

# Hepburn

SHIRE COUNCIL

## HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL MINUTES

TUESDAY 18 APRIL 2017

DAYLESFORD SENIOR CITIZENS ROOM  
76 VINCENT STREET, DAYLESFORD  
6:00PM

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Confirmed at the Ordinary Meeting of Council  
held on Tuesday 16 May 2017



Chair, Mayor Cr Sebastian Klein

# MINUTES

TUESDAY 18 APRIL 2017

Senior Citizens Rooms  
Vincent Street, Daylesford  
Commencing 6:00PM

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**AARON VAN EGMOND**  
CHIEF EXECUTIVE OFFICER  
18 APRIL 2017

1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

We would like to acknowledge we are meeting on Jaara people country, of which members and elders of the DjaDja 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.

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2. **OPENING OF MEETING**

**PRESENT:** MAYOR SEBASTIAN KLEIN, CR JOHN COTTRELL,  
CR DON HENDERSON, CR GREG MAY, CR NEIL NEWITT,  
CR KATE REDWOOD AM, CR FIONA ROBSON

**IN ATTENDANCE:** AARON VAN EGMOND CHIEF EXECUTIVE OFFICER,  
BRUCE LUCAS GENERAL MANAGER INFRASTRUCTURE, GRANT SCHUSTER  
GENERAL MANAGER CORPORATE SERVICES, JUSTIN FIDDES MANAGER  
PLANNING, TRAFFORD THOMPSON MANAGER FINANCE & INFORMATION  
TECHNOLOGY

**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”

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3. APOLOGIES

Kathleen Brannigan General Manager Community Services

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4. DECLARATIONS OF CONFLICTS OF INTEREST

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5. CONFIRMATION OF MINUTES

RECOMMENDATION

- 5.1. That the Minutes of the Ordinary Meeting of Council held on 21 March 2017 (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 21 March 2017(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 John Cottrell

**Carried**

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6. NOTICES OF MOTION

Nil

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7. ITEMS OF URGENT BUSINESS

Nil

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## 8. PRESENTATION OF COUNCILLOR REPORTS

### MAYOR'S REPORT

#### Councillor Sebastian Klein, Coliban Ward

The past month has seen Council focussed on planning for the outlook for the coming four years. This period is critical in achieving a picture of the direction that we want Council to take over the coming 4 years. Late last month we held a Conference of Ideas to inform the Council plan. We heard from the top eight ideas from the Oursay process. We made it clear that these priorities will be offset against the range of consultation methods as we put together the plan itself. But it was great to hear from these active and engaged community agents about these projects which have captured the aspirations and imaginations of those who voted. This has in turn informed the efforts of Council staff in putting together the draft Council Plan before us tonight. If anyone is in doubt as to the value of putting these priorities in the Council Plan, then the announcement of \$2.5m of funding for the Creswick Mountain Bike Mecca Project surely puts the value in no uncertain terms. JaalaPulford and a range of Regional Development Victoria officers were on hand to make the announcement, joining a range of community members from those involved in the local business community, to the hard core of mountain bikers who have been driving the project ahead for 7 years. Thanks to their efforts we have been able to secure 120km of world class mountain bike trails which add to the range of offerings throughout the region and linked by the Goldfields Trail. The value of the planning process was further underlined a week later when myself and the CEO met with the CEO and regional directors of the Regional Development Victoria to present our next wave of priorities. Among them were the Daylesford Hub, the Woodend to Daylesford Rail-trail, the restoration of the Daylesford Town Hall and the lowering of the road beneath the East Street rail bridge. Meeting with the Victorian Planning Authority, where the broader picture of planning for the future took into account matters of land-use planning. While the immediate conversation is always about asset maintenance and big projects, we as a community and Council often leave planning conversations until the time that they become absolutely critical. This is of course often, for those most concerned, is too late. By starting these conversations now with the VPA the hope is that we can take a longer term view of the conversation – with a view to planning from a peak population, perhaps in 2060 or 2080 and plan backwards. To ensure that growth in population and built form is in a way that preserves the things we love most about the area: our farmland and associated economy, our fresh air, forest and open spaces; while ensuring that crucial growth and economic development occurs. Planning for the coming Council term was also at the heart of conversations with the Grampians Central West Waste Resource Recovery Group (the Resource Recovery Group) planning session where we looked at the coming year's business plans as derived from the existing Strategic Plan of the organisation. The main focus of the group looks specifically at things like reducing waste to landfill, increasing resource recovery making the most of existing

infrastructure as well as optimising investment in new infrastructure like the biodigester project we have been developing for the past few years. I attended a range of other events like the launch of solar panels at the Trentham Golf Club funded through our Sustainability fund, the Trentham Easter Arts and Craft Fair and a meeting with the Daylesford Christmas Cheer Committee.

## COUNCILLOR REPORTS

### **Councillor Neil Newitt, Cameron Ward**

No verbal report presented

### **Councillor Kate Redwood AM, Birch Ward**

Homelessness has been the major issue for the month. On 24 March Cr Robson and I organised and ran a public forum on homelessness and secure housing. Speakers included Mary-Anne Thomas MP, the CAFS Housing Officer, Rae Hough, the Community Health Service Welfare Officer Annabelle Geddes, and our own Kathleen Brannigan, General Manager Community Services. We learnt that there are 30 – 40 homeless people in need of housing assistance in Daylesford in any one year with 62 needing crisis support in the last 12 months because they had nowhere to sleep that night. There are 10-15 people who live in the forest at any one time and who are assisted by Parks Victoria and CAFS. Public Housing stock is quite low with waiting lists up to ten years. Stock is:

11 dwellings in Clunes

36 units in Creswick

27 3 BR dwellings in Creswick

40 dwellings in Daylesford with 22 for older people

The market rates for rentals on average per week are Daylesford, \$330, Trentham \$400 and Creswick and Clunes \$250. This makes private rental out of reach for low income people. Annabelle said that 80% of the homeless people who she sees have mental health problems. Women fleeing family violence are also highly represented with 27 cases since January. Substance abuse is also an issue for many. A key issue is the lack of emergency relief funds in Daylesford. There used to be \$50,000 p.a. for the Shire but this has been centralised by the Federal Government to Ballarat. This makes financial assistance inaccessible for people with no transport and no money. By coincidence, the Homelessness Forum occurred 4 days after eviction notices had been served on the 7 permanent tenants in the Vic Park Caravan Park. It appears that the proprietor is within his legal rights to do this. However the moral and ethical court of public opinion will be outraged at the eviction of these tenants – particularly the 2 elderly couples, with one in their 90s having lived in the caravan park for 30 years. These people are desperate to stay in the caravan park, and as the figures I quoted earlier show, will have little chance of staying in the community that they love



following eviction. It seems that they will also have to remove their fixed dwellings at a cost that could exceed \$10,000 once the crane and truck has been paid for, and to go where? This month I chaired meetings of the IWD advisory Committee, the Mineral Springs advisory committee and attended the Daylesford Macedon Tourist Board and will speak of the work of these bodies on another occasion.

#### **Councillor Don Henderson, Creswick Ward**

Good news this month from Creswick with Creswick Hospital receiving \$2.83 m for upgrades with over \$300k for new technology. I attended to hear Mary-Anne Thomas make the announcement.

After 7 years the Creswick mountain bike trails have been funded. This was a project brought forward by local GP Dr Michael Veal and forest scientist Dr Antanas Spokevis. Their vision was to see mountain bike trails throughout the Creswick forest and given that Creswick has no spa and indulgence and no Booktown it will be a great boost for the region.

Tomorrow will see an event put on to mark the 140th year of the handing over of the key of the Creswick Town Hall to Thomas Cooper Who was the Mayor of Creswick. At that event it was mentioned that a function would be held elsewhere because there was no furniture. I am pleased to say that on this occasion there will be tables and chairs as we got the chairs during the floods of 2011 and I picked up the tables last Friday thanks to Mr van Egmond and Mr Shuster with some help from Michelle Dove. So great progress after 140 years.

Lastly I wish to tell a good story about roads. Our council graded a road near where I live and did it in such a way that it has survived 6 major rain events. Although getting a bit tired now, this road usually required major attention after each attempt. So a job well done . Less length of road done properly is a great investment.

#### **Councillor Greg May, Creswick Ward**

The most significant thing to report on in the last month is no doubt the announcement by State Government Regional Development Minister Jaala Pulford of 2.56 million dollars for a mountain bike trail in Creswick. The project will bring thousands of visitors to Creswick and be a significant boost to the local economy in future years. Well done to the State Government for having the foresight to fund this project and well done to council staff for what was obviously an impressive application.

Also during recent weeks, along with Councillor Henderson, I have had discussions with board members of the Creswick Community Bank. These discussions were around possible community projects which might involve both the Bank and the Council.

The first Sunday in April again saw the running of the annual Anderson's Mill Festival in Smeaton. Although only a small event it is still a significant one for local people, local businesses and for a number of community groups who attend every year. The event gives visitors an insight into rural life in bygone days.

The historic Mill itself and guided tours of the building provide a unique insight into rural life back in the 1800s. Sheep shearing, wood chopping and sheep dog handling give visitors a glimpse of rural life in more recent times, perhaps a little mundane to people with a rural background, but fascinating to our city cousins.

April has also seen the start of the local football competition and I'm pleased to report that, after some initial concerns, Newlyn were able to play their first game on their home ground. The newly installed irrigation system is now operational and the playing surface has been prepared to a satisfactory level. Since the completion mother nature has provided some of her own irrigation with around 80mm of rain being received . This, in combination with recent mild Autumn weather, should create ideal conditions for turf re-establishment.

**Councillor Fiona Robson, Birch Ward**

Verbal report presented - no written report provided for minutes.

**Councillor John Cottrell, Holcombe Ward**

Verbal report presented - no written report provided for minutes.

**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 AM

**Seconded:** Cr Fiona Robson

**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. PETITION- OBJECTING TO PLANNING APPLICATION 1519-33 COLLINS ROAD GLENLYON

#### SUMMARY

Council has received a Petition with 88 signatures from community members which states:

*We the undersigned implore Hepburn Shire Councillors not to approve the proposed PA1519 "change of use" & expansion at 33 Collins Rd Glenlyon from a house with a home occupancy (b&b type) permit for one 50 sq m room only, to a fully commercial 1300 sq m hotel style development (to be run by two managers, owners living elsewhere) Operating hours 8:00 am to 8:00pm 7 days per week in a quiet residential street.*

Council considered this planning application at the ordinary meeting of Council held on 21 March 2017 and resolved:

*That Council having caused notice of planning application PA 1519 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 32.05-, 42.01-2 and Clause 63 of the Hepburn Planning Scheme in respect of the land known and described as 33 Collins Road, Glenlyon for a change of use of the land to include accommodation (four free standing villas) expansion of the existing spa and health retreat, use of the existing building for shared facilities for guests, relocation of the dwelling on the land and associated buildings and works to be undertaken in three stages with the application dated 17/10/2016 subject to conditions.*

## RECOMMENDATION

That Council:

- 9.1.1. Receives the petition objecting to planning application PA1519 requesting Council not to approve the proposed application.
- 9.1.2. Since this matter has already been considered and been decided upon at the 21 March 2017 Council meeting, will take no further action in relation to this petition.
- 9.1.3. Advises the head petitioner of the decision made at the 21 March 2017 Council meeting.

## MOTION

*That Council:*

- 9.1.1. *Receives the petition objecting to planning application PA1519 requesting Council not to approve the proposed application.*
- 9.1.2. *Since this matter has already been considered and been decided upon at the 21 March 2017 Council meeting, will take no further action in relation to this petition.*
- 9.1.3. *Advises the head petitioner of the decision made at the 21 March 2017 Council meeting.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr John Cottrell

**Carried**

## 9.2. QUESTIONS

The following questions were received in accordance with Local Law Number 1 and were heard at the meeting.

### **Question 1 - Mr Bill McClenaghan**

It appears that plans for construction of the Hepburn Hub in Daylesford are changing by the month. We already have a "Hub" in two locations on opposite sides of Vincent Street but there is no clear indication yet on exactly what will go where in either location although there are general concepts. Council is now advertising 8 Duke Street for lease after being vacant for six months and the location of the new library within The Rex has been altered to accommodate the construction of a new Cinema. Today's Agenda shows clearly where the Cinema will go but all of the other aspects of the Hepburn Hub at The Rex and at Town Hall remain unclear.

**When will Council publish a clear plan showing the actual layout of the Hepburn Hub in its two locations?**

### **Answered by Mayor Sebastian Klein**

Other than inclusion of the cinema at last month's meeting, there have been no significant changes to the plans for the Hepburn Hub since Council's decision in August 2016.

