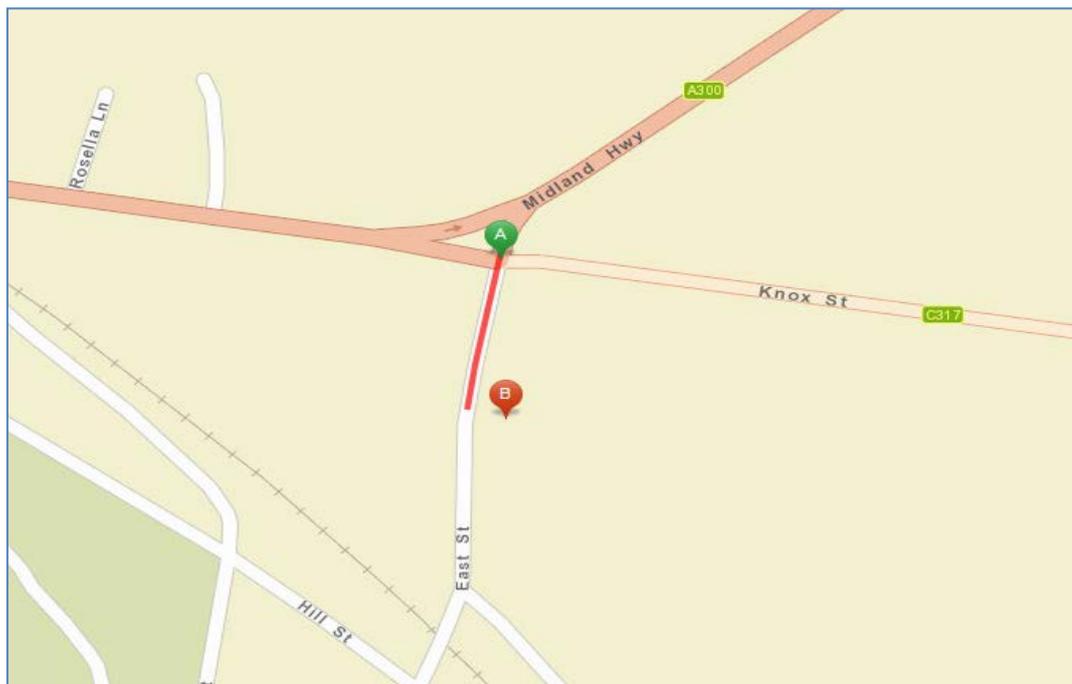
- Cost implications to Council.

The results of the assessments are provided below along with any recommended conditions to be applied to any consent granted by Council.

CONSENT REQUESTS

a) Raccosta Haulage (Road Manager Request Number 84219):

Raccosta Haulage requests that Council consents to the grant of a permit for the following route which is shown in the following map:



Map 1

The requested road has been assessed as being suitable for using Heavy Vehicles subject to the Standard Conditions.

b) R & M Diesel (Road Manager Request Number 85770):

R & M Diesel requests that Council consents to the renewal of the permit (Permit Number 12922 v2), for all Council roads for the purpose of towing broken down and disabled heavy vehicles. Historically, R & M Diesel has rarely towed within Hepburn Shire and as the majority of heavy vehicle haulage is undertaken on Vic Roads or collector/link roads within the shire, there will be minimal to no impact on Council road assets or amenity. Complying with the Load Limit Signs of Roads and Bridges will be a specific condition of any recommended consent.

STANDARD CONDITIONS

It is the responsibility of the above 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 in residential areas
- 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 of permits to operate HML vehicles on local roads. Following a review of the requests, conditional consent is recommended for the operators as detailed.

OFFICERS RECOMMENDATION

That Council:

11.2.1. Approves Raccosta Haulage to use semi-trailer combination vehicles for the period of 36 months commencing 21st of October 2016 and expiring 20th of October 2019 on East Street, Daylesford (Between Knox Street and 6 East Street), subject to following conditions:

It is the responsibility of all the above 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 in residential areas.
- Hours of Operation shall be 7:00am to 6:00pm.

