

Hepburn

SHIRE COUNCIL

HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL MINUTES

TUESDAY 21 FEBRUARY 2017

DOUG LINDSAY RECREATION RESERVE
LUTTET ST
CRESWICK
6:00PM

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Confirmed at the Ordinary Meeting of Council
held on Tuesday 21 March 2017



Chair, Mayor Cr Sebastian Klein

MINUTES

TUESDAY 21 FEBRUARY 2017

Doug Lindsay Recreation Reserve
Luttet St, Creswick
Commencing 6:00PM

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▶ MINUTES ORDINARY MEETING OF
COUNCIL

AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
21 FEBRUARY 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 Dja Dja Wurrung community and their forebears have been custodians for many centuries.

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

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

2. **OPENING OF MEETING**

PRESENT: MAYOR 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, KATHLEEN BRANNIGAN GENERAL MANGER COMMUNITY SERVICES, ALEX DALGLEISH COORDINATOR GOVERNANCE AND INFORMATION

STATEMENT OF COMMITMENT

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

3. APOLOGIES

Nil

4. DECLARATIONS OF CONFLICTS OF INTEREST

Nil

5. CONFIRMATION OF MINUTES

RECOMMENDATION

- 5.1. That the Minutes of the Ordinary Meeting of Council held on 17 January 2017 and 07 February 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 17 January 2017 and 07 February 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 Don Henderson

Carried

6. NOTICES OF MOTION

One notice of motion has been received in accordance with Local Law 1 as follows:

Who	Date	Details
Cr Kate Redwood AM	30 January 2017	Review of Council arrangements for Australia Day

6.1. NOTICE OF MOTION - REVIEW OF COUNCIL ARRANGEMENTS FOR AUSTRALIA DAY

DATE: 30 JANUARY 2017

MOTION

That Council review its arrangements for celebrating Australia Day:

6.1.1. *by considering the purpose of the Australia Day event and its components and the date of celebration and bringing a report to Council on this; and*

6.1.2. *by referring the event to the Hepburn Shire Reconciliation Action Plan process for advice as to the best date to celebrate as Australia Day, and how this might best be done to be inclusive of all Australians*

BACKGROUND

It is 25 years since Australia formally recognised, through the High Court Mabo decisions, that Australia was occupied prior to the arrival of Governor Phillip and British convicts who landed in Australia around 26 January 1788.

Since the Mabo decision, slow progress has been made in recognising Australia's First Peoples, and in attempting to rectify the wrongs that were inflicted upon them.

In the last ten years, a number of Aboriginal groups have sought land rights. One of the most significant land rights agreements in Victoria was the recognition and settlement agreement between the State of Victoria and the Dja Dja Wurrung, traditional owners of 11 municipalities of which Hepburn Shire is one, under the Traditional Owners Settlement Act 2010 (Vic). Dja Dja Wurrung land rights commenced on 24 October 2013.

In July 2015, coinciding with NAIDOC Week, Hepburn Shire Council first flew the Aboriginal flag permanently over the Daylesford town hall. In the same year, Council resolved, via the budget process, to negotiate a Reconciliation Action Plan with the Dja Dja Wurrung. While a process has been put in place to prepare the RAP,

progress has been slow. It is therefore possible to add to the issues and deliberations planned.

For many years Hepburn Shire Council has celebrated Australia Day and has combined this with a citizenship ceremony. This has been the practice of most Councils and Shires across the nation. However, there is a growing community recognition that the timing of this celebration divides Aboriginal and Non-Aboriginal Australians. The Mayor's speech for this year's Australia Day function acknowledged this, and was widely supported. Furthermore, this year the timing of Australia Day has been extensively debated in print, television and radio, with the general agreement that it is time to reconsider how and when we celebrate the nation. One Council, Freemantle, has held a multicultural festival on 26 January and its citizenship ceremony on 28 January. There is no legal impediment in any State or Territory for this or any other celebration a council may choose.

Councillor Name: Cr Kate Redwood AM

Councillor Signature:



Chief Executive Officer: Aaron van Egmond

Chief Executive Officer Signature:



Moved: Cr Kate Redwood AM

Seconded: Cr Don Henderson

Carried

7. ITEMS OF URGENT BUSINESS

MOTION

7.1. *That Council hears an urgent item of business in relation to item 14.2 on the basis new information has come to hand.*

Moved: Cr Kate Redwood AM

Seconded: Cr Neil Newitt

Carried

MOTION

7.2. *That Council defers item 14.2.*

Moved: Cr Kate Redwood AM

Seconded: Cr Fiona Robson

Carried

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Sebastian Klein, Coliban Ward

The past month began tragically with Bernie Jurcan's funeral and over 1000 residents turning out to celebrate the life of this exceptional young leader from our community.

It was a real opportunity to reflect on how it is individuals like these that make community and ensure the success or otherwise of those events and groups most dear to us.

As ever Australia Day was a great opportunity to reflect on who we are as a people, the things we are grateful for and our nature and character as a people. I reflected on the fact that we are the only country that celebrates our nationhood, not on the day of the birth of that nation, but when a British Royal delegation brought the first wave of convicts – often oppressed and imprisoned for minor crimes. I also asked the question whether it was the Australian thing to do, the fair thing to celebrate this in a way that all Australians can share. A question that will be addressed later in this meeting.

I have had a range of meetings with residents from around the Shire concerning drainage, economic development, fire fuel reduction and of course the cinema.

It is imperative that we get the balance for these services right – under rate capping the margin between what the community wants and what we can reasonably fund is tighter than ever. This is as true as ever with greater expectations around fire control, weed growth, and with discussions with State Government about who is responsible for waterways. All of these have an impact on the bottom line and restrict what we can do.

A meeting with Daylesford Community Cinema representatives demonstrated the willingness of Council to help them find a permanent home. It was also an opportunity to reiterate that the Hub was from the start designed to create efficiencies within in our budget to meet the essential demands of our communities.

I attended a launch of the State Government's response to the EPA review, this included the announcement of an Environmental Protection Officer trial in ten councils, better use and legislation around the function of the landfill levy and clarity for roles and responsibilities around things like noise and dust complaints.

At the Grampians Central West Waste Resource Recovery Group meeting and Board elections I was successful in being elected one of the four names put forward to the minister to serve on the board.

I also met with Mary-Anne Thomas, with whom I discussed transport, Creswick Mountain Bike Mecca, Neighbourhood Centre access and a range of other issues.

I attended a Council Plan Consultation in Trentham which clearly made obvious that community expectations from the previous Council Plan consultation were not met.

I was unfortunately unsuccessful in my bid to return as President at the VLGA board elections.

And finally, the highlight for the month was when I attended the Bruce Springsteen concert at Hanging Rock on the invitation of the Macedon Ranges Mayor, Jennifer Anderson.

I attended a range of other meetings including the following:

- Hepburn Shire Strategic Planning – Crs, EMT, LT
- Aust Day Civic event
- Aust Day – Creswick, Hepburn House Aged Care, Trentham Aged Care, Trentham Lunch
- Met a range of residents concerning planning and economic development, fire fuel reduction
- Meeting with Daylesford Cinema Representatives
- Quarterly catch ups with all Councillors and Executive Management Team
- MAV Strategic Planning Meeting
- Central Highlands Councils of Victoria meeting
- Council Plan consultation session in Trentham

COUNCILLOR REPORTS

Councillor Fiona Robson, Birch Ward

Cr Fiona Robson gave an update of her activities in the past month.

Councillor John Cottrell, Holcombe Ward

Cr John Cottrell gave an update of his activities in the past month.

Councillor Neil Newitt, Cameron Ward

Without going over what has previously been discussed tonight, I would like to report on Australia Day in Clunes in my report tonight.

Australia Day in Clunes this year started with the dawn walk to the top of Mt Beckworth and a flag raising ceremony at the mount. This year around 40 made the annual walk to the lollypop tree - a tradition which started around 18 years ago.