For the public areas, the library, café and tenancies in the Rex, we aim to publish these plans in early May.

For the area across the road, the swimming pool, VIC, community spaces and plaza here at the Daylesford Town Hall, which are still at large in terms of funding, the plans will be based on the previous concept plan but without the library and offices. The final configuration will be developed with key stakeholders and published in the second half of 2017.

### **Question 2 - Mr Bill McClenaghan**

Residents and businesses have recently found that they can no longer dispose of scrap cement sheeting at Council's transfer stations. It is understood that the reason for this is that the company which carts the bins away has had problems with asbestos contamination and associated clean up and disposal expenses including fines. Asbestos is a prescribed waste material and must be specially treated during disposal and must not be dumped in with the general waste stream or with building materials going to KKC for recycling. Cement sheeting on the other hand is an inert building material that can be recycled and yet it is no longer being accepted because it can be confused with asbestos. This gives the community no local disposal options and people are being directed to transport relatively small amounts of cement sheet to Ballarat which is not a realistic option. This will undoubtedly lead to unlawful dumping out the bush, on roadsides or at transfer station gates; all to be avoided. There are several strategies that Council could implement to address the



issue of unlawful asbestos dumping but just prohibiting the disposal of inert cement sheeting because it might contain asbestos is not considered reasonable.

**Please provide additional information on this issue and propose a practical solution for disposal of non-asbestos sheeting at Council's transfer stations.**

**Answered by Mayor Sebastian Klein**

Thank you Mr. McClenaghan and I can assure you of my personal sympathies as I personally have some sheet which I have laboratory tested which is stamped as asbestos free, which was turned away at the gates of the transfer station. Your synopsis of the scenario is quite accurate, in terms of the fact that we had some contaminated bins that arrived down in Ballarat with the recycler for sorting and that they were identified as containing asbestos and were returned to us.

These required bagging and sorting by accredited asbestos contractors at significant cost and risk – and as a result of the contamination all contents had to be disposed of as though they were asbestos.

The only way of identifying whether cement sheet-type material contains asbestos is by laboratory testing and the risks to Transfer Station Operators and recycling staff at receipt points of exposure to asbestos cannot be overrated, as we are all well aware of the health ramifications of exposure. The transporting of bins that contain asbestos creates a risk not only to site operators and staff, but to the wider community who attend our transfer stations and live along the roads where it is transported. Such transport also breaches EPA regulations around the handling of hazardous materials.

Council staff are investigating training options for Transfer Station Operators to be able to visibly identify materials that may contain asbestos. Until a longer-term solution is determined for the receipt of cement sheet-type materials, the only safe option for our contractors is to redirect these materials to an EPA approved receipt point.

**Mr Bill McClenaghan asked supplementary questions – what will happen if there is a whole heap of sheets dumped out the front of the transfer station? How will we deal with this issue?**

**Answered by Mayor Sebastian Klein**

We will train our contractors and at the next opportunity I will raise the matter with the Regional Waste Resource Recovery Group. Training standards across the region for Transfer Station operators are one of the priorities for the group moving ahead. There is a wide range of different standards across the region, from operators who are very passionate and well trained about their job, to others who are private contractors who perhaps care less about the quality of separation, removal and

recovery of resources and more about collecting the contractors fee for the work they do. With that, I look forward to taking those matters to the group.

### **Question 3 - Mr David Moore**

What is the Purpose of the Heritage Overlay if it can be overridden by Clause 62.02-1. Surely Council is misreading the intention of the Planning Scheme. Under the Heritage Overlay, a planning permit is required from the council to: 1. subdivide land, 2. demolish or remove a building (including part of a building), 3. construct a building (including part of building or a fence), 4. externally alter a building, 5. construct or carry out works, 6. construct or display a sign, 7. externally paint an unpainted surface, 8. externally paint a building if the painting constitutes an advertisement. Sometimes, external paint controls, internal alteration controls and control over trees may also apply. The Schedule to the Heritage Overlay will identify any such additional controls. Indeed "The Rex Theatre and Shop Vincent St Daylesford " is listed as HO674 in the Schedule, External Paint Colour Controls apply and Internal Alterations Controls Apply. A permit is required to carry out works, repairs and maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials. Please seek professional advice on Councils proposed course of action in relation to a Planning Permit. (note works have already commenced)

**Is it one law for the Council and another for everybody else?**

### **Answered by Mayor Sebastian Klein**

Yes, there is a specific state-wide rule for all councils.

Clause 62 USES, BUILDINGS, WORKS, SUBDIVISIONS AND DEMOLITION NOT REQUIRING A PERMIT, is a general provision in all planning schemes in Victoria. The Minister for Planning is responsible for the content and form of this general provision. The Minister for Planning introduced and implemented Amendment VC101 that made changes to the Victoria Planning Provisions and all planning schemes on 29/10/2015. The amendment updated Clause 62 including Clause 62.02-1 Buildings and works not requiring a permit. This clause states:

*Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:*

- *Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality.*

Clause 62.02-1 overrides the heritage overlay if the cost of works does not exceed \$1,000,000 and the above condition is met. The land upon which The Rex is situated is zoned Commercial 1 Zone. The use of the land for an office and retail premises is an 'as of right' use which does not require planning permission.

**Supplementary question from Mr. David Moore**

How can the Council properly administer that plan if it is not setting the best example itself?

**Answered by Mayor Sebastian Klein**

In this case, these works do not require a permit and I am not sure where you are drawing these figures from. The amount proposed in the Council budget, does not state whether those are completely for building works or not and I think that you would find that, as we were assured today by our staff that at current the building works would be less than \$1,000,000. Beyond that there aren't any plans at this point to change any heritage fabric or any of the existing proscenium arch or any of the other original parts of the Rex Theatre.

**Question 4 - Mr David Moore**

In the "Attachment 8 – Draft Cinema Licence in the Rex" in the Index there is an item "4.2 Termination without Default" however that clause does not appear and has been retitled with the following clause 4.3 in the index (i.e. deleted, it now reads in the body of the text 4.2 Ownership of Improvements). Therefore, again does the licence include a provision which prevents the council from terminating the licence, without the cinema being in default, during the 10-year term? It seems council is in two minds about this and that the standard licence form does make provision for such a clause, but the editor took it out? Will the Draft Licence be tabled at the Council meeting of 18 April, with or without item "4.2 Termination without Default" and be available for the community to review?

The Minutes of the previous Council Meeting do not make clear what is intended, what does "permits Council from terminating" mean in the following minute, (should it not read "prevents Council from terminating"): "Answered by Mayor Sebastian Klein The intention of the licence being considered at item 11.1 on tonight's agenda is that it will not include a provision which permits Council from terminating the licence during the term, without the Cinema as licensee being in default. There will only be a clause relating to termination on default, and therefore Council would not have the power to terminate for other reasons during the term. Pending Council's decision at item 11.1, the final terms to be included in any licence will be based on the resolution of Council and feedback from the licensor, in this case the Cinema Committee."

Does the licence include a provision which prevents the council from terminating the licence, without the cinema being in default, during the 10-year term?

**Answered by Mayor Sebastian Klein**

Thank you for bringing to our attention the error in the Contents for the draft licence as published. In consultation with the Cinema committee, item *4.2 Termination Without Default* (from our template licence) has been deleted from the body of the document, but was not removed from the Contents on the document. This has now been amended.

To further clarify: No, the licence will not include an explicit 'prevention' clause. By not including a '*power to terminate without default*' clause, Council is in effect prevented from terminating without the licensee being in default.

9.3. **REQUESTS TO ADDRESS COUNCIL**

Cr Sebastian Klein declared an indirect conflict of interest in relation to the address to be heard from Mr Stan Falloon on behalf of Mr Christopher Caudle due to residential amenity as he resides next door to the proposed site for the Trentham Hub.

Cr Sebastian Klein left the meeting at 6:35pm.

Cr John Cottrell, Deputy Mayor, assumed the role of chair.

The following individual addressed Council:

**Mr Stan Falloon**

Addressed Council on behalf of Mr Christopher Caudle in relation to reconsidering site options for the Trentham Community Hub and supporting reconciliation in Trentham.

Cr Sebastian Klein returned to the meeting at 6:41pm and resumed the role of chair.

## 10. STATUTORY PLANNING REPORTS

### 10.1. REZONING OF 6 AND 8 VICTORIA STREET TRENTHAM FROM INDUSTRIAL 1 ZONE TO TOWNSHIP ZONE AND APPLICATION OF ENVIRONMENTAL AUDIT OVERLAY

#### CHIEF EXECUTIVE OFFICER

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

#### PURPOSE

The purpose of this report is for Council to consider a proposal to change the zoning of land at 6 and 8 Victoria Street Trentham. The report seeks Council approval to obtain authorisation from the Minister for Planning to prepare and exhibit an amendment to the *Hepburn Planning Scheme* to change the zone at the subject land from Industrial 1 Zone (INZ1) to Township Zone (TZ) and to also apply the Environmental Audit Overlay (EAO).

#### BACKGROUND

The subject land at 6 - 8 Victoria Street Trentham is currently zoned Industrial 1 Zone (IN1Z). The prevailing industrial zoning regime is a legacy of the historic use of the site as a foundry. The land use context of the site is combination of residential and open space and the current industrial zoning is not consistent with this land use context.

A request to rezone the site to Township Zone has been made by the landowner who has demolished the existing buildings on the site in preparation for the future redevelopment of the land.

#### ISSUE/DISCUSSION

Clause 21.05 (Settlement and Housing) of the *Hepburn Planning Scheme* includes a number of Structure Plans for the major townships in the municipality, including Trentham. The Trentham Structure Plan provides a framework for future development and identifies an area along Victoria Street that previously contained the former Trewhella Brothers foundry site and an adjoining parcel of land as suitable for 'Potential Mixed Use Activity commensurate to township zoning'. Accordingly, the industrial zone was identified as suitable for rezoning in the Trentham Structure Plan which was introduced in 2013 by Amendment C38 to the *Hepburn Planning Scheme*.

In addition, the rezoning is supported by work undertaken by Town Planning Consultants on behalf of Council in 2014 who prepared an analysis of future demand for residential and industrial land within the major townships of the shire. They

recommended the site be rezoned to Township Zone consistent with the surrounding area.

The proposed Township Zone is a versatile zone that provides for residential development and a range of commercial, industrial and other uses in small towns. There is considerable discretion within the Township Zone to consider a broad range of land uses on their merits. Much of the residential part of Trentham already contains this zone.

Given that the site is currently zoned Industrial 1 Zone and has a history of industrial activity, it is appropriate for an Environmental Audit Overlay (EAO) to be applied to the site. The benefit of this overlay is that it requires an investigation of potentially contaminated land to ensure that it is suitable for a sensitive land use, such as a residential land use, which could be significantly adversely affected by any site contamination.

#### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

The amendment seeks to implement the *Hepburn Planning Scheme Municipal Strategic Statement*, in particular the prescriptions of the *Trentham Structure Plan* at Clause 21.05 of the *Hepburn Planning Scheme*.

#### **FINANCIAL IMPLICATIONS**

The landholder has agreed to pay all statutory fees associated with the amendment process and to prepare the planning scheme amendment documentation.

#### **RISK IMPLICATIONS**

The Environmental Audit Overlay will ensure that a sensitive use can take place on the land after full consideration of site contamination. The overlay is an important statutory mechanism to reduce the risks associated with the possible future residential use of land previously used for industrial purposes.

#### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Environmental Audit Overlay will ensure contamination issues will be considered prior to sensitive land uses being undertaken on the subject land.

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The Amendment will be placed on exhibition for a period of one month pursuant to Sections 17, 18 and 19 of the *Planning and Environment Act 1987*. The community and stakeholders will have opportunity comment during this exhibition period. Council must consider all submissions and any submissions that cannot be resolved must be referred to an independent Planning Panel.



## CONCLUSION

The proposed amendment seeks to rezone 6 and 8 Victoria Street, Trentham from IN1Z to TZ. The planning scheme amendment would be known as Amendment C70 to the *Hepburn Planning Scheme*. The planning scheme amendment:

- Would provide a zoning and land use outcome that is consistent with the zoning of the surrounding land and land in the immediate environs;
- Would enable merits-based consideration of a broader range of land uses than under the current zoning regime;
- Is supported by the *Hepburn Planning Scheme Municipal Strategic Statement*. In particular, the *Trentham Structure Plan* provides strategic justification for the proposed scheme changes;
- Includes an Environmental Audit Overlay that will be applied to ensure any contamination is investigated and addressed prior to the land being used or developed for a sensitive use; and
- Offers a zoning regime that will result in improved amenity for existing residents within the vicinity of the site.

