



***HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF
COUNCIL
MINUTES***

TUESDAY 18 JANUARY 2011

**CLUNES TOWN HALL
BAILEY STREET, CLUNES
5.30PM**

This Document is printed on 50% Australian recycled paper

**Hepburn Shire Council
Ordinary Meeting of
Council**



MINUTES

TUESDAY 18 JANUARY 2011

CLUNES TOWN HALL
Bailey Street, Clunes
Commencing 5.30PM

CONTENTS	PAGE
1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	1
2. OPENING OF MEETING	1
3. APOLOGIES.....	2
4. DECLARATION OF CONFLICTS OF INTEREST	2
5. CONFIRMATION OF MINUTES.....	3
6. PRESENTATIONS	4
7. PUBLIC PARTICIPATION TIME	9
8. URGENT BUSINESS	12
9. OFFICERS REPORTS	13
9.1 LIBRARY SERVICES IN TRENTHAM.....	13
Attachment 1 Petition re Library Services in Trentham.....	16
9.2 HEAVY VEHICLE PERMIT, STANBRIDGE STREET.....	26
9.3 FINANCE REPORT JANUARY 2011	28
10. COUNCIL SECTION 86 AND ADVISORY COMMITTEES AND STATUTORY REPORTING.....	35
10.1 ASSEMBLIES OF COUNCILLORS.....	35

Hepburn Shire Council Ordinary Meeting of Council



11.	CLOSURE OF MEETING TO THE PUBLIC	43
11.1	<i>CLOSURE OF MEETING TO CONSIDER CONFIDENTIAL MATTERS</i>	<i>43</i>
12.	CONFIDENTIAL ITEMS	45
12.1	<i>TENDER H241-2010 – RESTORATION OF FLOOD-AFFECTED GRAVEL ROADS</i>	<i>45</i>
12.2	<i>2011 HEPBURN SHIRE AUSTRALIA DAY AWARDS</i>	<i>45</i>
12.3	<i>2011 HEPBURN SHIRE WOMEN’S HONOUR ROLL NOMINATIONS</i>	<i>45</i>
13.	RE-OPENING OF MEETING TO THE PUBLIC	45
13.1	<i>RE-OPENING OF MEETING</i>	<i>45</i>
14.	CLOSE OF MEETING	45

EVAN KING

ACTING CHIEF EXECUTIVE OFFICER

13 JANUARY 2011

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: The Meeting opened at 5.30pm

PRESENT: Mayor Cr Rod May; Deputy Mayor Cr Sebastian Klein; Birch Ward Councillor Jon Barrell; Cameron Ward Councillor Tim Hayes; Creswick Ward Councillor Janine Booth; Creswick Ward Councillor Don Henderson; Holcombe Ward Councillor Bill McClenaghan.

IN ATTENDANCE: Acting Chief Executive Officer Evan King; General Manager Infrastructure Peter Reeve; General Manager Sustainable Development Robert Jennings; Acting General Manager Community Development Kathleen Brannigan.

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. DECLARATION OF CONFLICTS OF INTEREST: Nil.

5. CONFIRMATION OF MINUTES:

OFFICER'S RECOMMENDATION

5.1.1 That the Minutes of the Ordinary Meeting held 21 December 2010 be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOTION

5.1.1 That the Minutes of the Ordinary Meeting held 21 December 2010 be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOVED: Councillor Sebastian Klein
SECONDED: Councillor Don Henderson
CARRIED.

6. PRESENTATIONS

6.1 PRESENTATION OF REPORTS

Mayor's Report

Councillor Rod May, Birch Ward

On Monday 10 January I attended a meeting held on site with residents at the Park. There were approx 60 people present, all speaking with one voice.

The concerns over the current management of the park are palpable. The low levels of service in general claimed include poor maintenance of toilets, the build-up of tree residue, the undisposed garbage, the ban on camp fires and the manner with which the annuals are dealt.

Residents may not have any campfires of any description

Residents were fearful for their futures with many of them having been at the park since children. They were all fearful that the park would be closed down or at least that they would be removed either formally or through exorbitant rent increases (which contrary to other reports are well above regional averages)

The meeting was told by myself that council did not want to see the park closed, that regulations were required to be met although there had been some respite with regards to the date of implementation, that council were seeking new quotes on infrastructure works and that in the event that ATPM pulled , council had a contingency plan. They were very pleased to hear this but remained wary that ATPM would like to see them all gone.

It appears that any residues are dumped off the leased site

I said that I would take their collective concerns to the council and that we would be pursuing a number of these matters.

Residents understand the need to shift some vans and don't see it as prohibitive.

11 January

I attended the opening of the Boîte musical festival at Daylesford last weekend.