The walk is to where five pines were planted in 1918 shortly before the end of World War One. All but one were cut down around 1945 to make way for an aerial survey beacon as part of the second world war effort. The remaining lone pine tree had its lower branches pruned and remains as a 'lollypop' landmark seen up to 50 km away. For many it is the landmark on the horizon - the touchstone that signals for those who are returning - they are almost "home".

Much conversation on the day and subsequently has centered around how best to celebrate the trees birthday next year when it turns 100. Already planning is underway to mark this significant event.

Then, later in the day around 200 residents and visitors saw the end of the day in Collins Place at the community BBQ. The RSL and community groups such as Creative Clunes loan and set up BBQ's, marquees etc to ensure the event runs smoothly. Over the day, a crew of around 20 volunteers pitched in to ensure the day was a success.

Our local citizens of the Year - Tim Hayes and Tess Brady lowered the flags whilst the kids made sure there were no sausages left on the barbie and the adults danced and talked as the sun set on Collins Place.

And it was how people choose to spend the day that was part of the discussion this year. What you chose to do between the dawn walk and the BBQ was entirely up to the individual.

And this to many is what they celebrate on Australia Day. They have the freedom to choose to participate or not - to reflect on the past or plan ahead to the future. Each individual is free to choose how they engage with Australia Day, and that seems to be a right that is richly enjoyed by all.

Councillor Kate Redwood AM, Birch Ward

Over the last month, along with other councillors, I have attended two strategic planning days, a special meeting of Council to commit to the councillor code of conduct, 3 Council briefings including one on the cinema, the Council Plan drop in meeting in the Rex which was a Q&A on the cinema, 2 sessions on the Council Plan/Council budget 17/18, a ward meeting held outside the Daylesford library under the apple trees, and the annual Australia Day eve celebration and citizenship ceremony.

In addition, there have been meetings of the following bodies on which I represent Council:

- The International Women's Day Advisory Committee. Please note that the IWD event this year is on 9 March starting at 7.00 pm in the Daylesford Town Hall. It is going to be a special occasion so please come along.

- The Hepburn Mineral Springs Advisory Committee which is overseeing the wonderful upgrade work being done at Daylesford Lake, is taking a close interest in the Jubilee Lake works, and is about to see the major program of works at the Hepburn Springs Reserve commence. These are part of this year's budget allocation.
- The Daylesford Macedon Ranges Tourist Board which has just released a new brochure advertising the Shire. This has been distributed to thousands of households in the Eastern suburbs of Melbourne in the last week. The Board is also investigating the merits of opera on the lake, and the viability of a region-wide wellness festival.

Apart from these relatively routine matters there are two events that are uniquely significant.

Marilyn Beaumont received an OAM in the Australia Day honours list. Marilyn is a spectacular achiever who has made her mark in the profession of nursing as a practitioner, as a union leader delivering improved working conditions for her members, as a board member and board chair for 3 major health services and as the driver of a campaign to deliver research into breast cancer, and improvements in women's health. Congratulations Marilyn, we are proud that you are a resident of this Shire. Marilyn was our keynote speaker for International Women's Day five years ago.

Danny Spooner is known to many of us as a man of great generosity who has shared his talents as a musician and expert in all forms of folk music at many local occasions. Danny is in failing health, and as a special and final tribute his friends and family and in particular his partner, Gael Shannon, organised a concert in the Daylesford Town Hall which went from 12.00 to 5.00 pm the Saturday before last. Overall about 300 people attended and enjoyed the contributions of MC Derek Giell, well known artists such as Eric Bogle and a tour de force of performances from people who had known Danny over decades, from his times on the docks in London where he started work at 13 years of age, to his recognition as a professor at the University of Melbourne. His warmth, his humanity, and his extraordinary talent will be greatly missed.

I should also mention that the major concern of the month has been the future arrangements for the cinema. I think we are all aware of how precious the cinema is to people of Daylesford and beyond. The strong message is how united people are on this issue, and how strongly the cinema is valued not only as a recreation facility but as a deliverer of social engagement, and builder of social capital. The cinema committee is to be congratulated for what they have achieved for this Shire. I have appreciated the efforts of the many people who have contacted me regarding the cinema.

Councillor Don Henderson, Creswick Ward

This period has been rewarding as it has revealed much about the thoughts and aspirations of my colleagues and more broadly a glimpse of what our various communities aspire to in the next few years.

I have also met with various community groups and conducted surveys at random about just what interests people in Creswick Ward.

The strategic planning sessions held with other councillors and senior staff revealed that there were some real differences across the Shire in what residents and ratepayers required. This has led to all of us having a better understanding of each other and the people we represent and what this Shire really means.

I have spent many hours just being in the street talking to people of all ages. My thoughts from this are that people care greatly about each other and particular focus was put on the care of our most vulnerable people. Those who have contributed to our society for a lifetime and now find they need to have us show some care and understanding of their needs. The other area is our youth with many expressing frustration about just what it is that we can do to assist families with teenagers to cope with difficult years with so many hurdles placed in the way by those peddling the misery of drugs. Some of these temptations lead to crime and eventually the diminishing of the lives of those young people.

On the old and the young, Australia Day and evening revealed some good news stories when a young man who I have seen go through difficult times come through to be our young citizen of the year. He can attribute this to being lucky to be raised by a caring patient mother and some very good mentoring by community. He is now serving others in the same way. On Australia Day itself I had the pleasure of sharing a cake supplied by the Shire with folk at the John Curtin Hostel. What a privilege to share some time with some of our oldest residents. I had a joke or two with Marie Lewis who will be 104 this year and still as bright as a button. She still reminds me that I did not send her a letter on her hundredth birthday but at least the Queen managed. I told her that was because the Queen knows her birthday and I do not have all the ladies birthdays in my calendar.

I also had the pleasure of catching up with Dr John Morris who is an anthropologist and has spent many years working with his indigenous communities. He was not fazed by the day being on the 26th of January but did point out that Aboriginal people never needed to be given citizenship because they were citizens of this country as of birthright. He also put to rest and explained the myth surrounding Aboriginals being classed as animals and how that all started.

Who in Creswick does not know the recipient of the Citizen of the year Mrs Val Lawrence who is out and about nearly every day doing things in the community. Val has contributed her time to many good community causes over a lifetime. Some say that Val is the queen of Creswick when out and about with her two beloved Corgies

Sadly I have noted that not much has changed since all councillors went on a bus trip four years ago and visited places like Calemben Park, yes Calemben Park, and not Lake as some seem to think. The place has slipped further into a state of neglect with toilets filthy and grass nearly a metre high growing in the spoutings. I wonder what tourists must think of these things. One person commented after visiting Daylesford that Creswick must be in a poorer Shire.

Councillor Greg May, Creswick Ward

I would firstly like to mention the Civic Reception held in the Daylesford Town Hall which I attended on the 25th of January. It was wonderful to see how happy the people were who took the oath to become new Australian citizens.

It was also pleasing to see so many people from the Mollongghip community in attendance and how pleased they were with the Mollongghip Poetry Slam being awarded the Hepburn Shire Community event of the year. The Poetry Slam is a relatively small event but an important one in their small community.

I've been told that celebrations continued in Mollongghip that night until the wee hours of the morning.

The following day I attended the Australia Day breakfast held at Park Lake Creswick. It was great to see the different community groups all getting involved in the event. I believe the crowd was a little less than other years but those attending enjoyed a generous and hearty breakfast and getting together with other locals to celebrate our national day.

Also there was another event of note held recently at the Kingston showgrounds. A rodeo is not everybody's cup of tea but the event did create a lot of interest from locals and visitors alike. A crowd of over 3000 attended this event and would no doubt have created economic activity in surrounding towns.

We have seen in local media recently that players from the Carlton Football Club have been in the shire recently conducting training sessions for juniors as well as visiting some of our older citizens. Sometimes our elite sports people appear in the media for all the wrong reasons but in this case it is quite the reverse. I congratulate these young men on their efforts and am sure they brought some happiness and cheer to many of our residents. The smile on the face of former Blampied resident Marie Lewis on the front page of the Advocate is surely evidence of this.