## OFFICER'S RECOMMENDATION

That Council resolves:

- 10.1.1. To request Ministerial authorisation pursuant to Section 9 of the Planning and Environment Act 1987 to enable preparation of an amendment to the Hepburn Planning Scheme that rezones 6 and 8 Victoria Street from Industrial 1 Zone to Township Zone and includes the land within the Environmental Audit Overlay.
- 10.1.2. That the amendment be known as Hepburn Planning Scheme Amendment C70.
- 10.1.3. That upon receipt of Ministerial authorisation, the necessary amendment documentation be prepared and the amendment be subsequently placed on public exhibition for a period of a month pursuant to Sections 17, 18 and 19 of the Planning and Environment Act 1987.

**MOTION**

*That Council resolves to:*

- 10.1.1. *Defer the proposed amendment for three months to undertake additional consultation with the applicant to consider the option of placing development controls over the site as part of the rezoning request to protect the existing character of the area; and*
- 10.1.2. *Defer the proposed amendment for three months to consult with the applicant to apply to the Minister for Planning under Section 96A of the Planning and Environment Act 1987, to request the planning authority to consider the application for the permit concurrently with the preparation of the proposed amendment.*

**Moved:** Cr Don Henderson

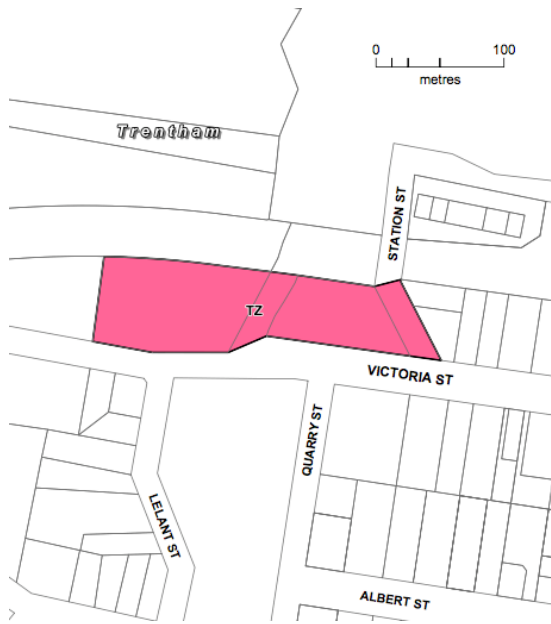
**Seconded:** Cr Kate Redwood AM

**Carried**

ATTACHMENT 1 - PROPOSED ZONING AND OVERLAY MAPS AND AERIAL  
PHOTOGRAPHS



Aerial image of subject land



Proposed Township Zone



Proposed Environmental Audit Overlay



## 11. OFFICERS' REPORTS

### 11.1. PROPOSED COUNCIL PLAN 2017-2021 CHIEF EXECUTIVE OFFICER

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

#### PURPOSE

The purpose of this report is for Council to consider the Proposed Council Plan 2017-2021.

#### BACKGROUND

In accordance with section 125 of the *Local Government Act 1989* (the Act), Council is required to prepare and approve a Council Plan by 30 June 2017. A Council Plan must include:

- The strategic objectives of the Council
- Strategies for achieving the objectives
- Strategic indicators for monitoring the achievement of the objectives
- A Strategic Resource Plan
- Any other matters which are prescribed by regulations.

The first step in approving a Council Plan is the determination from Council to place the proposed Council Plan on public exhibition in accordance with section 223 of the Act.

#### ISSUE/DISCUSSION

The Council Plan for the next four years has been developed following an extensive engagement process including a series of Community Workshops, an Online OurSay forum, a Community Conference, Departmental Business Planning, Staff Development Workshops and Councillor Development Workshops. All inputs have been considered in the development of the Council Plan.



Council has identified five strategic objectives to create a strong alignment with the needs of the Community.

1. Active and Engaged Communities
2. Quality Community Infrastructure
3. Sustainable Environment
4. Vibrant Economy
5. High Performing Organisation

Following the extensive engagement, a range of strategic actions aligned to these objectives and Council's functions have been included in the proposed Council Plan 2017-2021. It is not possible for Council, with its finite resources, to include all ideas and suggestions submitted by the community and staff. However, the actions included do positively respond to a large number of the ideas submitted.

A copy of the proposed Council Plan 2013-2017 is included at Attachment 2.

#### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

In accordance with section 125 of the *Local Government Act 1989* (the Act), Council is required to prepare and approve a Council Plan within the period of 6 months after a general election or by the next 30 June.

#### **FINANCIAL IMPLICATIONS**

Financial implications of the Council Plan 2017-2021 have been considered in the Budget 2017/18, and Strategic Resource Plan 2017-2021.

#### **RISK IMPLICATIONS**

The key risks associated with the Council Plan 2017-2021 are that it is not relevant, is not achievable or is not aligned to the needs of the community. These risks have been managed through extensive community and stakeholder consultation, reference to existing strategies and plans, and robust financial analysis.

#### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The environmental, social and economic needs of the community and the Shire have been considered in the development of the proposed Council Plan 2017-2021.

## COMMUNITY AND STAKEHOLDER ENGAGEMENT

### Community Drop-in Sessions

Six Community Drop-in sessions were conducted throughout the Shire in the towns of Trentham, Glenlyon, Daylesford, Creswick and Clunes attended by over 100 residents. The drop-in encouraged the community to put forward their ideas and suggestions and provided an opportunity for councillors and staff to discuss these with community members.

These community sessions were also complemented by hard copy idea submission forms at our offices and libraries. A number of community members submitted ideas via these forms or via email submissions.

### OurSay Online Forum

Hepburn Shire Council partnered with OurSay to encourage greater participation from the Community. The Online Forum was utilised to engage with members of the Community who were unable to attend the Community Workshops and to encourage a broader level of Community discussion.

Council seeded 40 ideas which were identified from existing strategies and business plans to encourage discussion. A total of 116 further ideas were submitted by 114 members of the community, demonstrating the wide reach of the process.

In addition to the ideas submitted, there were 228 community members engaged or involved in the online forum. Each participant on the online forum was able to up-vote or down-vote every other idea. A total of 1584 votes were submitted (96% up-votes), as well as 152 comments on the ideas.

Beyond the actively engaged community members, the online forum had 6,651 unique visitors and 11,514 page views.

### Community Conference

On 22 March 2017, Councillors, Staff and the Community came together for a Community Conference. The top ideas and themes coming from the OurSay Forum and other engagement sessions were presented by Community members and Council staff. Each of the top ideas and themes were then discussed by the attendees of the Conference with the aim to identify actions for the community and for Council in delivering on the aspirations identified.

## CONCLUSION

The Council Plan 2017-2021 has clear links to the needs and expectations of the community. These links have been developed through an extensive community engagement program. The proposed Council Plan 2017-2021 presents a fair balance between delivering improvements in our services to our community and the resources available to Council.

#### OFFICER'S RECOMMENDATION

That Council:

- 11.1.1. Determines that the Proposed Council Plan 2017-2021 as attached be prepared for the purpose of Section 125 of The Local Government Act 1989.
- 11.1.2. Will give Public Notice of the preparation of the Proposed Council Plan 2017-2021
- 11.1.3. Will make the document available for public inspection at Council offices in Daylesford, Clunes and Creswick, at Libraries in Daylesford and Trentham and on Council's website.
- 11.1.4. Will allow any person to make a written submission up until 5.00pm on Wednesday 24 May 2017 addressed to the Chief Executive Officer.
- 11.1.5. Intends to meet on Tuesday 6 June 2017 at 6pm to hear and consider submissions received.
- 11.1.6. Intends to meet on Tuesday 20 June 2017 at 6pm to consider and determine the adoption of the Council Plan 2017-2021.

**MOTION**

*That Council:*

- 11.1.1. *Determines that the Proposed Council Plan 2017-2021 as attached be prepared for the purpose of Section 125 of The Local Government Act 1989.*
- 11.1.2. *Will give Public Notice of the preparation of the Proposed Council Plan 2017-2021*
- 11.1.3. *Will make the document available for public inspection at Council offices in Daylesford, Clunes and Creswick, at Libraries in Daylesford and Trentham and on Council's website.*
- 11.1.4. *Will allow any person to make a written submission up until 5.00pm on Wednesday 24 May 2017 addressed to the Chief Executive Officer.*
- 11.1.5. *Intends to meet on Tuesday 6 June 2017 at 6pm to hear and consider submissions received.*
- 11.1.6. *Intends to meet on Tuesday 20 June 2017 at 6pm to consider and determine the adoption of the Council Plan 2017-2021.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Greg May

**Carried**

ATTACHMENT 2 - HEPBURN SHIRE COUNCIL PROPOSED COUNCIL PLAN  
2017-2021 (ISSUED UNDER SEPARATE COVER)

11.2. **PROPOSED BUDGET 2017/18**  
**GENERAL MANAGER CORPORATE SERVICES**

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

**PURPOSE**

The purpose of this report is for Council to consider the Proposed Budget 2017/18.

**BACKGROUND**

The *Local Government Act 1989* requires Council to prepare a budget for each financial year and provide the opportunity for people to make a submission under section 223 of the Act on any proposal contained in the budget.

**Budget Process**

The following process is being followed to develop Council's 2017/18 budget.

Budget process	Timing
1. Officers update Council's current year forecast	Dec
2. Minister of Local Government announces maximum rate increase	Dec
3. Officers prepare operating and capital budgets	Jan/Mar
4. Councillors consider draft budgets at informal briefings	Mar/Apr
5. Proposed budget submitted to Council for approval	18-Apr
6. Public notice advising intention to adopt budget	26-Apr
7. Proposed budget available for public inspection and submissions	26-Apr
8. Public submission process commences	26-Apr
9. Community Budget information sessions commence	1-May
10. Community Budget information sessions conclude	11-May
11. Submissions period closes (28 days)	24-May
12. Submissions considered by Council	6-Jun
13. Budget presented to Council for adoption	20-Jun
14. Copy of adopted budget published and submitted to the Minister	30-Jun

**ISSUE/DISCUSSION**

The budget seeks to balance the demand for services and facilities, the required infrastructure renewal and upgrade, management of the Shire's natural environment, and the community's capacity to pay.

A copy of the Proposed Budget 2017/18 is included as Attachment 3 (provided under separate cover).

**Budget Summary**

The 2017/18 Proposed Budget has rates income increasing by 2.0% or \$319,000 plus 1.9% or \$297,000 from 2016/17 supplementary rates. The 1.9% increase in revenue from supplementary valuations, which arises predominantly from the rating of new buildings for the first time in 2016/17, represents the growth in Council's rate



base. In addition, \$90,000 is forecast for supplementary rates to be charged in 2017/18. This results in total revenue from rates of \$16.67 million. In addition, \$2.50 million will be raised from the waste management charge and kerbside collection charges.

The budgeted operating result for the 2017/18 year is a surplus of \$3.76 million, compared to a forecast surplus of \$2.91 million in 2016/17.

The adjusted underlying result for the 2017/18 year is a surplus of \$2.31 million which is an increase of \$1.82 million from the 2016/17 year. The adjusted underlying result is a measure of financial sustainability and Council's ability to achieve its service delivery objectives as it is not impacted by once off capital income items which can often mask the operating result.

Total cash and investments are forecast to decrease by \$2.97 million to \$7.84 million as at 30 June 2018. The primary driver for this decrease is the funding of capital projects including projects being carried forward to 2017/18 and projects funded out of the open space and waste financial reserves.

The Proposed Budget 2017/18 includes a significant number of operational and capital projects to implement key Council strategies and plans, including:

- Walking and Cycling Strategy
- Sustainability Strategy
- Waste and Resource Recovery Strategy
- Community Planning Strategy
- Events Strategy
- Youth Strategy
- Economic Development Strategy
- Community Hub projects

Total capital works included in 2017/18 is \$12.83 million. This includes carry forward expenditure of \$3.00 million for incomplete capital projects.

#### **Carry Forward from 2016/17**

Funding has been included in the 2017/18 budget for projects currently included in the 2016/17 budget but which are anticipated to be unexpended as at 30 June 2017. These funds include all sources of allocated revenue received prior to 30 June 2017. The reason for identifying and including the required carry forward funds is to provide a complete picture of the initiatives and major initiatives that will be undertaken during 2017/18.