I attended a variety of meetings with citizens and politicians in Creswick and Clunes with relation to the flood events.

I hosted Canadian artists at the Harvest Festival who told stories to a packed house

I attended the New Years Eve parade once again ably hosted by Cr Klein.

Councillor Reports

Councillor Don Henderson, Creswick Ward

Recent times have seen great trauma for residents. Floods have once again wreaked havoc and although the towns of Clunes and Creswick have borne the brunt of the devastation, areas of farmland and fences have been washed away again.

On behalf of residents I have thanked our staff at all levels and I must take this opportunity to publicly acknowledge all involved in this disaster. There are some things and people who stand out and go beyond the expected. Cr McClenaghan is first to spring to mind arriving in Creswick with sleeves rolled up and sporting a bus just in case it was needed. Senator Elect Madigan was on the spot on both days and was largely responsible for getting the Premier up to see first-hand what was needed.

Our local community was also there including some of our young folk who often come in for some negative remarks. Nothing negative about filling sandbags so well done.

Our local Red Cross, Lions, Salvos and St Vinnies. Some time ago someone said to me why do we need a Residents Association . The short answer is that they were first there to set up drinks and give help until other support arrived to help them.

We have heard much about what Creswick does not have but tourists told me that they could not believe that businesses that were being flooded were sandbagging and supplying food to others. Other businesses when asked about paying for bakery supplies were offended at the thought and donated hot food for emergency service people and workers doing clean up works. All of our Cafes and coffee shops donated. The list goes on and even the Premier asked about Archie Lubeek who as anybody would know around Creswick is tireless and dedicated to our town. There are many arguments about what needs to be done but it seems that recent experience tells us that the old once in a hundred years will not cut it and we must act before the main Streets of Clunes and Creswick become like the ruins we see in some old western movies. At the heart of the argument is our Council Plan which demands of us to make decisions that protect our Sustainability ,heritage and economic prosperity. None of this will be achieved in this case by consultants and reports to be mulled over and considered. Comprehensive and significant action is what is required and the time to take that action is upon us right now..

Councillor Tim Hayes, Cameron Ward delivered the following report:

In presenting a verbal report Cr Hayes thanked all officers and staff involved in the response to the floods of Friday 14 January. He also acknowledged members of the Mt Cameron, Ullina and Clunes CFAs and local community members involved in sand bagging properties in Fraser Street on the Thursday evening.

Councillor Jon Barrell, Birch Ward delivered the following report:

1. **Wombat Hill Botanical Gardens Advisory Committee**
 - a. The meeting schedule for 2011 including reviewing of the action plan for the WHBG & meeting with stakeholders
2. **Daylesford Macedon Ranges Regional Tourism Board** is currently completing a Strategic Planning exercise. The Board met this morning and items of significance included
 - a. The Tourism Audit Presentation reported on the results of the Mystery Shopper survey. This data will assist HSC with economic development & leadership mentoring
 - b. An update on the Government Fire Ready Guide
3. **ARC Advisory Committee** last meeting was deferred until Feb 2011. Meanwhile
 - a. I am advised by Officers that
 - i. the YMCA and Daylesford Secondary College reps have spent considerable time working towards a Calendar of Use that reflects the Joint Use Agreement and will assist the viability of the ARC by giving improved daytime school hour access to the stadium and Health Club
 - ii. The ARC Advisory Committee Terms of Reference have been reviewed and a briefing and Council report will be provided for March to allow for the Advisory Committee to consider Draft Annual Plan.
 - b. I am hoping that a card system will allow members access to the Health Club when it is not staffed however this may require changes to service specifications which is in train;
4. On 26/11/2010 I attended a MAV seminar entitled Re-energizing Local Democracy and Governance. The presenters were

Prof Gerry Stoker, a globally recognised authority on local government and politics, is Professor of Politics and Governance at the University of Southampton, UK. He is

Director of the Centre for Citizenship, Globalisation and Governance. Professor Stoker was the founding Chair of the New Local Government Network that was the 'Think Tank of the Year' in the UK in 2004. He has acted as an advisor to the UK government and the Council of Europe on local government issues over the last decade. There are several broader themes that Professor Stoker has pursued and the most important of these is the issue of governance in the UK and beyond. A further focus of Professor Stoker's work has been over the issue of citizen participation, social capital and civil renewal.

Barry Quirk has been Chief Executive at the London Borough of Lewisham since 1994 and is the most experienced Chief Executive in British local government. He has worked in London's local government for over 30 years, with service and management experience in five London Councils. Barry has been involved in policy development and public management at regional and national levels for over a decade.