And finally I'd like to report that the installation of the irrigation facilities at the Newlyn Recreation Reserve seems to be progressing well and will hopefully be completed by the end of February. Completion by this date should allow the re-sowing and establishment of turf in time for the start of the football season.

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 Don Henderson

Carried

9. PUBLIC PARTICIPATION TIME

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

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

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

Questions received may be taken on notice and responded to later. Likewise, some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

9.1. PETITIONS

Nil

9.2. QUESTIONS

Question 1 – Loretta Little

There is a great deal of confusion and dissatisfaction at the council's proposal to evict the cinema. It would be far cheaper and logical for the cinema to remain where it is, with some of the proposed retail space, which has never been financially viable, to be used as office space. Thus, both council and community will be satisfied and accommodated and can happily co-exist in a true Community Hub.

Why evict the Daylesford Cinema when there is a simple and sensible solution to the problem?

Answered by the Chair Mayor Sebastian Klein

The previous owner had planned to evict them in mid-2016. Under the terms of the cinema's commercial lease, the cinema could be asked to vacate within three months.

Consistent with previous communications, Council's decision to purchase the Rex was predicated on the need to effectively house our Council operations, and the savings

that can be gained by doing so. Council would not have decided to purchase the Rex if it was unable to take full occupancy of the space where the offices are planned to be built.

Question 2 – Venessa Craven

I attended the CEO's brief at the Rex last week, and read the account put forward by the Mayor in the Advocate. I wasn't impressed by either of their responses. It appears that the Councillors are preoccupied with their 'office space' rather than the unequivocal 'good of the Community'. The Cinema draws a diverse group of people together, both young and mature. It is a 'Community' effort. It suits the 'hub' concept down to a 'T' within the Rex Arcade. Putting Shire Offices in there could hardly be called a 'Community Hub'. The Library along with 'retail' outlets up the front of the Rex certainly fits the bill. Experience in the Rex Arcade, has proved that 'retail' i.e. shops have never been viable. They come and go as though they are going out of fashion. In this regard, our viable community Cinema, (which pays commercial rates rent \$36,000 p.a.), has been a real drawcard. To shift the Cinema elsewhere (who knows where)? Will bring about its demise in no uncertain terms. It needs to be 'central' to all other deliberations regarding the redevelopment of the Rex, in keeping with the heritage of this building and maintaining it's 'theatre aspect'.

Where is the Council's costing for the shifting of the Cinema out of the Rex, and who will pay for it, and also has a costing been done on the viability of Shire Offices being located outside the Rex Arcade, and leaving the Cinema where it is?

Answered by the Chair Mayor Sebastian Klein

I note that the Cinema has been extended in its tenure, in the first instance by Council purchasing the facility, ensuring that it wasn't turned into an apartment complex. Also a further extension has been granted to allow for the April school holiday period. As part of the Planning and Design for the Hepburn Community and Council Services Hub between 2014 and 2016, a range of detailed cost and feasibility assessments were completed to consider how we can deliver important Council and community services. Sites included both the Rex Arcade and seven other locations.

As Council is not directly involved in the operation of the cinema, the cost of relocation has not been considered and is not included in the project budget. Since discussions began with the cinema, Council has spent approximately \$10,000 in officer time, architect work and engineers' reports, to investigate retaining the Cinema in the

building. These have been undertaken in good faith to try and understand if that is a feasible option or not. We understand that there are a number of offers from within the community for other buildings that could house the cinema. Regardless of the ongoing tenure, the cinema will need to leave the Rex during construction, both due to the reality of running a cinema where it needs to be audible and from a health and safety point of view.

We will continue to work with the Daylesford Community Cinema committee to try to find a temporary and permanent future home.

Question 3 – John McLaren

In the light of Council's decision last month to refrain from holding any Council meetings in the Trentham Mechanics institute for the remainder of the year, and noting that Trentham residents have been advised that the decision was based on Council's perception that the hall is not fit for such a purpose, due in part to health and safety matters [Trentham Trumpet February 2017,] can Trentham residents anticipate that a program of maintenance will be speedily undertaken to address these apparent shortcomings?

Answered by the Chair Mayor Sebastian Klein

Yes, we are undertaking short and medium term priority works in partnership with the Department of Environment, Land, Water and Planning (DELWP).

These works are anticipated to commence in the next couple of weeks and are focused on priority items relating to Health & Safety needs and will continue over the next six months or so. Starting particularly with the matter of the black mould in the ceiling.

Question 4 – Zdena Schwangmeier

Relocating the Cinema from the Rex to somewhere else, will cost a lot of money. I am passionate as a ratepayer in this Shire, that I don't want money wasted. The Cinema is viable, pays proper rent and always has to previous Landlords, and will continue to do so, to the Shire as its new Landlord. It is set up perfectly, with a lot of hard work to run it over the past 4 years, along with money injected by the Community. It is centrally placed in Vincent Street, in a safe environment for young kids, elderly and the community and visitors. It picks up passing trade off the street. This would not be the case if it were shifted out of the centre of town. The Cinema is already set up for

seminars, and could be used for meetings and to be rented out to generate more money on days that the Cinema doesn't screen films

Why not to leave the Cinema where it is and use funds which would be spent on its relocation, on projects in your ward?

Answered by the Chair Mayor Sebastian Klein

The Hepburn Hub business case is based on improving library services, meeting spaces and offices. By consolidating facilities, making efficiency improvements and selling or leasing vacated properties, the project will deliver long-term cost savings for Council.

The current project does not include funds to relocate the cinema. Therefore, there is no option to redirect funds.

Question 5 – Zdena Schwangmeier

If no funds are allocated by the Council for relocation of the Cinema and the Cinema dies, are you prepared to bear responsibility and consequences for its demise?

Answered by the Chair Mayor Sebastian Klein

We understand the value to the community of the cinema, and we are continuing to invest significant time with senior officers working with the Cinema committee to try to find a temporary and permanent future home.

The demise or otherwise, of the Cinema, is in the hands of the committee, the community and Council working with them to help ensure they can find somewhere. We continue to offer that support and to assess all reasonable options against cost, community benefit and reasonable resourcing of Council officers.

Question 6 – Bill McClenaghan

In mid-2015, after extensive public consultation involving many individual meetings, public forums and an on-line forum, Council determined to build the Hepburn Hub behind Daylesford Town Hall and redevelop parts of the Town Hall. Problems and issues were raised with some aspects of this project but it was lauded by Council at the time as a magnificent development that addressed concerns raised.

In January 2016, a Planning Permit Application was advertised that was incomplete and partly illegible and various objections were received on planning grounds and about process. Nothing seemed to happen for months and then it emerged that the proposal for the Hub at Town Hall wasn't going ahead but there was an opportunity to buy The Rex and develop the Hub there.

This sudden change of direction raises many issues like the reasons for abandoning many months of costly detailed planning and consultation and whether Council will consult the community to the same degree about this new two-site Hub development now that \$6.3 million of ratepayers cash is spent on purchasing The Rex. Such a Council project costing well over \$1 million will require detailed plans and a Planning Permit, all finalized by the indicative late April commencement.

What are the exact reasons why Council abandoned its plans to build a multi-storey Hub development at Daylesford Town Hall and shifted its focus to another site that was actually previously considered and ruled out?

Answered by the Chair Mayor Sebastian Klein

The reasons considered by Council are included in the officer's report (item number 11.2) from the 16 August 2016 Council meeting.

The reasons as per the minutes are that:

'The new proposal for the Hepburn Hub across The Rex and Town Hall sites meets the aims of the project, and is responsive to community feedback during consultation. Investigations have confirmed the feasibility of the project across these two sites, and will achieve improved outcomes to the other options considered.'

I refer you to the minutes of that meeting for further details of the reasons considered

Question 7 – Bill McClenaghan

Will Council provide clear details of its modified Hepburn Hub proposal, partly at The Rex and partly at the Town Hall and consult with the community on these detailed plans as previously before applying for another Planning Permit to create the Hepburn Hub over two sites before construction commences at the end of April 2017?