#### **Differential Rates**

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

The proposed rate differentials are:

Type or class of land	2016/17		2017/18		Change
	\$/ \$ CIV	Differential	\$/ \$ CIV	Differential	
General Rate	0.003978	100%	0.0040575	100%	2.0%
Farm Rate	0.002586	65%	0.002637	65%	2.0%
Commercial Rate	0.004614	116%	0.004707	116%	2.0%
Industrial Rate	0.004614	116%	0.004707	116%	2.0%
Mixed Use Rate	0.004614	116%	0.004707	116%	2.0%
Vacant Land Rate - Township	0.004973	125%	0.005072	125%	2.0%
Vacant Land Rate - Other	0.003978	100%	0.004058	100%	2.0%
Trust for Nature Rate	0.001989	50%	0.002029	50%	2.0%
Recreational Rate	0.001989	50%	0.002029	50%	2.0%

Each class of land has increased in line with the cap imposed by the Minister for Local Government.

### Charges

The proposed annual service charges are:

Type of Charge	Per Rateable Property	Per Rateable Property	Change
	2016/17 \$	2017/18 \$	
Kerbside collection (Garbage) Existing Weekly	126.00	128.00	1.6%
Kerbside collection (Garbage) New Fortnightly	106.00	108.00	1.9%
Kerbside collection (Recycling) Fortnightly	45.00	46.00	2.2%
Commercial Garbage Charge	280.00	290.00	3.6%
Waste management improved charge	109.00	118.00	8.3%
Waste management Unimproved Charge	109.00	118.00	8.3%

The kerbside collection charge and commercial garbage collection charge are service charges and only those who are provided with the service are charged.

Council also has a waste management charge which covers the costs of transfer stations and other costs associated with keeping the Shire clean and tidy. This includes street cleaning and street litter bin collection. Council considers it equitable that this charge applies to all properties.

The 8.3% increase in the waste management charge is a result of capital works required to comply with a pollution abatement notice issued by the Environmental Protection Authority for the closed Creswick landfill site.

### Capital Works Program

Council's proposed capital works program for 2017/18 is \$12.83 million. Highlights of the capital works program are listed below. Some of these projects are subject to receiving funding from other Government sources.

- Asset Renewal Programs comprising building and structures, road resealing and resheeting, road reconstruction, road safety improvements, bridge, footpath, and kerb and channel renewals \$4.77 million
- Upgrade of Dairy Flat Road Musk \$350,000
- Fleet, plant and equipment renewal \$523,000
- Streetscape implementation in Glenlyon, Hepburn Springs, Trentham and Clunes \$665,000
- Daylesford Pool Upgrade \$530,000
- Daylesford Town Hall Community Hub works \$450,000
- The Rex Community Hub works incorporating Hepburn Shire Council services, Daylesford Library and Community Cinema \$1.32 million
- Mineral Springs Reserve improvement works \$125,000
- Towards Zero Sustainability Strategy Implementation - Council Facilities \$150,000
- Daylesford community park skate park design \$30,000
- Tennis Court surface renewals \$57,000
- Creswick mountain bike trail head and pump track \$140,000
- Daylesford soccer rooms refurbishment \$160,000
- Lake Daylesford improvements \$150,000
- Walking and cycling footpath and trail implementation \$210,000

#### Non-capital Initiatives

New operational initiatives total \$2.404million and include the following projects. Some of these projects are subject to receiving funding from other Government sources.

- Creswick Trails Master Plan implementation \$1.3 million (first year)
- New Trentham Netball facility \$209,000
- Implementation of youth strategy \$78,000
- Towards Zero Sustainability Strategy Implementation - Community Facilities \$25,000
- Community planning implementation fund \$40,000
- 100% community renewable energy plan \$15,000
- White ribbon actions \$6,000
- Spray minimisation plan for weed management \$20,000
- Reconciliation action plan delivery \$12,000
- Implement biodiversity strategy actions \$50,000
- Female participation strategy \$25,000
- Re-vegetating Clunes and Jubilee Lake Caravan Parks \$50,000

### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Under the *Local Government Act 1989*, Council has a statutory responsibility to prepare a Proposed Budget and advertise it for public comment.

The attached report contains the necessary statutory information required under the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

The recommendations below are the formal resolutions to be passed by Council to finalise the Proposed Budget 2017/18, which will be placed on public display until 5pm Wednesday 24 May 2017, during which time Council will invite submissions under section 223 of the *Local Government Act 1989*.

### **FINANCIAL IMPLICATIONS**

A financial summary of the Proposed Budget is detailed above.

The budget setting process is necessary to ensure that funds are allocated to achieve the most important objectives as prioritised by Council after consulting the community.

The striking of rates and charges will have a financial implication on each ratepayer.

### **RISK IMPLICATIONS**

The annual budget process is a key control in mitigating and controlling financial risk.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Council appreciates the varying demographics of our Shire and has sought to keep the increase of revenue to be raised from rates and charges as low as possible, without compromising service.

Council recognises that if sufficient funds are not allocated to asset renewal then the condition of those assets will decline, along with the capacity to deliver services to the community.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The Proposed Budget 2017/18 has been prepared by considering all the strategies and plans that Council has previously developed in consultation with the community. In addition, the budget has been prepared in conjunction with the new Council Plan 2017-2021. Community consultation has resulted in prioritised programs that are implemented progressively.

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

The Proposed Budget and prescribed information will be available for inspection for 28 days at Council offices in Daylesford, Creswick and Clunes, at all Hepburn libraries and from Council's website at [www.hepburn.vic.gov.au](http://www.hepburn.vic.gov.au)

Any person may make a submission to Council on any proposal contained in the budget. Submissions received by the Council before 5pm Wednesday 24 May 2017 will be considered when Council adopts the budget on 20 June 2016.

## CONCLUSION

The Proposed Budget 2017-18 has been developed through a rigorous process that is aligned with the Proposed Council Plan 2017-21 and the initiatives in Council's other adopted strategies and plans. The Proposed Budget 2017/18 as tabled outlines how Council intends to deliver its strategic objectives over the next year.

## OFFICER'S RECOMMENDATION

That Council, having complied with the requirements in the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014 regarding the preparation and content of the Budget for the 2017/18 financial year:

- 11.2.1. Determines that the Budget for 2017/18, as presented to the meeting, be proposed for the purpose of Section 127 of the Local Government Act 1989.
- 11.2.2. Makes the following declarations in relation to the Proposed Budget 2017/18, which commences 1 July 2017:
  - No additional funds are proposed to be borrowed during the 2017/18 financial year.
  - The total amount of borrowings as at 30 June 2018 is projected to be \$4.99 million, which is \$723,000 less than the amount at 30 June 2017.
  - It be recorded that Council considers that differential rates will contribute to the equitable and efficient carrying out of Council functions. The respective types or classes of land which are subject to each differential rate are those defined in the schedule to this recommendation.
  - Council proposes the following rate in the dollar for each type of rate to be levied for the period 1 July 2017 to 30 June 2018:

Type or class of land	2016/17 \$/CIV	2017/18 \$/CIV	Change
General Rate	0.003978	0.0040575	2.0%
Farm Rate	0.002586	0.002637	2.0%
Commercial Rate	0.004614	0.004707	2.0%
Industrial Rate	0.004614	0.004707	2.0%
Mixed Use Rate	0.004614	0.004707	2.0%
Vacant Land Rate - Township	0.004973	0.005072	2.0%
Vacant Land Rate - Other	0.003978	0.004058	2.0%
Trust for Nature Rate	0.001989	0.002029	2.0%
Recreational Rate	0.001989	0.002029	2.0%

- Council proposes to levy a Waste Management Charge of \$118 for the period 1 July 2017 to 30 June 2018 on all properties. Owners of farm rated properties will only pay one charge per 'single farm enterprise'.
- Council proposes to levy a Kerbside Collection (Garbage) Weekly Service charge of \$128 on those residential, farm, mixed use and trust for nature properties included in the service areas for the period 1 July 2017 to 30 June 2018.
- Council proposes to levy a Kerbside Collection (Garbage) Fortnightly Service charge of \$108 on those properties receiving the service for the period 1 July 2017 to 30 June 2018.
- Council proposes to levy a Commercial Garbage Collection Service charge of \$290 on those properties receiving the service for the period 1 July 2017 to 30 June 2018.
- Council proposes to levy a Kerbside Collection (Recycling) Fortnightly Service charge of \$46 on those residential, farm, mixed use and trust for nature properties included in the service areas and those other properties receiving a service for the period 1 July 2017 to 30 June 2018.

11.2.3. Gives Public Notice of the preparation of a Proposed Budget 2017/18.

11.2.4. Makes the Proposed Budget 2017/18 available for public inspection for 28 days at Council offices in Daylesford, Creswick and Clunes; at Libraries in Daylesford and Trentham and on Council's website.

11.2.5. Invites any person to make a written submission up until 5pm on Wednesday 24 May 2017, addressed to the Chief Executive Officer.

11.2.6. Intends to meet on Tuesday 6 June 2017 at 6pm in the Daylesford Senior Citizens Rooms to hear and consider submissions received.

11.2.7. Intends to meet on Tuesday 20 June 2017 at 6pm in the Daylesford Senior Citizens Rooms to consider and determine the adoption of the Budget 2017/18.

## MOTION

*That Council, having complied with the requirements in the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014 regarding the preparation and content of the Budget for the 2017/18 financial year:*

11.2.1. *Determines that the Budget for 2017/18, as presented to the meeting, be proposed for the purpose of Section 127 of the Local Government Act 1989.*



11.2.2. *Makes the following declarations in relation to the Proposed Budget 2017/18, which commences 1 July 2017:*

- *No additional funds are proposed to be borrowed during the 2017/18 financial year.*
- *The total amount of borrowings as at 30 June 2018 is projected to be \$4.99 million, which is \$723,000 less than the amount at 30 June 2017.*
- *It be recorded that Council considers that differential rates will contribute to the equitable and efficient carrying out of Council functions. The respective types or classes of land which are subject to each differential rate are those defined in the schedule to this recommendation.*
- *Council proposes the following rate in the dollar for each type of rate to be levied for the period 1 July 2017 to 30 June 2018:*

Type or class of land	2016/17 \$/CIV	2017/18 \$/CIV	Change
General Rate	0.003978	0.0040575	2.0%
Farm Rate	0.002586	0.002637	2.0%
Commercial Rate	0.004614	0.004707	2.0%
Industrial Rate	0.004614	0.004707	2.0%
Mixed Use Rate	0.004614	0.004707	2.0%
Vacant Land Rate - Township	0.004973	0.005072	2.0%
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Trust for Nature Rate	0.001989	0.002029	2.0%
Recreational Rate	0.001989	0.002029	2.0%

- *Council proposes to levy a Waste Management Charge of \$118 for the period 1 July 2017 to 30 June 2018 on all properties. Owners of farm rated properties will only pay one charge per 'single farm enterprise'.*
- *Council proposes to levy a Kerbside Collection (Garbage) Weekly Service charge of \$128 on those residential, farm, mixed use and trust for nature properties included in the service areas for the period 1 July 2017 to 30 June 2018.*
- *Council proposes to levy a Kerbside Collection (Garbage) Fortnightly Service charge of \$108 on those properties receiving the service for the period 1 July 2017 to 30 June 2018.*
- *Council proposes to levy a Commercial Garbage Collection Service*



*charge of \$290 on those properties receiving the service for the period 1 July 2017 to 30 June 2018.*

- *Council proposes to levy a Kerbside Collection (Recycling) Fortnightly Service charge of \$46 on those residential, farm, mixed use and trust for nature properties included in the service areas and those other properties receiving a service for the period 1 July 2017 to 30 June 2018.*

- 11.2.3. *Gives Public Notice of the preparation of a Proposed Budget 2017/18.*
- 11.2.4. *Makes the Proposed Budget 2017/18 available for public inspection for 28 days at Council offices in Daylesford, Creswick and Clunes; at Libraries in Daylesford and Trentham and on Council's website.*
- 11.2.5. *Invites any person to make a written submission up until 5pm on Wednesday 24 May 2017, addressed to the Chief Executive Officer.*
- 11.2.6. *Intends to meet on Tuesday 6 June 2017 at 6pm in the Daylesford Senior Citizens Rooms to hear and consider submissions received.*
- 11.2.7. *Intends to meet on Tuesday 20 June 2017 at 6pm in the Daylesford Senior Citizens Rooms to consider and determine the adoption of the Budget 2017/18.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Don Henderson

**Carried**

ATTACHMENT 3 - HEPBURN SHIRE COUNCIL PROPOSED BUDGET 2017/18  
(ISSUED UNDER SEPARATE COVER)

11.3. **REVIEW OF ROAD MANAGEMENT PLAN  
GENERAL MANAGER INFRASTRUCTURE**

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

**PURPOSE**

The purpose of this report is to advise Council of the internal review of Council's Road Management Plan and for Council to resolve to advertise the amended Road Management Plan (Version 5) 2017 in accordance with the *Road Management Act 2004*.