11.2.2. Approves R & M Diesel to use tow trucks for the period of 12 months commencing 6th of November 2016 and expiring 5th of November 2017 on Council roads for the purpose of towing broken down and disabled heavy vehicles, subject to following conditions:

It is the responsibility of all the above permit holder to pay attention to:

- Obey the Load Limit Signs of roads and bridges in the shire and avoid those roads and bridges where the total mass of the vehicle exceeds the Load Limit.
- 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 in residential areas.

Hours of Operation shall be 7:00am to 6:00pm.

MOTION

That Council:

- 11.2.1. Approves Raccosta Haulage to use semi-trailer combination vehicles for the period of 36 months commencing 21st of October 2016 and expiring 20th of October 2019 on East Street, Daylesford (Between Knox Street and 6 East Street), subject to following conditions:

It is the responsibility of all the above 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 in residential areas.
- Hours of Operation shall be 7:00am to 6:00pm.

- 11.2.2. Approves R & M Diesel to use tow trucks for the period of 12 months commencing 6th of November 2016 and expiring 5th of November 2017 on Council roads for the purpose of towing broken down and disabled heavy vehicles, subject to following conditions:

It is the responsibility of all the above permit holder to pay attention to:

- Obey the Load Limit Signs of roads and bridges in the shire and avoid those roads and bridges where the total mass of the vehicle exceeds the Load Limit.
- 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 in residential areas.
- Hours of Operation shall be 7:00am to 6:00pm.

Moved: Cr Bill McClenaghan

Seconded: Cr Greg May

Carried

11.3. **RECORD OF ASSEMBLIES OF COUNCILLORS**
GENERAL MANAGER CORPORATE SERVICE

In providing this advice to Council as the Governance and Information Coordinator, I Alex Dalgleish 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	Description
20-09-2016	The Warehouse Clunes	Councillor/CEO Meeting
20-09-2016	The Warehouse Clunes	Pre Council Meeting
21-09-2016	Council Chambers	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.

RECOMMENDATION

That Council:

11.3.1. Receives and notes the Records of Assemblies of Councillors for 20-09-2016 and 21-09-2016

MOTION

That Council

11.3.1. *Receives and notes the Records of Assemblies of Councillors for 20-09-2016 and 21-09-2016*

Moved: Cr Sebastian Klein

Seconded: Cr Bill McClenaghan

Carried

ATTACHMENT 2 - 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: Pre-Council Meeting Councillor Briefing
Date: Tuesday 20 September 2016
Time: 3:45pm – 4:45pm

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

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 type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Corporate Services Grant Schuster | Trafford Thompson Manager Finance & IT |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input checked="" type="checkbox"/> Acting CEO Bruce Lucas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Cr Bill McClenaghan	4:38pm - 4:41pm

Matters Considered: Ordinary Council Meeting Agenda 20-09-2016

Agenda Attached

Name and title of Officer responsible for this written record:

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

Signature: 

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

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor BILL MCCLEENAGHAN hereby disclose
a conflict of interest in the following matter AGENDA ITEM 11.6 THAT
MAY REFER TO CARTING WATER (NOT MILK)
VIA WHEELERS HILL ROAD MUSK

This matter is being considered at a meeting of

- Council Meeting (ITEM TO BE DEFERRED)
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on TUE 20 SEP 16

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

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

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

The nature of the interest is as follows:

I COULD HAVE AN INDIRECT CONFLICT OF
INTEREST IF THE MATTER INVOLVES CARRYING
WATER (NOT MILK) IN A MILK TANKER. THIS
IMPACTS A PLANNING PERMIT OBJECTED TO BY CHTR
ON WHICH I AM A DIRECTOR

Print Name: BILL MCCLEENAGHAN

Signed: [Signature]

Date: 20 SEP 16

COUNCILLOR & CEO MEETING

Tuesday 20 September 2016

The Warehouse - Clunes

2:00PM

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

CHAIR: Councillor Neil Newitt

APOLOGIES:

No.	Time	Agenda Item	Presenter
1.	2:00PM	Update / Status report on the current flooding incident and overview of damage	Bruce Lucas
2.		Public toilet cleaning	Cr Kate Redwood AM
3.		Council's arrangements with Momentum One for operating waste services etc	Cr Bill McClenaghan
4.		Progress on Council's resolution to advertise Trentham Hub plans and to immediately hand back the Mechanics Hall site to DELWP.	Cr Bill McClenaghan
5.		Annual Report. Location of the cash we need to pay for The Rex.	Cr Bill McClenaghan

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: September ~~Special Meeting~~ COUNCILLOR/CEO MEETING.