Answered by the Chair Mayor Sebastian Klein

Council will communicate its plans at the Rex to the community prior to construction commencing at the end of April 2017.

Later in 2017, Council will consult with the community and key stakeholders in relation to revised plans at the Town Hall and swimming pool site prior to construction.

All required planning and building permits will be applied for, and construction will commence pending permit approval.

Question 8 and 9 combined – Harry Carman

Regarding today's meeting confidential item, without knowing what it's about, maybe Council intends to renew a lease to the present speedway group to continue their operations in The Basin Reserve.

Some time ago my associate made a submission to Council to properly develop a new speedway attraction in this reserve and offered to invest \$1.3 million there. He has had no reply. Surely his proposal has been referred to Council.

Council says that it supports economic development and tourism. Its Tourism Policy is outdated but talks about viability, employment, visitor fulfillment and resource efficiency.

Council's Economic Development News last month "Opportunities for Businesses in Hepburn Shire" advertises a workshop this March for creating successful businesses in Hepburn Shire. My associate wants to do that at the Speedway, spend \$1.3 million, create a great attraction and create employment. Council's Economic Development Strategy 2016-21 supports this absolutely.

A new and redeveloped professional speedway that runs events all year round can only boost tourism and economic development but Council seems to want a part-time lesser operation instead. Not to mention turning away a \$1.3 m investment! I wonder if Council is really fair dink'em about what it says in its strategies and policies.

Have Councillors seen the proposal to redevelop the Speedway reserve with a private investment of \$1.3 million and considered its many benefits to Daylesford and the Shire? And why is Council turning down such a generous and beneficial opportunity, against the objectives of its Tourism Policy and Economic Development Strategy 2016 - 2021?

Answered by the Chair Mayor Sebastian Klein

I am advised that a proposal was received from someone seeking to lease Basin Reserve (the Speedway) when the current lease expires. Unfortunately, the item remains outstanding and officers have advised that they will contact the author of the proposal in the coming days.

Question 10 – Susie Spence

Catherine King granted \$17,000 to Hepburn Shire Council in May 2016 for improvements to the Domino Trail between Station St and Falls Rd. The report in Councils Agenda for tonight suggests that this work will not be undertaken until the 2017/18 financial year.

Why will it take so long to lay some gravel along a trail that is already existing?

Answered by the Chair Mayor Sebastian Klein

As Council is not the current land-manager, we have limited ability to do the works until approvals have been obtained. The Friends of Trentham Station lease this land from Victrack and need to seek their permission to undertake the works. Officers have met on site with representatives of the Friends group to confirm location and construction method. It is Council's understanding that consent to works has been requested from Victrack . Due to uncertainty about when the permission will be granted the project has been pushed back to next financial year.

Questions 11 and 12 – Gary McIntosh

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

Question 13 – Judy Henderson

HSC web page: "donate any usable household items or building materials to the tip shop for free. Profits are put back into employing more local people. The tip shops and transfer stations are operated by a registered charity, please support them."

What is the registered charity that operate the Tip Shops?

Answered by the Chair Mayor Sebastian Klein

The reference to a registered charity relates to the former facility operators, Future Employment Opportunities, and it appears our web page has not been updated with the changed operating arrangements.

Thank you for bring this to our attention and we will have this information updated as soon as possible.

Question 14 – Judy Henderson

HSC web page (News Archive 24-03-2016):

Council is excited to announce the launch of new Facebook and Instagram sites to facilitate the sale of goods through its tip shops at Daylesford, Creswick and Trentham transfer stations"

"Hepburn Hot Trash is the face of re-use when it comes to waste management in Hepburn Shire. Follow us to get news on what's happening in the wonderful world of trash in our community, tips on DIY projects from reclaimed material, plus regular updates on what's available for purchase at the Hot Trash stores in Creswick, Daylesford and Trentham. "

Many Creswick locals have spoken about the lack of visible recycling at Creswick Tip Shop: this is obvious from the HSC Hot Trash recycling posts, none of which are from Creswick.

The Hot Trash posts are for Daylesford & Trentham, there are none for Creswick, why is this?

Answered by the Chair Mayor Sebastian Klein

Some judgement is used by our facility operators about the potential reuse and resale of items. We also acknowledge lower activity at Creswick.

Council operators at the Trentham facility also have a very keen interest in this area and do invest time outside of work activities to promote items on HSC Hot Trash.

We will continue to work with and encourage all of our waste operations to actively use HSC Hot Trash to ultimately reduce waste to landfill.

Supplementary Question – Judy Henderson

How much money has been raised by each of the tip shops?

The question was taken on notice and will be responded to in writing.

9.3. REQUESTS TO ADDRESS COUNCIL

1. Gina Lyons addressed Council in relation to the benefits of the Daylesford cinema in terms of social cohesion and social capital.
2. Bill McClenaghan addressed Council to propose an option for the Daylesford cinema to remain in the Rex.

10. STATUTORY PLANNING REPORTS

Nil

11. OFFICERS' REPORTS

11.1. RESPONSE TO PETITION PUBLIC TRANSPORTATION FOR HEPBURN SHIRE GENERAL MANAGER COMMUNITY SERVICES

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

PURPOSE

The purpose of this report is for Council to respond to the petition tabled at the Ordinary Council meeting on 17 January 2017 for public transport in Hepburn and Macedon Shires.

BACKGROUND

In 2010 the Front SEEAT Transport Connections Project successfully proposed a trial bus link between Trentham and Kyneton via Tylden, as more time efficient and responsive to the needs of these communities, which access services in the larger centre of Kyneton. The timing and destination of this trial service was determined through community consultation, including surveys. A challenge of the trial was consistent patronage of the service and it was not continued.

ISSUE/DISCUSSION

The petition has been prepared by William Morris to be presented to the meeting to seek assistance in increasing the public transport services between Trentham Kyneton & Woodend. He considers that the current services are inadequate and is requesting, at a minimum, one additional service returning from Kyneton or Woodend to Trentham.

The petition requests that officers of Hepburn Shire Council support William and the citizens of the Shire to convene a meeting with Mary-Anne Thomas MP (Member for Macedon) to advocate for increased public transport services. Support and assistance with the outcomes of that meeting and media releases is also requested.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Not applicable.

FINANCIAL IMPLICATIONS

Nil identified.

RISK IMPLICATIONS

Nil identified.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Inadequate public transport services are raised consistently as an issue in Trentham and most recently through engagement with young people in the development of the Youth Strategy.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The petition contains 863 signatures primarily from people with the 3458 (Trentham), postcode.

CONCLUSION

There is a clear need for improved public transport services in Trentham and it is appropriate for Council to support the community's advocacy for better services.

OFFICER'S RECOMMENDATION

That Council:

- 11.1.1. Notes and receives this report
- 11.1.2. Assists to convene a meeting between Mary Ann Thomas MP and Trentham community members.
- 11.1.3. Writes to the head petitioner and his support person advising them of Council's position.

MOTION

That Council:

- 11.1.1. *Notes and receives this report*
- 11.1.2. *Assists to convene a meeting between Mary Ann Thomas MP and Trentham community members.*
- 11.1.3. *Writes to the head petitioner and his support person advising them of Council's position.*

Moved: Cr Neil Newitt

Seconded: Cr Kate Redwood AM

Carried

**11.2. UPDATE ON THE REX AND THE CINEMA
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 receive an update on the status of the Hepburn Hub at the Rex with particular reference to the Daylesford Community Cinema.

BACKGROUND

At the July 2016 Council meeting, consideration was given to the potential acquisition of the Rex Arcade in Daylesford for utilisation as part of the Hepburn Hub project to house Council staff, an expanded Daylesford Library and the potential of retail tenancies.

Council determined to purchase an option to acquire the building. It was clearly outlined to Council and the community that the Daylesford Community Cinema would be displaced and required to move due to the proposed layout of the building as part of the Hepburn Hub. This was also one of the key concerns raised by the community during the consultation process.