**BACKGROUND**

The Victorian Road Management Act came into effect in July 2004. The purpose of the *Road Management Act 2004* is to:

- Set out the powers, duties and functions of road authorities in relation to the inspection, maintenance and repair of roads;
- Establish the legal framework for the management of roads and define the rights, powers and duties of road authorities and other persons or bodies (such as utilities) which install, maintain or operate infrastructure on roads or carry out such works on roads; and
- Enable authorities to develop and publish management plans incorporating the performance of their duties in relation to the inspection, maintenance and repair of roads, having regard to the type of road, the resources available to the authority and its budgetary and policy priorities.

The legislation establishes a statutory framework for road asset management including:

- enabling road authorities to develop road management plans;
- setting policies and priorities and the use of available resources; and
- clarifying the basis of civil liability for road management, having regard to authorities' individual asset management plans.

Council is required to review its Road Management Plan every 4 years and the review must be finalised by the 30 June following a general Council election.

**ISSUE/DISCUSSION**

The current Hepburn Shire Council Road Management Plan (version 4) was formally adopted by Council at its meeting of 15 October 2013.

A working group made up of various members of the Infrastructure Department has been formed to review the current plan and what service levels are able to be achieved within current constraints.

The most critical aspects of the review are to ensure that information is up to date and accurate and importantly that the maintenance service levels are reasonable and

in keeping with Council's capacity to respond to and rectify identified defects. It is crucial that the standards within the Road Management Plan are achievable and compliance must be capable of being demonstrated under the scrutiny of litigation.

Following our review, a number of changes are proposed in the amended Road Management Plan included as Attachment 4 (issued under separate cover). The more significant changes are summarised as follows:

- The Introduction has been expanded to provide an overview of Council's road network and the annual maintenance resources applied to the network.
- The RMP has been expanded to include reference to Non-Maintained Roads to ensure the community is informed of Council's role and responsibility in relation to this class of asset.
- The programmed and reactive maintenance procedures have been clarified and updated to take into account the current operational practices and management systems.
- The use of temporary measures has been clarified.
- A section on vegetation management has been added.
- The process and time limits associated with the forces majeure provisions have been clarified.
- Some variance to response times is included based on ability to achieve and benchmarking of other councils.

## **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Council Plan 2013:2017:

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

9. Improve sealed and unsealed local roads through the delivery of maintenance and improvement works.

Action: Review the Council's Road Management Plan

## **FINANCIAL IMPLICATIONS**

It is expected that there will be minimal financial implications as a result of the proposed amendments to the Road Management Plan.

## **RISK IMPLICATIONS**

It is expected that the proposed amendments will enable Council to better manage its risk profile by ensuring the currently funded road management practices are reflected within its approved Road Management Plan.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Positive social and economic outcomes are expected as the Community and road users will be informed about Council's management of safety concerns and defects in our road network.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Following Council resolution to amend the Road Management Plan, a public notice inviting submissions on the proposed amended Road Management Plan will be issued.

### **CONCLUSION**

A review of Council's Road Management Plan has identified the need to make certain changes to the existing Road Management Plan. It is proposed that Council now advertise the amended Road Management Plan and invite submissions on the proposed amendments

### **OFFICER'S RECOMMENDATION**

That Council:

- 11.3.1. Notes the proposed amendments to the Hepburn Shire Council Road Management Plan (Version 5).
- 11.3.2. Gives public notice of the preparation of the amended Road Management Plan.
- 11.3.3. Invite public submissions on the amended Road Management Plan in accordance with the Road Management Act 2004.
- 11.3.4. Following conclusion of the public advertising period, receive a further report summarising the public comments and recommendation to adopt Road Management Plan (Version 5).

## MOTION

*That Council:*

- 11.3.1. *Notes the proposed amendments to the Hepburn Shire Council Road Management Plan (Version 5).*
- 11.3.2. *Gives public notice of the preparation of the amended Road Management Plan.*
- 11.3.3. *Invite public submissions on the amended Road Management Plan in accordance with the Road Management Act 2004.*
- 11.3.4. *Following conclusion of the public advertising period, receive a further report summarising the public comments and recommendation to adopt Road Management Plan (Version 5.).*

**Moved:** Cr Don Henderson

**Seconded:** Cr Fiona Robson

**Carried**

ATTACHMENT 4 - AMENDED ROAD MANAGEMENT PLAN MARCH 2017  
(ISSUED UNDER SEPARATE COVER)



11.4. **FINANCIAL REPORT AS AT 31 MARCH 2017**  
**GENERAL MANAGER CORPORATE SERVICES**

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

**PURPOSE**

The purpose of this report is to present a summary of Council's financial performance for the 2016/17 financial year up to 31 March 2017.

**BACKGROUND**

This report provides information on Council's operating performance for the period 1 July 2016 to 31 March 2017 and compares the Income Statement to the mid-year budget forecast and the Balance Sheet and Statement of Cash Flows to the corresponding period last year.

**ISSUE/DISCUSSION**

**Income Statement - Income**

Total income year to date is \$29.21 million, which is \$1.39 million less than budget.

The greatest contributor to this is capital grants, which is \$409K behind year to date budget due to two grants not yet received. Non-monetary contributions are also behind budget by \$218K, as works in kind at the Bathhouse has not yet been recognised. In addition, operating grants are \$577K behind budget mainly due to Flood Damage grants not yet being received.

Conversely, some income items are higher than budget. Statutory fees and fines are up \$203K due mainly to increased planning fees received and more fire infringements issued than forecast. Income from user fees is also \$172K greater than budget.

**Income Statement - Expenses**

Total expenses year to date is \$22.25 million, which is \$834K less than budget.

The main contributors are:

- Materials and services where we have spent \$324K less than budget; and
- Employee costs which are \$555K less than budget.

Under expenditure in materials and services includes timing variances for contract payments, while employee costs savings relate predominantly to employee cost savings and some temporarily unfilled positions.

### **Income Statement - Overall**

The year-to-date operating result provides a \$6.95 million surplus, which is \$555K less than budget.

Please refer to the Income Statement attached for further details.

### **Balance Sheet**

Total Cash as at 31 March 2017 totals \$13.22 million including \$1.53 million classified as other financial assets. Other financial assets are term deposits with an initial term of 3 months or greater. Cash and cash equivalents are \$3.04 million less than this time last year, offset by term deposits categorised as other financial assets which are greater by \$1.14 million. This reduced cash position reflects Council's acquisition of The Rex and the decision to use some retained cash from previous savings.

Total debtors are \$7.15 million, comprising rate debtors of \$5.67 million, \$652K in Fire Services Property Levy and \$828K in non-rate debtors.

Council's loan balances are at a total of \$5.76 million, the increase from last quarter is because Council has now borrowed \$3.405 million for purchase of the Rex

Please refer to the Balance Sheet attached for further details.

### **Statement of Cash Flows**

Net year-to-date increase in cash and cash equivalents as at 31 March 2017 is \$7.76 million. This is comprised of \$7.25 million from operations, less \$2.46 million from investing activities plus \$2.97 million from financing activities.

Please refer to the Statement of Cash Flows attached for further details.

### **Statement of Capital Works**

To date, \$10.35 million of the \$19.69 million capital works forecast budget for 2016/17 has been spent. In addition, \$921K has been committed to be spent through purchase orders.

Refer to the Statement of Capital Works attached for project details.

### **COUNCIL PLAN /LEGISLATIVE COMPLIANCE**

Under Section 138 of the *Local Government Act 1989* a report comparing actual expenditure and revenue to budget must be presented at least quarterly to the Council in a meeting which is open to the public.

Under the Local Government Performance Reporting Framework, the Performance Statement should be presented to Council at least every six months.

#### FINANCIAL IMPLICATIONS

The reports attached provide the opportunity for review of Council's financial position.

#### RISK IMPLICATIONS

The internal financial report is required to assist in decision making and to support departments to manage their budgets.

#### ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

None noted.

#### COMMUNITY AND STAKEHOLDER ENGAGEMENT

This information will be made available to the public via the minutes published on the Council's website and available for viewing at Council's offices and libraries.

#### CONCLUSION

The report on the financial performance of Council for the nine months from 1 July 2016 to 31 March 2017 is presented.

#### OFFICER'S RECOMMENDATION

11.4.1. That Council receives and notes the Financial Report for the nine months from 1 July 2016 to 31 March 2017.

#### MOTION

*11.4.1. That Council receives and notes the Financial Report for the nine months from 1 July 2016 to 31 March 2017.*

**Moved:** Cr Greg May

**Seconded:** Cr Neil Newitt

**Carried**

ATTACHMENT 5 - FINANCIAL REPORT AS AT 31 MARCH 2017

# Hepburn Shire Council

## Comprehensive Income Statement

### For the Period Ended 31 March 2017

	YTD Budget 2016/17 \$'000	YTD Actual 2016/17 \$'000	YTD Variance		
			\$'000	%	
<b>Income</b>					
Rates and charges	18,509	18,526	17	0%	
Statutory fees and fines	362	565	203	56%	1
User fees	592	764	172	29%	2
Grants - operating	5,246	4,668	(577)	-11%	3
Grants - capital	3,431	3,022	(409)	-12%	4
Contributions - monetary	209	135	(74)	-35%	5
Contributions - non monetary	218	-	(218)	-100%	6
Net gain/(loss) on disposal of assets	657	109	(548)	-83%	
Other income	1,371	1,417	46	3%	
<b>Total income</b>	<u>30,595</u>	<u>29,207</u>	<u>(1,389)</u>	<u>-5%</u>	
<b>Expenses</b>					
Employee costs	8,796	8,241	555	6%	7
Materials and services	8,681	8,357	324	4%	8
Bad and doubtful debts	1	22	(22)	-3405%	
Depreciation and amortisation	5,021	5,032	(11)	0%	
Borrowing costs	91	67	24	26%	
Other expenses	499	536	(36)	-7%	
<b>Total expenses</b>	<u>23,089</u>	<u>22,255</u>	<u>834</u>	<u>4%</u>	
<b>Surplus/(deficit) for the year</b>	<u>7,506</u>	<u>6,951</u>	<u>(555)</u>		

1 Town Planning fees up \$83K, CFA infringements up \$83K and EHO fees up \$27K

2 Transfer Stations , Aged Care and Building fees all up on budget

3 Timing variance for the receipt of flood damage claims

4 Timing variance for the receipt of Vic Park and Hub construction grants

5 Income not recognised for public open space until actually paid

6 Bathhouse works in kind, asset handover recognition required

7 Employee costs

8 Timing variance on a number of operating contracts

# Hepburn Shire Council Balance Sheet As at 31 March 2017

	Current Year Actual \$'000	Prior Year Actual \$'000	Variance Year on Year	
			\$'000	%
<b>Assets</b>				
<b>Current assets</b>				
Cash and cash equivalents	11,693	14,731	(3,038)	-26%
Trade and other receivables	7,153	6,832	321	4%
Other financial assets	1,527	313	1,214	80%
Inventories	22	(3)	25	112%
Other assets	25	-	25	100%
<b>Total current assets</b>	<u>20,420</u>	<u>21,873</u>	<u>(1,453)</u>	<u>-7%</u>
<b>Non-current assets</b>				
Property, infrastructure, plant and equipment	228,850	215,328	13,522	6%
Intangible assets	559	637	(78)	-14%
<b>Total non-current assets</b>	<u>229,409</u>	<u>215,965</u>	<u>13,444</u>	<u>6%</u>
<b>Total assets</b>	<u>249,829</u>	<u>237,838</u>	<u>11,992</u>	<u>5%</u>
<b>Liabilities</b>				
<b>Current liabilities</b>				
Trade and other payables	982	566	(416)	-42%
Trust funds and deposits	1,472	2,023	551	37%
Provisions	1,694	1,828	134	8%
Interest-bearing loans and borrowings	56	54	(2)	-3%
Other Liabilities	18	18	-	0%
<b>Total current liabilities</b>	<u>4,222</u>	<u>4,489</u>	<u>267</u>	<u>6%</u>
<b>Non-current liabilities</b>				
Provisions	549	500	(49)	-9%
Interest-bearing loans and borrowings	5,705	2,717	(2,989)	-52%
Other Liabilities	116	134	18	15%
<b>Total non-current liabilities</b>	<u>6,371</u>	<u>3,350</u>	<u>(3,020)</u>	<u>-47%</u>
<b>Total liabilities</b>	<u>10,592</u>	<u>7,839</u>	<u>(2,753)</u>	<u>-26%</u>
<b>Net assets</b>	<u>239,237</u>	<u>229,998</u>	<u>9,239</u>	<u>4%</u>
<b>Equity</b>				
Accumulated surplus	148,419	143,994	4,426	3%
Reserves	90,818	86,004	4,813	5%
<b>Total Equity</b>	<u>239,237</u>	<u>229,998</u>	<u>9,239</u>	<u>4%</u>