Professor Stoker and Barry Quirk discussed key trends in local government relating to governance and improved decision-making and outcomes.

Councillor Sebastian Klein, Coliban Ward delivered the following report:

I attended and mc'ed the Daylesford New Year's Eve parade. This is a tremendous community event that brings everyone together in a positive and celebratory atmosphere.

Councillor Janine Booth, Creswick Ward did not present a report.

Councillor Bill McClenaghan, Holcombe Ward

This year began with the New Year's Sports Day at Glenlyon at the Recreation Reserve. Run by the Glenlyon Sports Association, a voluntary group who do so many things in Glenlyon, the event was bigger than ever and thanks to our infrastructure staff's work on the racetrack, the Glenlyon Cup was held this year in fine form. This traditional country sports day of racing, wood chops, gumboot throwing and mineral water drinking competitions receives no sponsorship from Council, has no MOU for funding and yet is able to raise and donate significant funds to local worthy causes like the hospital and the CFA. Glenlyon people are also delighted with their new footbridge over the Loddon River which has survived the recent floods although the end supports have been twisted again.

Last week's floods caused widespread damage in many parts of the Shire but particularly in Creswick and Clunes. Our Municipal Emergency Management Plan was

activated immediately and Relief Centres were quickly established in both towns where affected people were again evacuated as necessary. A community driven action also occurred to help save homes and businesses affected by floods for the second time in five months and the recovery effort is now commencing. Significant damage has been done to municipal roads, bridges and other infrastructure as well as much private property. Thanks are extended to our staff who worked hard again through the flood crisis and also to the many emergency service personnel, volunteer agencies and community volunteers who generously gave of their time and efforts.

Creeks are like buckets of water, able to hold a certain capacity. However if the bucket is half full of sand and gravel, it will overflow before its real capacity is reached. This is why remedial works are needed urgently on the Creswick Creek.

This year the future of the Highlands Regional Waste Management Group is in doubt as the new State Government has yet to determine its direction on proposed amalgamations of Regional Groups. Under the Environment Protection Act, current legislation sunsets on 30 June this year as does funding for all RWMGs together with much project funding in that area. Decisions are required also on things like the landfill levy and the future of waste management as a whole. The Highlands group meets again next month when more information will hopefully be available.

Other duties I have for and on behalf of Council such as delegate on the M.A.V. and “Timbertowns” have also yet to begin and will be reported on shortly.

OFFICER’S RECOMMENDATION

6.1.1 *That Council receive and note the reports of the Councillors.*

MOTION

6.1.1 *That Council receive and note the reports of the Councillors.*

MOVED: Councillor Jon Barrell
SECONDED: Councillor Bill McClenaghan
CARRIED.

7. 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 CEO 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 CEO by 12 noon on the day of the Council meeting.

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

7.1. PETITIONS:

Nil petitions received at time of collating Agenda.

7.2 QUESTIONS:

Question 1: From Judy Macleod

Re: Jubilee Lake Caravan Park

The corporate lease model with ATPM has failed. Has Council looked at alternate models OR would you consider supporting a group formed from residents and annual site holders taking over the lease and managing the park ourselves?

Answer by Acting Chief Executive Officer Evan King:

At present Council has a legally enforceable lease with ATPM. If this lease was to be terminated in the future Council would investigate the alternatives. If the CP residents and annuals were interested in operating the CP then this would be considered along with any other proposals the Council receives. Any prospective managers of the park would need to consider the following:

- *Insurance*
- *Personal Liability*

- *OH&S*
- *Employment*
- *Fee Collection*
- *Work cover*
- *Compliance with the regulations*

Question 2: from Kevin Macleod

Re: Jubilee Lake Caravan Park

We made contact with Ballarat CFA Headquarters 2 weeks ago to ask if they would come to Jubilee Lake to make a report on compliancy in the park and for each individual site holder. They are happy to do that. Will Council arrange for this to be completed as soon as possible and make this report available to all site holders so changes can be implemented in the park?

Answer by Acting Chief Executive Officer Evan King:

The latest CFA report on the Jubilee Lake CP is 8 August 2008. With the introduction of the 2010 Regulations it was considered that a new CFA report may be advisable. The CFA was requested by letter on 10 January 2011 to advise whether its 2008 report was still applicable and adequate or whether a new report was required and if a new report was required to complete one as early as possible.

The CFA report, once considered by council and the caravan park operator could be made available to site holders, but site holders should be aware that it is likely to mean substantial changes to the existing caravan park, disruption to the operation of the park as works will not be achieved 'overnight' and these are works that the caravan park owner will be responsible for.