It should also be noted at this point in 2016, that the previous owner of the building was imminently going to provide the Daylesford Community Cinema with a Notice to Vacate. This was largely driven by a planning application that was seeking to develop a 52 unit development on the car park of the Rex and result in a redevelopment of the entire site. At Council officers request, this notice was not provided to the Cinema by the previous owner and the planning application was suspended to enable a considered discussion with Council and the Community about the proposed acquisition of The Rex.

At the ordinary meeting of Council on 16 August 2016, Council resolved to exercise the option for purchase of The Rex and commit to delivering the Hepburn Hub across the Rex and Town Hall sites. It was again reinforced at that time that the displacement of the Cinema would result. Council did however reinforce its commitment to work with the Daylesford Community Cinema Committee to explore a range of options to find a permanent home for the Cinema. Various sites were explored at that time. The Cinema Committee had indicated that two sites were most suited for them, being the Rex in a different location and the current Daylesford Library.

During the design process, Council Officers have explored a range of options. One option being the construction of an additional level within the Rex mezzanine. Architectural concepts, and structural and acoustic engineering were explored to determine the appropriateness of this additional space to be used as a Cinema. Following this design process, quotes and estimates were received on the likely construction costs of this additional space. Unfortunately, due to the complexity of the construction, the detailed cost estimate significantly exceeded the initial estimates. Reasons for the increase in cost include the limited availability to have crane access, the need for sprinklers to be installed due to the addition of a third level and the need to significantly modify or replace the lift.

Separately and in addition, due to the mediated settlement agreement between the Daylesford Community Cinema and the previous landlord, each party is required to provide three months notice in terminating the agreement. Council Officers raised this requirement with the Daylesford Community Cinema Committee following acquisition. However, a decision was made not to provide this notice to vacate immediately to allow potential options to be explored.

Many options were considered relating to potentially working around the Cinema during the construction process. From a safety, cost and amenity perspective, this was determined to be the non-preferred option. As a result, notice was given to the Daylesford Community Cinema in mid-January 2017 to vacate the site within three months. This timeframe, through agreement, has been slightly extended to allow the Cinema to conduct its school holiday program before vacating.

Construction of the Hepburn Hub at the Rex is estimated to commence at the end of April 2017.

ISSUE/DISCUSSION

Since providing the Notice to Vacate, further work on cost estimates have been undertaken. An estimated construction cost of \$600,000 to construct the third level to accommodate the Cinema has been received. At this price, Council's ability to invest in this type of construction, especially within the current rate capped environment, is extremely difficult and not recommended by Council Officers. This capital construction cost would increase the commercial rent expected for the space. This in turn presents difficulties with the ability of a Community Cinema to afford an increased rental on a commercial basis.

This report is presented to Council at this time to provide certainty on ruling out the cinema being included as a third level in the Rex as part of the project and to allow the project to continue.

In saying this, Council officers and the Daylesford Community Cinema Committee are still actively working to try and find a temporary and a permanent solution to ensure the continuance of this valued community asset.

There are a number of Council owned and privately owned sites that are currently being considered. At this stage, a solution has not been found.

Since providing the Notice to Vacate, a significant amount of negative sentiment has been expressed against Council, through social media, print media and at a recent Council Plan drop in session in Daylesford, where approximately 40 community members attended to voice their concern at Council's decision.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – High Performing Organisation

Key Strategic Activity:

27. Review Council's future office accommodation needs with a view to improving service delivery, environmental efficiency and universal access while progressing the rationalisation of redundant Council assets.

Action: Implement the Hepburn Council Services and Community Hub Business Case and Design Project

FINANCIAL IMPLICATIONS

In exploring the option of the cinema on the third level of the Rex, time and dollars have been expended by Council in pursuit of a solution. It is difficult to quantify this investment as it is a proportion of the overall project design costs.

The additional cost estimate for the cinema on the third level of the Rex is \$600,000. This cost has never been considered as part of the overall Hepburn Hub project budget. It has always been clearly indicated to Council and the community that any consideration of this option would require separate consideration.

There is no allocation of funds for the Cinema construction within either the project budget or the revised 2016/2017 Council Budget.

RISK IMPLICATIONS

If a suitable home for the Daylesford Community Cinema is not located, there is a risk of continued negative publicity and community dissent against the project, that up until now had been well supported by the community.

In addition, there is a risk that a new home is not found for the Daylesford Cinema and it may not be able to continue operating.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The Daylesford Community Cinema is a key piece of community infrastructure, encouraging the arts and a strong sense of social cohesion within the community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Extensive consultation was conducted in the lead up to the acquisition of the Rex.

Detailed engagement has continued with the Daylesford Community Cinema Committee in trying to find a solution and ultimately a permanent home.

CONCLUSION

Despite significant effort and costs to explore the option of a third level within the Rex to cater for the Daylesford Community Cinema, it is considered by officers to not be financially viable to do so.

Exploration of alternative options should continue to be explored in conjunction with the Daylesford Community Cinema Committee.

OFFICER'S RECOMMENDATION

- 11.2.1. Notes the Officer's report.
- 11.2.2. Determines the construction of a third level within the Rex to not be financially viable.
- 11.2.3. Encourages further exploration with the Daylesford Community Cinema committee in pursuit of finding a suitable permanent home.

MOTION

That Council:

11.2.1. *Notes the Officer's report.*

11.2.2. *Determines the construction of a third level within the Rex to not be financially viable.*

11.2.3. *Encourages further exploration with the Daylesford Community Cinema committee in pursuit of finding a suitable permanent home.*

Moved: Cr Kate Redwood AM

Seconded: Cr Neil Newitt

Carried

11.3. WALKING AND CYCLING PRIORITY PROJECTS

GENERAL MANAGER COMMUNITY SERVICES

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

PURPOSE

The purpose of this report is for Council to endorse the Walking and Cycling Priority Projects Update (2017) including an indicative four year footpath and walking track expansion program.

BACKGROUND

Council adopted its Walking and Cycling Strategy in 2011 which sets out an achievable vision for the development of opportunities to walk and ride throughout the municipality, providing economic prosperity, health and safety for residents and visitors, in an environmentally sustainable way. The strategy has three key focus areas:

1. Community Health and Safety
2. Economic Prosperity
3. Environmental Sustainability.

Section 11 set out priorities for implementation which has informed both planning and capital works. This has included the footpath expansion program, construction and enhancement of walking and cycling trails e.g. the Wombat Trail in Trentham, Calemben Park looped trail. The strategy also provided the basis for additional planning and design for the Creswick Mountain Bike 'Mecca' and the Daylesford Rail Trail which was progressed through the Crossing Borders Tracks and Trails project.

ISSUE/DISCUSSION

A substantial amount of the achievable projects in Section 11 of the Strategy adopted in 2011 – Priority Work Details have been completed. As a result Council allocated funding in its 2016-17 budget to discuss priorities should be for the future with the community.

The strategy contains the following key themes:

- Advocacy and partnerships with Vic Roads /Public Transport Victoria;
- Promoting health and wellbeing - making it easier and safer to walk and cycle, connecting key destinations and completing the missing links by expanding footpaths and tracks;

- Increase economic prosperity by supporting visits to Hepburn with projects such as Creswick Mountain Bike trails and the Daylesford - Macedon Rail Trail;
- Provision of supporting infrastructure including signage, bike racks and storage, improved lighting; and,
- Support for activating walking and cycling e.g. walking and cycling guides, walk to school programs and events.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2013:2017:

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

8. Effectively deliver the Capital works program to improve community infrastructure and facilities.

FINANCIAL IMPLICATIONS

Council has allocated \$200,000 in its 2016-17 budget for the Footpath Expansion Program, the indicative program for the following years anticipates a similar allocation of funds. New and continuing projects will be subject to the usual budget processes.