# Hepburn Shire Council

## Statement of Cash Flows

### For the Period Ended 31 March 2017

	<i>Current Year</i> <i>Actual</i> Inflows/ (Outflows) \$'000	<i>Prior Year</i> <i>Actual</i> Inflows/ (Outflows) \$'000		
<b>Cash flows from operating activities</b>				
Rates and charges	14,166	13,721	(445)	-3%
Statutory fees and fines	451	395	(57)	-13%
User fees	1,462	489	(973)	-67%
Grants - operating	4,668	2,848	(1,820)	-39%
Grants - capital	3,022	3,831	810	27%
Contributions - monetary	135	94	(41)	-30%
Interest received	294	245	(49)	-17%
Rent received	774	874	100	13%
Trust funds and deposits taken	(20)	(11)	9	-45%
Other receipts	299	214	(85)	-28%
Net GST refund/payment	(121)	87	207	-172%
Employee costs	(8,429)	(8,419)	10	0%
Materials and services	(8,919)	(7,396)	1,522	-17%
Other payments	(536)	(546)	(10)	2%
<b>Net cash provided by/(used in) operating activities</b>	<b>7,247</b>	<b>6,425</b>	<b>(822)</b>	<b>-11%</b>
<b>Cash flows from investing activities</b>				
Payments for property, infrastructure, plant and equipment	(10,372)	(5,651)	4,721	-46%
Proceeds from sale of property, infrastructure, plant and equipment	109	-	(109)	-100%
Payments for investments	(4,350)	(2,000)	2,350	-54%
Proceeds from sale of investments	12,150	3,000	(9,150)	-75%
<b>Net cash provided by/(used in) investing activities</b>	<b>(2,463)</b>	<b>(4,651)</b>	<b>(1,366)</b>	<b>55%</b>
<b>Cash flows from financing activities</b>				
Finance costs	(67)	(148)	(81)	120%
Proceeds from borrowings	3,405	-	-	100%
Repayment of borrowings	(359)	(335)	(3,381)	-111%
<b>Net cash provided by/(used in) financing activities</b>	<b>2,979</b>	<b>(483)</b>	<b>(10,396)</b>	<b>-349%</b>
Net increase (decrease) in cash and cash equivalents at the beginning	7,763	1,291	(6,472)	-83%
Cash and cash equivalents at the end of the financial year	3,930	13,439	9,510	242%
<b>Cash and cash equivalents at the end of the financial year</b>	<b>11,693</b>	<b>14,731</b>	<b>3,038</b>	<b>26%</b>



**Hepburn Shire Council**  
**Statement of Capital Works as at 31 March 2017**

Project Number	Project Name	New / Renew / Upgrade	Full Year Budget 2016/17 Expenditure	YTD Actual 2016/17 Expenditure	% Spent YTD	Commitments 2016/17 Expenditure	YTD Actual + Commit. 2016/17 Expenditure	% Spent YTD Incl Commit.	Full Year Budget 2016/17 Income	YTD Actual 2016/17 Income
<b>PROPERTY</b>										
<b>Land improvements</b>										
000472	Creswick Landfill PANs Response	Upgrade	28,695	-	0%	21,697	21,697	76%	-	-
000549	Town and Shire Road Signage	Upgrade	106,799	39,948	37%	3,179	43,126	40%	-	-
000606	Interpretive Signage at calembeen Park	New	8,000	-	0%	-	-	0%	-	-
<b>Total land</b>			<b>143,494</b>	<b>39,948</b>	<b>28%</b>	<b>24,876</b>	<b>64,823</b>	<b>45%</b>	<b>-</b>	<b>-</b>
<b>Buildings</b>										
000465	Multi Purpose Facility - Victoria Park, Daylesford	Upgrade	119,736	88,585	74%	8,496	97,081	81%	240,000	-
000497	Trentham Community Hub Design & Construct	New	50,000	-	0%	-	-	0%	-	-
000516	Newlyn Netball Facilities	Upgrade	10,000	7,698	77%	-	7,698	77%	-	-
000551	Hepburn Shire Council Services & Community Hub Construction	Upgrade	1,705,000	80,541	5%	36,165	116,706	7%	2,715,000	-
000581	Clunes Town Hall & Court House Project	Renew	98,870	13,138	13%	-	13,138	13%	-	-
000607	Kitchen Pod Creswick Town Hall	Renew	47,500	7,590	16%	-	7,590	16%	5,000	-
000608	Waste Management Facility Construction	New	400,000	-	0%	-	-	0%	-	-
000609	Daylesford Pool Upgrades (CSIF)	Upgrade	200,000	-	0%	-	-	0%	60,000	-
000610	Drummond Hall Electric Outdoor BBQ	New	9,000	4,520	50%	-	4,520	50%	-	-
000637	Acquisition of the Rex & 8 Duke Street	New	6,345,000	6,345,421	100%	-	6,345,421	100%	-	-
<b>Building improvements</b>										
000287	Building and Structures Renewal Program	Renew	1,140,000	496,124	44%	94,439	590,563	52%	-	-
000466	Basin Reserve Facility Improvements	Renew	48,345	26,952	56%	1,929	28,881	60%	-	-
000483	Bullarto Community Facilities	Renew	5,000	4,325	87%	-	4,325	87%	-	-
000542	Social Enterprise - Capital	New	39,454	18,245	46%	1	18,246	46%	-	-
000553	Sustainability Strategy - Towards Zero - Council Assets	Renew	104,465	6,223	6%	-	6,223	6%	-	-
000555	Smeaton Community Centre / Bowls Club Deck	Upgrade	39,593	18,872	48%	-	18,872	48%	35,000	14,279
000585	Bathhouse Deck	Upgrade	338,000	120,000	36%	-	120,000	36%	338,000	120,000
000586	HMSR Pavilion Cafe Roof Repairs	Renew	96,160	117,009	122%	6,150	123,159	128%	-	-
<b>Total buildings</b>			<b>10,796,123</b>	<b>7,355,242</b>	<b>68%</b>	<b>147,180</b>	<b>7,502,422</b>	<b>69%</b>	<b>3,393,000</b>	<b>134,279</b>
<b>TOTAL PROPERTY</b>			<b>10,939,617</b>	<b>7,395,190</b>	<b>68%</b>	<b>172,056</b>	<b>7,567,246</b>	<b>69%</b>	<b>3,393,000</b>	<b>134,279</b>
<b>PLANT AND EQUIPMENT</b>										
<b>Plant, machinery and equipment</b>										
000131	Vehicle and Plant Replacement	Renew	618,655	340,830	55%	38,169	379,000	61%	181,100	109,789
000599	National Flagship Bioenergy Facility	New	200,000	5,060	3%	-	5,060	3%	200,000	-
<b>Computers and telecommunications</b>										
000557	IT Hardware / Technology Renewal Program	Renew	98,282	20,370	21%	31,830	52,200	53%	-	-
000558	IT Application / Software Upgrades	Upgrade	87,078	19,318	22%	5,518	24,836	29%	-	-
<b>Library books</b>										
000423	Library Collection Renewal	Renew	53,000	24,847	47%	-	24,847	47%	-	-
<b>TOTAL PLANT AND EQUIPMENT</b>			<b>1,057,015</b>	<b>410,426</b>	<b>39%</b>	<b>75,517</b>	<b>485,943</b>	<b>46%</b>	<b>381,100</b>	<b>109,789</b>
<b>INFRASTRUCTURE</b>										
<b>Roads</b>										
000100	Reseals Program	Renew	850,000	18,474	2%	-	18,474	2%	-	-
000102	Reseal Preparation	Renew	85,000	112,215	132%	1,036	113,252	133%	-	-
000103	Gravel Resheet Program	Renew	347,000	22,961	7%	9,091	32,052	9%	-	-
000411	Pavement Rehabilitation, Formation & Drainage	Renew	2,158,489	1,404,018	65%	463,090	1,867,108	87%	1,357,535	1,357,535
000463	Road Safety Improvements	Renew	60,000	-	0%	7,428	7,428	12%	-	-
000559	East St Railway Bridge Underpass	Upgrade	66,000	420	1%	-	420	1%	-	-

## Hepburn Shire Council Statement of Capital Works as at 31 March 2017

Project Number	Project Name	New / Renew / Upgrade	Full Year Budget	YTD Actual	% Spent YTD	Commitments	YTD Actual + Commit.	% Spent YTD Incl Commit.	Full Year Budget	YTD Actual
			2016/17 Expenditure			2016/17 Expenditure			2016/17 Income	
000598	Scobles Road Drummond Upgrade	Upgrade	190,000	26,644	14%	1,962	28,606	15%	-	-
000638	Central Springs Rd, Safety Improvements	Upgrade	135,000	8,250	6%	1,050	9,300	7%	135,000	-
<b>Bridges</b>										
000114	Bridge Renewal Program	Renew	354,568	105,630	30%	-	105,630	30%	-	-
<b>Footpaths and cycleways</b>										
000112	Footpath Improvement and Renewal Program	Renew	116,000	71,253	61%	4,415	75,668	65%	-	-
000321	Extension of Domino Trail	New	-	-	100%	-	-	100%	-	17,100
000471	Footpath Expansion Program	New	237,100	680	0%	21,663	22,343	9%	17,100	-
<b>Drainage</b>										
000410	Kerb & Channel Rehabilitation Program	Renew	188,756	2,925	2%	-	2,925	2%	-	-
<b>Recreational, leisure and community facilities</b>										
000122	Playground Equipment Replacement Program	Renew	50,000	33,920	68%	-	33,920	68%	-	-
000436	Netball Court Resurfacing - Hepburn	Renew	-	-	100%	-	-	100%	-	10,649
000470	Netball Court Resurfacing - Creswick	Renew	-	-	100%	-	-	100%	6,361	6,361
000509	Cricket Pitch Renewal Program	Renew	14,800	2,200	15%	11,618	13,818	93%	-	-
000560	Splash Park in Creswick	New	64,023	49,049	77%	12,476	61,525	96%	-	-
000594	Creswick Soccer Club Lighting	New	160,000	-	0%	-	-	0%	120,000	-
000600	Ovals Irrigation Newlyn and Daylesford	New	130,000	138,013	106%	45	138,058	106%	86,000	77,400
000602	Pump Track Creswick	Renew	140,000	2,994	2%	-	2,994	2%	-	-
000603	Oval No 2 Change Rooms VP Daylesford	Renew	25,000	2,700	11%	-	2,700	11%	-	-
000604	Netball Court Lighting Clunes	Renew	15,000	3,676	25%	6,760	10,436	70%	-	-
000605	Swimming Pool Consultation and Scoping C'Wick	Feasibility	30,000	800	3%	1,500	2,300	8%	-	-
000643	Climate Resilient Recreation Facilities	New	131,350	81,485	62%	-	81,485	62%	55,670	-
<b>Parks, open space and streetscapes</b>										
000493	Implementation of Streetscape Plans Creswick	Upgrade	243,958	170,565	70%	101,050	271,615	111%	35,000	-
000543	Trentham Streetscape Implementation	Upgrade	254,336	24,048	9%	-	24,048	9%	-	-
000544	Implementation of Streetscape Plans Clunes	Upgrade	25,839	27,333	106%	4,429	31,762	123%	15,000	-
000561	Daylesford Community Park - Improve Shade and infrastructure	Upgrade	50,000	1,219	2%	4,845	6,064	12%	-	-
000562	Glenlyon Streetscape construction	Upgrade	398,195	7,277	2%	13	7,290	2%	350,000	150,000
000563	Hepburn Streetscape construction	Upgrade	298,785	10,770	4%	-	10,770	4%	-	-
000564	Lake Daylesford Improvements	Upgrade	330,000	156,928	48%	3,095	160,023	48%	200,000	100,000
000592	Daylesford Cenotaph Upgrade	Upgrade	-	795	100%	-	795	100%	-	6,100
000595	Mineral Springs Imp Works	Renew	376,000	13,261	4%	3,164	16,424	4%	128,000	128,000
000596	WHBG Stage 1 Works	Renew	117,500	31,383	27%	13,764	45,147	38%	-	-
000597	Glenlyon Recreation Reserve Shade Sail	New	6,000	-	0%	-	-	0%	-	-
<b>Other infrastructure</b>										
000504	H.S. Public Art Appropriation, Maintenance & Replacement	New	50,000	11,706	23%	1,029	12,735	25%	-	-
<b>TOTAL INFRASTRUCTURE</b>			<b>7,698,699</b>	<b>2,543,950</b>	<b>33%</b>	<b>673,525</b>	<b>3,217,474</b>	<b>42%</b>	<b>2,505,666</b>	<b>1,853,145</b>
<b>TOTAL CAPITAL WORKS</b>			<b>19,695,331</b>	<b>10,349,566</b>	<b>53%</b>	<b>921,098</b>	<b>11,270,664</b>	<b>57%</b>	<b>6,279,766</b>	<b>2,097,213</b>
<b>Represented by:</b>										
New asset expenditure		New	7,829,927	6,653,939	85%	35,215	6,689,154	85%	478,770	94,500
Asset renewal expenditure		Renew	7,208,390	2,885,058	40%	692,883	3,577,941	50%	1,677,996	1,612,334
Asset upgrade/expansion expenditure		Upgrade	4,657,014	810,569	17%	193,000	1,003,569	22%	4,123,000	390,379
<b>Total capital works expenditure</b>			<b>19,695,331</b>	<b>10,349,566</b>	<b>53%</b>	<b>921,098</b>	<b>11,270,664</b>	<b>57%</b>	<b>6,279,766</b>	<b>2,097,213</b>

11.5. **QUICK RESPONSE COMMUNITY GRANTS – APRIL 2017 RECOMMENDATIONS  
ACTING GENERAL MANAGER COMMUNITY SERVICES**

*In providing this advice to Council as the Community and Economic Development 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 Two 2016-2017 Quick Response Community Grants Pilot Program for April.