Date: 20 SEPTEMBER 2016

Time:

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) THE WAREHOUSE, CLUNES.

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 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 (<u>ACTING CEO</u>) | |

Conflict of Interest Disclosures:

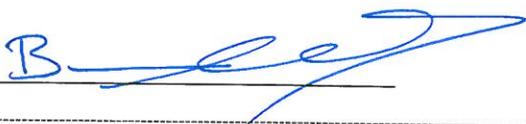
Councillor Name	Time Left and Returned
<u>Cr KLEIN</u>	<u>2.30pm - 2.40pm.</u>

Matters Considered: PROGRESS OF TRENTHAM HUB AGENDA ITEM 4.

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.

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Sebastian Klein hereby disclose
a conflict of interest in the following matter CR/CEO discussion of
The Truckan Club.

This matter is being considered at a meeting of

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

on 20-Sept-2016

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

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

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

The nature of the interest is as follows: I live next door.

Print Name: SEBASTIAN KLEIN

Signed: [Signature]

Date: 20 Sept 2016

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: 21/09/2016

Time: 4:00pm – 5:00pm

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 | Alex Dalglish |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | Vivienne Green |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | Michelle Dove |

Conflict of Interest Disclosures:

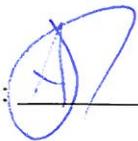
Councillor Name	Time Left and Returned
Nil	

Matters Considered: Invitees for the event
Honour Roll creation
Advertising for new members

Agenda Attached

Name and title of Officer responsible for this written record:

- | | |
|---|--|
| <input type="checkbox"/> CEO Aaron van Egmond | |
| <input type="checkbox"/> GM Corporate Services Grant Schuster | |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |
| <input type="checkbox"/> GM Infrastructure Bruce Lucas | |
| <input checked="" type="checkbox"/> Other, please specify: | Alex Dalglish – Governance and Information Coordinator |

Signature:  _____

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

12. COUNCIL SPECIAL COMMITTEES (SECTION 86)

12.1. MINUTES OF SPECIAL COMMITTEES (SECTION 86)

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Governance and Information Coordinator, I Alex Dalglish, have no interests to disclose in this report.

PURPOSE

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

BACKGROUND

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

ISSUE/DISCUSSION

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

- Dean Recreation Reserve Special Committee – 11-08-2016
- Dean Recreation Reserve Special Committee AGM – 11-08-2016
- Lyonville Hall Special Committee – 12-09-2016
- Lee Medlyn Special Committee – 21-09-2016

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.

RECOMMENDATION

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

- Dean Recreation Reserve Special Committee – 11-08-2016
- Dean Recreation Reserve Special Committee AGM – 11-08-2016
- Lyonville Hall Special Committee – 12-09-2016
- Lee Medlyn Special Committee – 21-09-2016

MOTION

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

- *Dean Recreation Reserve Special Committee – 11-08-2016*
- *Dean Recreation Reserve Special Committee AGM – 11-08-2016*
- *Lyonville Hall Special Committee – 12-09-2016*
- *Lee Medlyn Special Committee – 21-09-2016*

Moved: Cr Pierre Niclas

Seconded: Cr Sebastian Klein

Carried

13. COUNCIL ADVISORY COMMITTEES

13.1. MINUTES OF ADVISORY COMMITTEES GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Governance and Information Coordinator, I Alex Dagleish, have no interests to disclose in this report.

PURPOSE

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

BACKGROUND

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

ISSUE/DISCUSSION

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

- Audit and Risk Advisory Committee – 13-09-2016

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.

RECOMMENDATION

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

Audit and Risk Advisory Committee – 13-09-2016

MOTION

That Council:

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

- *Audit and Risk Advisory Committee – 13-09-2016*

13.1.2. *writes to the independent members of the Audit and Risk Advisory Committee thanking them for their efforts.*

Moved: Cr Don Henderson

Seconded: Cr Kate Redwood

Carried

14. CONFIDENTIAL ITEMS

Nil

15. CLOSE OF MEETING

Meeting closed at 6:48pm