RISK IMPLICATIONS

Completion of a number of the priority projects identified in Section 11 of the Walking and Cycling Strategy 2011 has addressed a range of identified safety risks.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The provision of publicly accessible infrastructure provides a range of physical, mental health and social benefits while cycling and walking add to the economic activity of a place. In Hepburn opportunities for walking and cycling through scenic and historic areas enhance tourism opportunities.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Four drop in consultations were held in Clunes, Creswick, Daylesford and Trentham on Saturday 9 and 16 July, 2016. These were widely promoted via traditional and social media as well as direct email to community groups. Ideas raised were documented and populated on the Our Say forum. A full list of consultation outcomes is at Attachment #.

CONCLUSION

Council's Walking and Cycling Strategy (2011) remains a relevant and important strategy to inform future actions. The updated Priority Projects Update (2017) has brought forward projects not delivered from the previous priority project listing, taken account of new community priorities and opportunities.

OFFICER'S RECOMMENDATION

11.3.1 That Council endorses the Walking and Cycling Priority Projects Update (2017) including the indicative Footpath and Walking Track Expansion program 2017-20.

Kathleen Brannigan General Manager Community Services provided some additional information to the written report and proposed an amended motion as follows:

AMENDED OFFICER'S RECOMMENDATION

That Council:

- 11.3.1 Endorses the Walking and Cycling Priority Projects Update (2017) including the indicative Footpath and Walking Track Expansion program 2017-20.
- 11.3.2. Note that the 2016-17 footpath program project – Ligar Street, Clunes is replaced by Fairview Drive (Stage 1 – revised proposal) Estimated cost \$50,000 and that the Priority Work Details – Footpaths will be amended to reflect the updated scope for Fairview Drive

MOTION

That Council:

- 11.3.1. *Endorses the Walking and Cycling Priority Projects Update (2017) including the indicative Footpath and Walking Track Expansion program 2017-20.*
- 11.3.2. *Note that the 2016-17 footpath program project – Ligar Street, Clunes is replaced by Fairview Drive (Stage 1 – revised proposal) Estimated cost \$50,000 and that the Priority Work Details – Footpaths will be amended to reflect the updated scope for Fairview Drive*

Moved: Cr Don Henderson

Seconded: Cr Neil Newitt

Carried

ATTACHMENT 1 - WALKING AND CYCLING COMMUNITY ENGAGEMENT
OUTCOMES

Idea	Votes	Type
Daylesford		
91 - Bike path/walking track from Coomoora to Daylesford	263	Trail
118 - Extend the Domino trail back into Daylesford with the service roadway beside the tourist rail between Musk and Daylesford.	23	Trail
107 - Trail from skate park to Jubilee Lake via Cornish Hill Reserve	17	Trail
12 - Alongside Midland Hwy From Farmers Arms to Glenlyon <small>?</small> A cycle track would be a great ride for amateur cyclists who currently cannot cycle on the road due to high speed vehicles and trucks.	11	Trail
95 - Mountain bike tracks along doctors gully and kids gully that lead to Hepburn Springs	10	Trail
102 - A walking track from Daylesford-Trentham Road, to the Dharma School and onwards to Leitches Creek Rd.	8	Trail
117 - Develop old rail line from Daylesford to Creswick as a bike track.	5	Trail
112 - Loop track from Glenlyon store along river to Glenlyon Reserve, Mineral Springs, Playground & back to store.	5	Trail
18 - Hepburn to Daylesford <small>?</small> A continuous footpath from Hepburn Springs to Daylesford.	5	Footpath
Create a walking/bike riding track from Glenlyon to Daylesford. Stage one could be from Coomoora.	4	Trail
109 - Signage warning motorists of cyclists on Glenlyon Road loop. <small>?</small> Submitted at Daylesford pop up session	3	Signage
98 - Improve and maintain the walking track from Daylesford to Tipperary Springs and onwards to Bryces Flat.	3	Track
10 - Alongside Midland Hwy From Farmers Arms to Mount Franklin. <small>?</small> A cycle track would be a great ride for amateur cyclists who currently cannot cycle on the road due to high speed vehicles and trucks.	3	Trail
116 - Walking track loop from Fifteenth St, Hepburn via Ajax Rd, and through to Eganstown. Along Basalt Rd and back to Fifteenth St, Hepburn <small>?</small> Submitted at: Daylesford pop up session	2	Trail
114 - Tipperary Trails - Lake Daylesford to Breakneck Gorge Port on Goldfields Track	2	Trail
111 - Track from Orford St (lookout) to Skate Park	2	Trail

106 - Rehabilitate existing old walking track from Daylesford to Hepburn Springs Reserve	2	Trail ?
99 - A track from Daylesford to Lyonville and along Domino Track into Trentham	2	Trail
93 - Daylesford to Creswick bike path along rail trail	2	Trail
101 - A loop from Daylesford through the Wombat Forest and back.	1	Trail
97 - Bike riding/walking trail from Daylesford to Woodend.	1	Trail
115 - Vincent Street to Coopers Lane via Daylesford Trentham Rd, Dairy Flat Road & return To Vincent St.	0	Trail
105 - Rehabilitate existing old track from Jubilee Lake Road to Sailors Falls	0	Trail
104 - A new trail from Sailors Creek beyond Telegraph Road, through to Musk Vale and back to Daylesford	0	Trail
103 - Improve the Goldfields Track to allow yearly usage. Through Wombat Forest, connecting Telegraph Rd, and through to end at Mollonghip.	0	Trail
100 - Connect trail from Daylesford railway station via Jubilee Lake following rail line through Wombat Forest, via Musk, Lyonville and Bullarto	0	Trail
96 - Connect Daylesford to Trentham via the Domino Track.	0	Trail

Hepburn		
Link Hepburn Springs to Daylesford to Trentham with a single walking and bike trail.	36	Trail
All walking tracks from the Hepburn Springs Bathhouse have more tourist friendly signage e.g colour codes, circular walks and approx times. Hepburn Reserve to Jacksons Lookout to Golden Springs and then back to the reserve Hepburn Springs Bathhouse to Argyle Springs via main path then return down the steps Scenic walkway circuit Poolway walk	9	Signage, Trail
113 - Hepburn Springs Reserve to Jacksons Lookout with signage and maps	6	Signage, Trail
Renovate Jacksons Lookout	1	Attraction
Trentham		
23 - Stage 2 Wombat Trail - Walking track from Bath St, down Camp St, Forest St & Mullens Road. To arrive at Trentham Recreation Reserve	11	Trail
21a - More options for walking tracks at Trentham Falls	9	Trail
28 - Better bike racks - like those in the Murray to Mountain rides.	6	Trail
30 - High Street, Opposite Post Office. Pedestrian crossing in High Street, across from Post Office and IGA to the Rotunda. This is a bus drop	4	Footpath
27 - Safe walks or rides from Trentham to Kyneton / Malmsbury & Woodend. Along Pearsons Road. Have tear off maps.	4	Trail
29 - Tylden-Trentham Road. Safe bike access to Trentham school.	2	Trail
22 - Have a road bridge built across Trentham Falls Road.	0	Bridge
119 - An extension of the footpath from the bridge near the Mechanics Hall up to Cranneys Lane.	0	Footpath