**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 – Nil applications
- Active and Engaged Communities – 3 applications
- Quality Community Infrastructure (including small equipment) – 4 applications

**ISSUE/DISCUSSION**

The 2016-17 Quick Response Community Grants Pilot Program opened on 1 February 2017 and will remain open until June 2017.

A total of 8 applications were received for April, with 6 applications being recommended for full funding, and 1 application being recommended for part funding, at a total of \$8,545.

Application recommended for part funding:

Organisation / Club / Group /	Amount Requested	Recommended Amount	Project Name	Reason for part funding
ECKA	\$2,000	\$1,372	Hepburn Kindergarten – Intergenerational Project 2017	Additional requested funding was for purchase of equipment and fell outside the guidelines for Active and Engaged Communities funding.

The new pilot program grants were assessed by Council's Community Grant Assessment Team. This team is made up of Community Grants Project Support Officer, the relevant Council Officer to the application (for example Events Coordinator for event applications) and a community member with skills and experience in arts and culture, community development and events. Grant applications were assessed against the following criteria, contained in the Guidelines:

- Why is the project needed?
- What will the project achieve?
- How will the project be implemented?
- How will risk and safety issues associated with the project be mitigated?
- Financial details – income and expenditure budget.

To be successfully recommended to Council, the application must meet all Guidelines to the satisfaction of all three Assessment Team members. Applicants whose applications were unsuccessful continue to work with the Community Grant Project Support Officer and relevant Council Officers to meet Guidelines.

#### **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 2016/17 budget, Council has allocated \$40,000 for Community Grants. The recommended Community Grants allocation so far this year totals \$24,769. The recommended Quick Response Community Grants Pilot Program funding for April is \$8,545 leaving a balance of \$6,686.

#### **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. Insurance and not-for-profit status is checked for all applications.

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 the April Quick Response Community Grants Pilot Program was advertised through Council social media, community networks and on Council's webpage. Officer's worked on a one on one basis with applicants.

#### **CONCLUSION**

The recommended projects support the objectives of the Quick Response Community Grant Pilot Program Guidelines.

#### **OFFICER'S RECOMMENDATION**

11.5.1. Awards the Quick Response Community Grants Pilot Program for April to:

<i>Organisation / Club / Group</i>	<i>Recommended Amount</i>	<i>Project Name</i>
<i>Friends of Wombat Hill Botanic Gardens</i>	<i>\$1,000</i>	<i>Better Security at FWHBG Nursery</i>
<i>Glenlyon Loddon Landcare Group &amp; Glenlyon Progress Association</i>	<i>\$1,330</i>	<i>What's in Our Backyard at Glenlyon?</i>
<i>Daylesford Community Childcare Centre Inc.</i>	<i>\$1,000</i>	<i>Sensory Therapy tools</i>
<i>Daylesford Food Assistance Program</i>	<i>\$843</i>	<i>Frozen Food Rescue</i>
<i>Rocklyn Yoga Ashram Inc.</i>	<i>\$1,000</i>	<i>Community Defibrillator Project</i>
<i>ECKA</i>	<i>\$1,372</i>	<i>Hepburn Kindergarten – Intergenerational Project 2017</i>
<i>Spa Country Events</i>	<i>\$2,000</i>	<i>Words in Winter</i>
<b><i>Total Project Funding for April, 2017</i></b>	<b><i>\$8,545</i></b>	

**MOTION**

*That Council:*

11.5.1. Awards the Quick Response Community Grants Pilot Program for April to:

<i>Organisation / Club / Group</i>	<i>Recommended Amount</i>	<i>Project Name</i>
<i>Friends of Wombat Hill Botanic Gardens</i>	<i>\$1,000</i>	<i>Better Security at FWHBG Nursery</i>
<i>Glenlyon Loddon Landcare Group &amp; Glenlyon Progress Association</i>	<i>\$1,330</i>	<i>What's in Our Backyard at Glenlyon?</i>
<i>Daylesford Community Childcare Centre Inc.</i>	<i>\$1,000</i>	<i>Sensory Therapy tools</i>
<i>Daylesford Food Assistance Program</i>	<i>\$843</i>	<i>Frozen Food Rescue</i>
<i>Rocklyn Yoga Ashram Inc.</i>	<i>\$1,000</i>	<i>Community Defibrillator Project</i>
<i>ECKA</i>	<i>\$1,372</i>	<i>Hepburn Kindergarten – Intergenerational Project 2017</i>
<i>Spa Country Events</i>	<i>\$2,000</i>	<i>Words in Winter</i>
<b><i>Total Project Funding for April, 2017</i></b>	<b><i>\$8,545</i></b>	

**Moved:** Cr Don Henderson

**Seconded:** Cr Fiona Robson

**Carried**



11.6. **TRANSFER OF COMMUNITY HOUSING**  
**ACTING GENERAL MANAGER COMMUNITY SERVICES**

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

**PURPOSE**

The purpose of this report is to recommend the preferred Registered Housing Agency to Council for the transfer of Council's Community Housing in Daylesford and Trentham, the management of existing units in Clunes and the development of new units in Clunes.

**BACKGROUND**

Council currently owns 15 community housing properties in Clunes, Daylesford and Trentham, under joint venture equity arrangements with the Department of Health and Human Services (DHHS). Council's funding agreements for the properties recognise the Director of Housing's financial interest in the properties which is secured either via caveat or mortgage.

The following housing was built or purchased under the former Local Government Community Housing Program (LGCHP) and Community Housing Program (CHP).

- Smith St, Daylesford (2 X 2 BR units) Built in 1987 - LGCHP
- Gables Bend, North St, Daylesford (4 units x 3 BR) Built in 1993 /1994-CHP
- Albert St, Trentham (3 x 2 BR units) Acquired in 1994 – CHP
- Cameron Court, Fraser St, Clunes (6 x 2 BR units) Four units built in 1990, two later.

At the Ordinary Meeting of Council 17 July 2012, Council resolved to transfer Council's Community Housing to a Registered Housing Agency. At the same meeting, Council resolved to include \$589,000 for construction of new units in Clunes.

The rationale for Council transferring ownership and management of community housing properties is to:

- Reduce cost to Council;
- Transfer maintenance and future renewal liability;
- Provide expert housing management; and
- Increase the supply of affordable rental properties in Hepburn Shire.

Registered Housing Agencies expand new housing through construction, purchase or acquisition, using a mix of government funds and private sector investment. They also manage housing portfolios - properties owned by them or leased from other parties, such as the Director of Housing.

### ISSUE/DISCUSSION

The Director of Housing (DHHS) has a standard process for conducting an Expression of Interest (EOI) in conjunction with joint venture equity partners, in this instance Hepburn Shire Council. Council Officers worked with DHHS on the EOI process. All Registered Housing Agencies were invited to participate in the EOI process for these properties.

Five EOI submissions were received and assessed by a panel consisting of two DHHS and one Hepburn Shire Council representative. Two of the five submissions received high scores, with the other three scoring lower. The panel met, by teleconference, to discuss the assessment and following discussion unanimously agreed that the submission presented by Community Housing (Vic) Ltd was superior.

A copy of the Selection Report and the submission from Community Housing (Vic) Ltd have been provided confidentially under separate cover.

The Panel's recommendation that Community Housing (Vic) Ltd be selected to accept the transfer of nine properties in Daylesford and Trentham, the management of six properties in Clunes plus the development grant from Hepburn Shire Council was approved by the Director of Housing.

### COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Under Section 189 of the *Local Government Act 1989* ('the Act'), Council must ensure that public notice of its intention to is given at least four weeks prior to selling or exchanging the land. Anyone who wishes can make a submission under Section 223 of the Act.

### FINANCIAL IMPLICATIONS

As part of the EOI process Council has committed \$589,000 to the transfer for the construction of a minimum of two new two bedroom units in Clunes. The recommended agency, Community Housing (Vic) Ltd, has committed to delivering twice the minimum: four new two bedroom units. This is a great outcome to be achieved with the \$589,000 of Council funds.

Council will forego the annual housing rental income, which was largely offset by the annual expenditure of DHHS rates rebate, maintenance and renewal. All financial implications will be secured by the Tripartite Deed.

### RISK IMPLICATIONS

Registered housing agencies are not-for-profit organisations that provide affordable rental housing for low income households, registered as either housing associations or housing providers under the Housing Act 1983.

All registered agencies must comply with Performance Standards and demonstrate skills, expertise and resources to manage a viable social housing business.

Registered housing agencies:

- Own, manage and develop affordable rental housing
- Provide a range of housing support and assistance to clients
- Are viable businesses partnering with both government and the community
- Have met registration criteria and meet ongoing regulatory compliance against performance standards

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

An increase in affordable rental housing available in Hepburn will assist in attracting and retaining skilled staff, assist in the retention of young people in the community and provide housing opportunities for older people on fixed incomes.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

A meeting has been held with members of Clunes Home for the Aged to advise of the transfer of management and the develop in Clunes. All current tenants have been advised of the EOI process and will be informed of further Council resolutions. DHHS has partnered with Council through the entire process.

### **CONCLUSION**

The transfer of Community Housing, management and the development of four new units will improve local community access to affordable housing. The EOI process with DHHS was thorough and complete. The panel achieved a unanimous recommendation that was approved by the Director of Housing. The proposed transfer should now be publicly advertised under section 189 of the Local Government Act 1989, and the section 223 process completed before making a final decision.

### **OFFICER'S RECOMMENDATION**

That Council:

- 11.6.1. Resolves to publicly advertise its intention to transfer nine Community Housing properties in Daylesford and Trentham to Community Housing (Vic) Ltd
- 11.6.2. Resolves to publicly advertise its intention to transfer the management of six Community Housing properties in Clunes to Community Housing (Vic) Ltd
- 11.6.3. Provides the community with the opportunity to make a submission under Section 223 of the Local Government Act 1989 in relation to the proposed transfer of land and management.
- 11.6.4. Intends to hear anyone who wishes to be heard in support of their submission and make a final decision on the transfer and the related development grant at its 20 June 2017 Ordinary Council meeting commencing at 6pm.

**MOTION**

*That Council:*

- 11.6.1. *Resolves to publicly advertise its intention to transfer nine Community Housing properties in Daylesford and Trentham to Community Housing (Vic) Ltd*
- 11.6.2. *Resolves to publicly advertise its intention to transfer the management of six Community Housing properties in Clunes to Community Housing (Vic) Ltd*
- 11.6.3. *Provides the community with the opportunity to make a submission under Section 223 of the Local Government Act 1989 in relation to the proposed transfer of land and management.*
- 11.6.4. *Intends to hear anyone who wishes to be heard in support of their submission and make a final decision on the transfer and the related development grant at its 20 June 2017 Ordinary Council meeting commencing at 6pm.*
- 11.6.5. *Notes the long-term commitment and dedication of the community members from the former Cameron Court Community Housing Special Committee for their years of work managing the Clunes units.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr Kate Redwood AM

**Carried**

**Amendment:**

**11.6.5 Council notes the long term commitment and dedication of the Cameron Court Community Housing Special Committee**

ATTACHMENT 6 - CONFIDENTIAL - TRANSFER OF COMMUNITY HOUSING  
SELECTION REPORT  
(ISSUED UNDER SEPARATE COVER)

ATTACHMENT 7 - CONFIDENTIAL - PREFERRED RESPONDENT'S  
SUBMISSION FOR TRANSFER OF COMMUNITY HOUSING  
(ISSUED UNDER SEPARATE COVER)

11.7. **DAYLESFORD COMMUNITY THEATRE INCORPORATED – LICENCE TO OCCUPY PORTION OF THE REX, 47-53 VINCENT STREET DAYLESFORD**  
**CHIEF EXECUTIVE OFFICER**

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

**PURPOSE**

The purpose of this report is to seek Council approval to enter into a new licence agreement with Daylesford Community Theatre Incorporated (Theatre) to occupy and use portion of the Rex, 47-53 Vincent Street, Daylesford (the Rex) for a community theatre and associated community activities.

**BACKGROUND**

Council officers have been in negotiation for some months with the Theatre in relation to the occupation and use of a portion of the Rex for its activities.

Agreement on the terms and conditions of the Theatre's occupation and Council's shared use of the venue has now been reached and the terms of the licence have been agreed.

**ISSUE/DISCUSSION**

It is proposed to issue a new licence to the Theatre that contains the following key terms and conditions:

- Term is 10 years with an option (exercisable by the Licensee) to renew for a further 10 years
- The commencement date will be the date that the venue can be conveniently and safely accessed following completion of construction works
- Licence fee of \$36,000 (including GST and rates and taxes) per annum to be reviewed annually in line with movements in the Consumer Price Index
- Utilities (electricity and gas) will be payable by the Licensee
- Specified use of the licensed area includes as a cinema, box office, meeting/conference venue, as well as other types of events for which the Theatre has previously hosted. The Theatre will be required to request Council consent to any other uses that have not been specified
- Theatre must maintain and provide evidence of a public liability insurance cover of not less than \$20m
- Theatre may use the venue for up to 75% of the total annual hours that the venue will be available
- Council will have use at such times that the Theatre is not using the venue



- Each party will be responsible for cleaning of the venue following its use with Council undertaking carpet steam cleaning twice per year and cleaning of the public toilets

It is proposed that regular management meetings take place to monitor the day-to-day aspects of the shared use of the venue, in particular bookings, percentage use by each party and the resultant sharing of utility costs. It is proposed that a shared calendar be used for the purpose of managing bookings.

#### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

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

#### **FINANCIAL IMPLICATIONS**

The licence fee for the first year will be set at \$36,000 per annum (including GST and rates and taxes). Annual reviews of the licence fee to be in line with movements in the Consumer Price Index.

#### **RISK IMPLICATIONS**

None noted.

#### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

The agreement to host the Theatre within the Rex represents a significant positive outcome for the community.

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There has been significant stakeholder engagement by Council in reaching agreement on the terms and conditions of the licence.

#### **CONCLUSION**

The granting of a 10 year licence to Daylesford Community Theatre Incorporated within the Rex building will allow for the continued operation of the cinema.

#### OFFICER'S RECOMMENDATION

11.7.1. *Grants a 10 year licence to Daylesford Community Theatre Incorporated to occupy and use portion of the Rex, 47-53 Vincent Street, Daylesford; and*

11.7.2. *Authorises the Chief Executive Officer to execute the licence documentation for and on behalf of Council. That Council:*

#### MOTION

*That Council:*

11.7.1. *Grants a 10 year licence to Daylesford Community Theatre Incorporated to occupy and use portion of the Rex, 47-53 Vincent Street, Daylesford; and*

11.7.2. *Authorises the Chief Executive Officer to execute the licence documentation for and on behalf of Council.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr John Cottrell

**Carried**

ATTACHMENT 8 - LICENCE AGREEMENT BETWEEN COUNCIL AND  
DAYLESFORD COMMUNITY THEATRE INCORPORATED  
(ISSUED UNDER SEPARATE COVER)

11.8. 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 request for renewal of existing permit has 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) 100830	Renew	ALL ROADS EXPRESS	B-double	Fairview Road, Clunes (between Ballarat-Maryborough Road and 65 Fairview Road)	Quarry Materials	30/04/2017-01/05/2018	104 Per Year

ISSUE/DISCUSSION

Council officers have assessed the application considering the following:

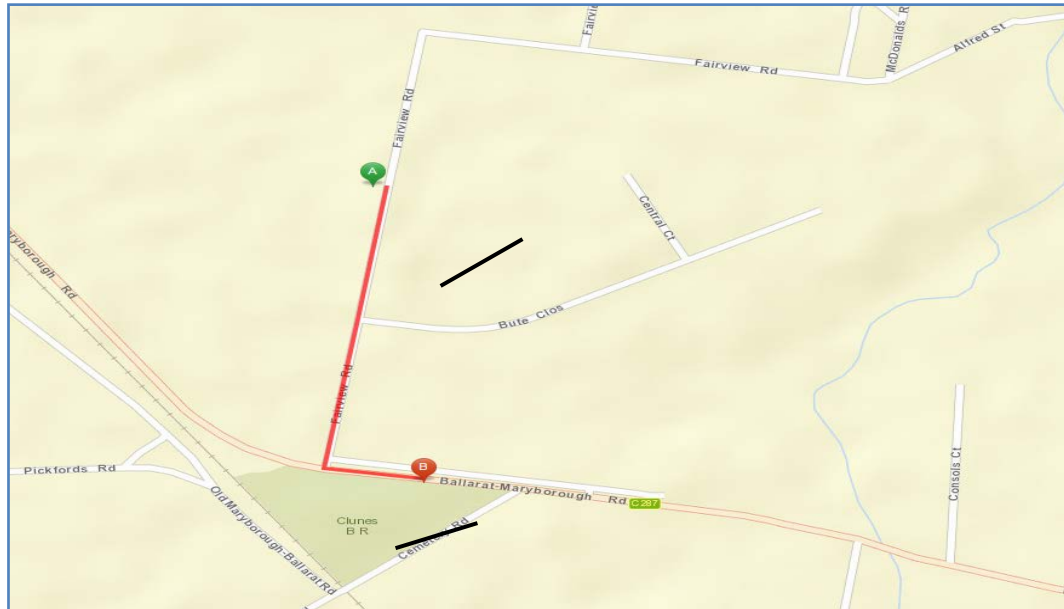
- Community safety
- Local amenity
- Physical limitations of the network
- Economic benefits
- Alternative access
- Cost implications to Council.

The result of the assessment is provided below along with any recommended conditions to be applied to any consent granted by Council.

CONSENT REQUESTS

a) ALL ROADS EXPRESS (Road Manager Request Number 100830):

ALL ROADS EXPRESS requests that Council grants consent for the following route which is shown in the following map:



Map 1

The requested road (between the two lines in the above map) has been assessed as being suitable for using Heavy Vehicles subject to the Standard Conditions.

### 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
- Obey the Load Limit Sign for Roads and Bridges when appropriate

### 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 operator 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 these requests. Relevant internal maintenance staff has been involved in assessing this request.

### CONCLUSION

Council has received a request from the National Heavy Vehicle Regulator for consent to the issue of a permit to operate HML vehicles on local roads. Following a review of the request, conditional consent is recommended for the operator as detailed.

### OFFICER'S RECOMMENDATION

That Council:

11.8.1. Approves All Roads Express to use B-doubles for the period of 366 days commencing 30th of April, 2017 and expiring 1st of May, 2018 on Fairview Road, Clunes (between Ballarat-Maryborough Road and 65 Fairview Road), subject to the 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.

## MOTION

*That Council:*

11.8.1. Approves All Roads Express to use B-doubles for the period of 366 days commencing 30<sup>th</sup> of April, 2017 and expiring 1<sup>st</sup> of May, 2018 on Fairview Road, Clunes (between Ballarat-Maryborough Road and 65 Fairview Road), subject to the 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.

**Moved:** Cr Neil Newitt

**Seconded:** Cr Greg May

**Carried**

**Councillor Kate Redwood AM called for a division.**

**Councillors that voted in favour of the motion:** Councillor John Cottrell, Councillor Don Henderson, Councillor Neil Newitt, Councillor Sebastian Klein, Councillor Greg May, Councillor Fiona Robson

**Councillors that voted against the motion:** Councillor Kate Redwood AM

11.9. RECORD OF ASSEMBLIES OF COUNCILLORS  
GENERAL MANAGER CORPORATE SERVICES

*In providing this advice to Council as the Governance Officer, I Tenique Hell 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 or 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 or 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:

Date	Location	Committee Name
07-03-2017	Council Chamber	Pre Councillor Meeting Briefing
14-03-2017	Council Chamber	Councillor Briefing
16-03-2017	Victoria Park Pavilion	MEM Planning Committee
21-03-2017	Council Chamber	Pre-Councillor Meeting Briefing
21-03-2017	Council Chamber	Councillor CEO Meeting
22-03-2017	Daylesford Town Hall	Council Plan Community Conference



## COUNCIL PLAN /LEGISLATIVE COMPLIANCE

*Local Government Act 1989, Section 80A*

## FINANCIAL IMPLICATIONS

Nil

## RISK IMPLICATIONS

There are implications with regards to Council's compliance with the *Local Government Act 1989* (as amended) if written records of Councillor Assemblies are not reported to Council.

## ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The inclusion of the attached record of Councillor Assemblies in the Council Agenda and their availability to the public will increase awareness of the activities of Council and could increase community involvement in decision making at Council level.

## COMMUNITY AND STAKEHOLDER ENGAGEMENT

Using Council's adopted Community Engagement Framework, International Public Participation Consultation, this report presents information via the Council Agenda.

## CONCLUSION

Information provided for noting.

## OFFICER'S RECOMMENDATION

11.9.1. That Council receives and notes the Records of Assemblies of Councillors for March 2017.

## MOTION

11.9.1. *That Council receives and notes the Records of Assemblies of Councillors for March 2017.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Kate Redwood AM

**Carried**

ATTACHMENT 9 - RECORDS OF ASSEMBLIES OF COUNCILLORS  
(ISSUED UNDER SEPARATE COVER)

## 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 Officer, I Tenique Hell 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 Lyonville Hall Special Committee - 21-03-2017*

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

The following advice has been received by Council and is presented for Council to consider:

#### **Lyonville Hall Special Committee-Resignation**

On 28 March 2017, Council received the formal resignation of former Committee member, Ms Joanna Mason as a result of her work and family commitments.

#### 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 Lyonville Hall Special Committee - 21-03-2017

12.1.2. Accepts the resignation of Ms Joanna Mason from the Lyonville Hall Special Committee and thanks her for her contribution.

#### 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 Lyonville Hall Special Committee - 21-03-2017*

12.1.2. *Accepts the resignation of Ms Joanna Mason from the Lyonville Hall Special Committee and thanks her for her contribution.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr John Cottrell

**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 Tenique Hell 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

- Minutes of the International Women's Day Advisory Committee - 30-03-2017
- Minutes of the Hepburn Shire Audit and Risk Advisory Committee - 27-02-2017

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:

- Minutes of the International Women's Day Advisory Committee - 30-03-2017
- Minutes of the Hepburn Shire Audit and Risk Advisory Committee - 27-02-2017

## MOTION

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

- *Minutes of the International Women's Day Advisory Committee - 30-03-2017*
- *Minutes of the Hepburn Shire Audit and Risk Advisory Committee - 27-02-2017*

**Moved:** CrKate Redwood AM

**Seconded:** Cr John Cottrell

**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;

- Tender Contract CH002 - Annual Reseal Program

##### 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;*

- Tender Contract CH002 - Annual Reseal Program

**Moved:** Cr Neil Newitt

**Seconded:** Cr Greg May

**Carried**

The meeting was closed to the Public at 7:32pm.

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15. RE-OPENING OF MEETING TO PUBLIC

**RECOMMENDATION**

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

**MOTION**

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

**Moved:** CrKate Redwood AM

**Seconded:** Cr Neil Newitt

**Carried**



**The Meeting re-opened to Members of the Public at 7:39pm**

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

*That Council:*

14.2.1. *Awards the Tender for Contract CH002 – Annual Reseal Program to Victorian Surfacing Alliance Pty Ltd, trading as Primal Surfacing Pty Ltd and Inroads Pty Ltd.*

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**16. CLOSE OF MEETING**

The meeting closed at 7:40pm

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