Creswick		
88 - Solid surface for paths/tracks around Doug Lindsay reserve.	46	Path
70 - Finish the rail trail from Ballarat to Creswick	12	Trail
94 - Improve lighting along walking track between new bridge in Melbourne-Bungaree Rd (Creswick entrance) to Walter Street, Exit	11	Lighting
83 - Path along Creswick Creek to Calembeen Lake	10	Path
89 - Walking/riding path along Ascot-Creswick Road and Luttet Street into town.	8	Trail
72 - Widen shoulders of roads for bike riders - Melbourne Rd and from Howards Road to Creswick.	6	Road, Cycle
79 - Loop walking track/footpath from Creswick-Clunes Road, down St. Georges Lake Road, around the lake and back to Melbourne Road via Walaby Track back to Creswick-Clunes Road.	4	Trail
78 - Direct path from Clunes-Creswick Road, to paths around Calembeen Park.	4	Path
74 - Walking tracks around Calembeen Lake	4	Trail
66 - 40km per hour zone on Old Melbourne Road to roundabout.	3	Speed Zone
82 - Mountain bike trail surrounded by Oswin Dve, Ballarat Road & Golf Course Road.	3	Mtn Bike Trail
76 - New footpath down Victoria Street	3	Footpath
Free electric & other bikes to share at info centre or hub. (Fold up bikes) Leave ID to use	3	Bikes
08 - Creswick has a pleasant walking trail through its botanical reserve - Park Lake - which can link to Sawpit Road at one end or around Calembeen Park at the other.	2	Trail
87 - Erect a shelter alongside of trail @ Doug Lindsay Reserve/Victoria Street. Needs to be facing SW to stop rain coming in.	1	Shelter
92 - Link Coomoora to Daylesford track to Wheatsheaf, Glenlyon & Sailors Falls	1	Trail
84 - Overpass across Ballarat Road, after Melbourne Road, heading toward Ballarat.	1	Overpass
71 - Fix the miner trail (signage) from Ballarat to Creswick.	1	Signage, Trail
68 - Clearer markings for trails and for the Goldfields Track	1	Signage
19 - A walking/cycling path be built along the road between North Creswick and Broomfield. It is only approximately 3kms and follows the current road.	1	Trail
73 - Walking track from Clunes-Creswick Road, up Bridge Street and around Park Lake. Also include a safe option to cross Midland Hwy.	0	Trail
69 - Pedestrian & bike precinct in centre of town. Trial diverting traffic away from town centre and instead have laneway links.	0	Trail
An electric charging point in town for electric bikes.	0	Bikes
67 - Improved bike rack security @ Creswick Hub	0	Bikes
34 - Have a walking track from Clunes to Creswick	0	Trail

Clunes		
58 - Path along Creswick Creek as far as possible.	11	Trail
39 - Mt Beckworth - Full trail around Mt Beckworth linking back to Clunes for walking/ cycling	7	Trail
62 - Extended creek walk towards Hickox Street.	5	Trail
40 - Rail trail from Clunes - Talbot	5	Trail
53 - Clunes Creeks - Walking tracks to run through the clifftops along the creeks.	4	Trail
Bike/Walking Path. It's probably already in there already but a Walking/Bike track along the creek that doesn't go through the football oval car park or the Park next to the bowling club. An actual path or where required a boardwalk behind the caravan park/footy oval where people can walk, ride slowly with their kids or for those that need to, a "Scooter" could be used so even the elderly can enjoy the local birdlife and waterway.	3	Trail
50 - Township - A walking history track with historical information on it. (Tear off maps).	2	Trail
46 - Clunes Township - Create a loop track around the town. An extended creek walk to health centre and back.	2	Trail
36 - Have a BMX/Pump track near the skate park.	1	Bike Track
31 - Cycling Road Race & Walking Tracks. Road race from Clunes via Campbelltown to Mt Cameron, along Fawcett Dve	1	Trail, Road
51 - Walking Festival - Have a walking festival in the Clunes township and surrounds.	0	Event
48 - Clunes Township to Mt Cameron Road Bridge - Create a walking track from the Mt Cameron Road Bridge into the township of Clunes.	0	Trail
47 - Walking Loop - Create a walking loop from the caravan park along the creek to the ford and back.	0	Trail
44 - Gold Discovery Monument - Scenic Drive - Create some tracks around the gold discovery monument along Scenic Drive.	0	Attraction
42 - Clunes & Mt Beckworth - Safe horse trails for all who ride around the area. Have some indurance trails and tracks. Often used roads, Kierces Rd, McKinleys Rd, Glendaruel Rd & Learmonth Roads. Include a trail to Mt Beckworth.	0	Trails
37 - Town centre and surrounds. Better signage for drivers to make them cyclists aware. "Share the roads"	0	Signage
32 - Cycling Loop around the town centre and a safer routes via Fairview Road and Ballarat-Maryborough Road.	0	Trail, Path

ATTACHMENT 2 - WALKING AND CYCLING PROJECTS UPDATE
(ISSUED UNDER SEPARATE COVER)

11.4. COMPLAINTS POLICY REVIEW

GENERAL MANAGER CORPORATE SERVICES

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

PURPOSE

The purpose of this report is to review Council Policy 64 (C) – Complaints Handling Policy.

BACKGROUND

Hepburn Shire Council has a formal complaint handling process and policy which has been in operation since June 2011; the policy was last reviewed in September 2014.

ISSUE/DISCUSSION

The Complaints Handling Policy has been reviewed considering accessibility for all residents and ratepayers. The revised policy provides an integrated approach to managing complaints that is robust, fair, dynamic, agile and defensible. To ensure a consistent approach across the organisation, complaints relating to Aged and Disability Services which were previously managed in a separate procedure will now be handled under this policy.

Changes have also been made to provide clarity around anonymous complaints, privacy of complainant information and natural justice.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The Council Plan Key Strategic Activity 22 provides that we will 'Create and maintain a customer service culture throughout the organisation that ensures the delivery of consistent and quality customer focused services whereby our customers are dealt with promptly, courteously, efficiently and effectively at all times'.

FINANCIAL IMPLICATIONS

The handling of complaints by Council Officers and Councillors has been accounted for in the recurring budget.

RISK IMPLICATIONS

The Complaints Handling Policy and Guidelines provide a mechanism for the organisation to register, hear and respond to complaints in an effective and timely manner.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The Complaints Handling Policy and Guidelines provide a mechanism for improving the quality of customer service, communication and relationship with the community. An effective complaints handling framework is an important line of direct communication with the community. By providing an honest, open, simple and well managed complaints handling process, Council shows the community that it is willing to open itself up to scrutiny through a transparent and robust assessment of its decision making and operations.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Policy will be available on Council's website and at Council Offices once approved.

CONCLUSION

The revised Complaints Handling Policy provides greater clarity on who will handle complaints, the time frames for responses, anonymous complaints, privacy of complainant information and natural justice. It is recommended that Council adopt the revised Council Policy 64 (C) – Complaints Handling Policy.

OFFICER'S RECOMMENDATION

11.4.1 That Council adopts Policy 64 (C) – Complaints Handling Policy and makes it available for public inspection on Council's website and at Council's offices.

MOTION

That Council:

- 11.4.1. *Adopts Policy 64 (C) – Complaints Handling Policy and makes it available for public inspection on Council’s website and at Council’s offices.*
- 11.4.2. *Requests officers to report on systems to record and share complimentary feedback about Council activities.*

Moved: Cr Fiona Robson

Seconded: Cr Neil Newitt

Carried

ATTACHMENT 3 - REVISED COMPLAINTS POLICY
(ISSUED UNDER SEPARATE COVER)

11.5. COMMUNITY GRANTS

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 allocation of the Round Two 2016-2017 Quick Response Community Grants Pilot Program for February.

BACKGROUND

The Community Grants program allows Council to directly support the work of community groups and organisations as well as provide the chance for innovation across Hepburn Shire. The program funds applications in a number of categories including:

- Sustainable Environment and Vibrant Economy,
- Active and Engaged Communities and,
- Quality Community Infrastructure (including small equipment)

A copy of the Guidelines are attached (Attachment #1).

ISSUE/DISCUSSION

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

A total of three applications were received for February, with all applications being recommended for funding at a total of \$3,400.00.

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 from Round One (2016/17) was \$21,369. The recommended Quick Response Community Grants Pilot Program for February is \$3,400.00 leaving a balance of \$15,231.

RISK IMPLICATIONS

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

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

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

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The request for applications for the February 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

That Council:

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

<i>Organisation / Club / Group</i>	<i>Recommended Amount</i>	<i>Project Name</i>
<i>Anglican Diocese of Ballarat</i>	<i>\$2,000.00</i>	<i>Four Seasons Fine Music Festival</i>
<i>Trentham Neighbourhood Centre</i>	<i>\$1,000.00</i>	<i>Wombat Boogie</i>
<i>VOGA Cycle Club</i>	<i>\$400.00</i>	<i>First Aid Kit</i>
<i>Total Project Funding for February</i>	<i>\$3,400.00</i>	

MOTION

That Council:

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

<i>Organisation / Club / Group</i>	<i>Recommended Amount</i>	<i>Project Name</i>
<i>Anglican Diocese of Ballarat</i>	<i>\$2,000.00</i>	<i>Four Seasons Fine Music Festival</i>
<i>Trentham Neighbourhood Centre</i>	<i>\$1,000.00</i>	<i>Wombat Boogie</i>
<i>VOGA Cycle Club</i>	<i>\$400.00</i>	<i>First Aid Kit</i>
<i>Total Project Funding for February</i>	<i>\$3,400.00</i>	

Moved: Cr Don Henderson

Seconded: Cr Kate Redwood AM

Carried

ATTACHMENT 4 - COMMUNITY GRANTS QUICK RESPONSE PILOT
PROGRAM GUIDELINES – ROUND 2 2016-2017
(ISSUED UNDER SEPARATE COVER)

ATTACHMENT 5 - ADDITIONAL INFORMATION COMMUNITY GRANTS

Name of Applicant	Project Name	Grant Type	Description	Assessor Comments	Funding Recommendation
Anglican Parish of Ballarat	Four Seasons Fine Music Festival	Active & Engaged Communities	<p>The 4 Seasons Music Festival concept is a series of four weekend concerts of fine music and song to acknowledge and celebrate seasons in central Victoria. The proposal for funding requests resources to specifically deliver nine local events in Clunes and Creswick, with the first in late February through to October.</p>	An excellent application that clearly meets the criteria in every section.	\$2,000
Trentham Neighbourhood Centre	Wombat Boogie	Active & Engaged Communities	<p>Our goal is to bring different people and cultures together through dance. We will be running dance classes, 50 minute classes in 4 different venues from 9:30am to 7:30pm. Each participant will be able to take a range of different lessons aimed at the novice to intermediate social dancer. Our teachers come from all over the world. We will also have a main stage hosting different performances from our artists on the main stage along with a dance party Saturday evening.</p>	Recommend partial funding for this project, given that attendance expectation is low. But happy to support as a start up.	\$1,000
VOGA	VOGA Cycle Club First Aid Kit	Small Equipment	<p>VOGA has grown from hosting the single race in November, to hosting a minimum of 7 races in 2017. In the past first aid has been supplied by members own personal kits, however the club has identified that it needs a bigger and better equipped kit of its own</p>	Quality application	\$400

**11.6. GENERAL ELECTION RESULTS - SUBMISSION OF VICTORIAN ELECTORAL COMMISSION - VEC - RESULTS TO COUNCIL
GENERAL MANAGER CORPORATE SERVICES**

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

PURPOSE

The purpose of this report is to update the Council on the conduct of the 2016 General Election

BACKGROUND

The Local Government Act (1989) Schedule 3 Part 5 – Miscellaneous Provisions (14) *Report on the Election by Returning Officer* requires that the report prepared by the returning officer, on the conduct of the election within 3 months after Election Day must be presented to Council at the earliest practicable meeting held after the report is received.

ISSUE/DISCUSSION

In accordance with the provisions of the Local Government Act (1989), Hepburn Shire Council received the report, from the Victorian Electoral Commission (VEC), on the 20 January 2017. Information contained in the report includes:

- The municipal voters roll comprised 15,281 enrolled voters
- 18 nominations were received by candidates wishing to stand
- There was only one uncontested election
- Returning officer issued 126 replacement ballot packs
- 16 unenrolled declaration votes were issued, 6 were admitted to the count
- 72.86% of ballot papers were counted
- The informal voting rate was 2.08 percent.

Further details of the election are contained in the full report attached including the certified record of ballot papers.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The tabling of the Hepburn Shire Council General Election Report 2016 at a Council meeting complies with the Local Government Act (1989) and supports Council's commitment to good governance.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the tabling of this report. The cost of the 2016 Council general election was provided for in the 2016-2017 budget.

RISK IMPLICATIONS

Nil

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Community and stakeholder engagement is provided through the preparation and distribution of the Council meeting agenda and minutes.

CONCLUSION

As required by the Local Government Act (1989), the returning officer has provided Hepburn Shire Council with a report on the 2016 Council general election which is being submitted to Council through this report.

OFFICER'S RECOMMENDATION

11.6.1. That Council receives and notes the report on the Hepburn Shire Council General Elections 2016 as prepared by the returning officer.

MOTION

11.6.2. That Council receives and notes the report on the Hepburn Shire Council General Elections 2016 as prepared by the returning officer.

Moved: Cr Don Henderson

Seconded: Cr Neil Newitt

Carried

ATTACHMENT 6 - VEC - HEPBURN SHIRE COUNCIL ELECTION REPORT 2016
(ISSUED UNDER SEPARATE COVER)

11.7. RECORD OF ASSEMBLIES OF COUNCILLORS
GENERAL MANAGER CORPORATE SERVICE

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

PURPOSE

The purpose of this report is for Council to receive and note Assemblies of Councillors.

BACKGROUND

The Local Government Act 1989 defines Assembly of Councillors as

...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -

- (a) the subject of a decision of the Council; or
- (b) subject to the exercise of a function, duty of power of the Council that has been delegated to a person or committee –

but does not include a meeting of the Council, a special committee of the Council, as audit committee established under Section 139, a club, association, peak body, political party of other organisation.

ISSUE/DISCUSSION

The Local Government Act 1989 (as amended) requires the record of an Assembly of Councillors to be:

1. reported at an Ordinary Meeting of the Council; and
2. incorporated in the minutes of that Council Meeting.

For this purpose, the following records of Assemblies of Councillors are reported:

Assemblies of Councillors		
Date	Location	Description
04-01-2017	Duke Street Meeting Room	Heather Mutimer International Women's Day Organising Advisory Committee
10-01-2017	Council Chambers	Councillor Briefing
17-01-2017	Council Chambers	Councillor CEO Meeting

Date	Location	Description
17-01-2017	Council Chambers	Councillor Briefing (Pre-Council Meeting)

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

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

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

Information provided for noting.

OFFICER'S RECOMMENDATION

11.7.1. That Council receives and notes the Records of Assemblies of Councillors for January 2017

MOTION

That Council

11.7.1. *Receives and notes the Records of Assemblies of Councillors for January 2017*

Moved: Cr Kate Redwood AM

Seconded: Cr Greg May

Carried

ATTACHMENT 7 - 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 and Information Coordinator, I Alex Dalglish have no interests to disclose in this report.

PURPOSE

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

BACKGROUND

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

ISSUE/DISCUSSION

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

- Lyonville Hall Special Committee – 10-01-2017

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

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

- Lyonville Hall Special Committee – 10-01-2017

MOTION

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

- *Lyonville Hall Special Committee – 10-01-2017*

Moved: Cr John Cottrell

Seconded: Cr Neil Newitt

Carried

13. COUNCIL ADVISORY COMMITTEES

13.1. MINUTES OF ADVISORY COMMITTEES

GENERAL MANAGER CORPORATE SERVICES

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

PURPOSE

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

BACKGROUND

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

ISSUE/DISCUSSION

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

- Heather Mutimer International Women's Day Organising Advisory Committee – 04-01-2017.

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 the minutes of the following Advisory Committees which have been distributed under separate cover:

- Heather Mutimer International Women's Day Organising Advisory Committee – 04-01-2017.

MOTION

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

- *Heather Mutimer International Women's Day Organising Advisory Committee – 04-01-2017.*

Moved: Cr Kate 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;

- Awarding of Lease - Daylesford Speedway Drivers Association Inc - Daylesford Speedway Basin Reserve; and

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

Due to motion 7.2 there was not a need to close the meeting to the public.

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.

Due to motion 7.2, the re-opening of the meeting to the public was not required

16. CLOSE OF MEETING

Meeting closed at 7:34pm