Further it should be noted that the Regulations were amended on 20 December 2010 to in effect extend registrations which were due to expire on 31 Dec 2010 until 31 Dec 2011 or until a new registration is issued - whichever occurs first. Jubilee Lake CP is therefore able to continue operating for the time being.

Question 3: from Bruce Whitton

Will Council give me “TIME LINE” to have ATPM and their Park Manager leave, as they are collecting Fees etc, all this money is leaving this Shire, no benefit to our Park or our Community.

Answer by Acting Chief Executive Officer Evan King:

Council currently has a legally binding lease with ATPM. Council and APTM are currently involved in mediation. The content of mediation is confidential. As such there is no time line for ATPM to leave the park.

Question 4: from Elizabeth Cox

When ATPM leave Jubilee Lake and Council appoint an interim manager, will Council consult with the committee of site holders appointed at the meeting at the park on January 10 2011as to the range of options for the parks future?

Answer by Acting Chief Executive Officer Evan King:

Council currently has a legally binding lease with ATPM. Council and ATPM are currently involved in mediation. The content of mediation is confidential. As such there is no time line for ATPM to leave the park. If in the future the lease of the park became available Council would consider all viable options.

8. URGENT BUSINESS

8.1 That Council consider an item of urgent business

MOVED: Councillor Jon Barrell
SECONDED: Councillor Tim Hayes
CARRIED.

8.2 Item of urgent business

That Council :

- 8.2.1 express its sincere thanks to all officers and staff for their superb efforts following the floods of 2010 and 2011.
- 8.2.2 continue to pursue the issues of a works on waterway permit from the NCCMA in order for Council to facilitate the works on the waterway on behalf of NCCMA.
- 8.2.3 ensure the NCCMA provide funding for Council to facilitate the required works on behalf of the NCCMA and attendance at two public meetings to be held at Clunes and Creswick.
- 8.2.4 receive a further report on flood-related matters in one month.

MOVED: Councillor Jon Barrell
SECONDED: Councillor Don Henderson
CARRIED.

9. OFFICERS' REPORTS

9.1 PETITION – TRENTHAM LIBRARY SERVICE GENERAL MANAGER COMMUNITY DEVELOPMENT

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

PURPOSE

The purpose of this report is for Council to consider a petition regarding Trentham Library Services.

REPORT

Council at its Ordinary Meeting held on 21 December 2010 received a petition with 484 signatures headed "Trentham needs to keep its library service (mobile or some other alternative)".

BACKGROUND

In the current 2010-11 Budget, Council allocated \$15,000 to undertake a review of library services within the shire.

Michelle Read has been contracted to undertake this review.

The focus of the review is to understand whether the existing service levels meet both the current and future needs of the Hepburn Shire community, and identify what the future service and resourcing levels should be.

Specifically, the review of library services seeks the following outcomes:

1. A clear understanding of the existing library service levels available to the Hepburn community and how the community makes use of the library services in Hepburn.
2. Understanding of industry best practice approaches to library service delivery and infrastructure provision, particularly library facilities and services which are integrated and co-located with other services.
3. A clear understanding of how the existing service levels compare to similar communities / populations.

4. A clear understanding of how the existing library infrastructure compares to similar communities / populations.
5. A clear understanding of whether the library service available to the Hepburn community, meets the community's needs, and is an appropriate level of service for the Hepburn community.
6. Recommendations regarding the future direction of library services in Hepburn Shire, particularly focused upon the level of service and future infrastructure requirements.

Through the review process, Trentham and district residents have had the opportunity to have input on the current service levels and their future aspirations. The petition will be acknowledged in the Library Review.

The review will be completed in March and Councillors will be briefed in relation to the report recommendations.

COUNCIL PLAN /LEGISLATIVE COMPLIANCE

We will create healthier, safer, more vibrant communities by:-

Commitment 46 – Providing citizens with the information and linkages they need to make community connections through our leisure programs, libraries and neighbourhood houses.

FINANCIAL IMPLICATIONS

Council has allocated \$15,000 to undertake a review of library services.

RISK IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There has been significant community consultation undertaken in the review including six informal community discussions, a survey and discussion with library staff.

CONCLUSION

N/A

OFFICER'S RECOMMENDATION

That Council

9.1.1 note the report;

9.1.2 await the outcome of the Library Review;

9.1.3 thank the head petitioner Carol Lubeek and advise of the Council decision.

MOTION

That Council

9.1.1 note the report;

9.1.2 await the outcome of the Library Review;

9.1.3 thank the head petitioner Carol Lubeek and advise of the Council decision.

MOVED: Councillor Sebastian Klein

SECONDED: Councillor Tim Hayes

CARRIED.

Attachment 1
Petition re Library Services in Trentham

9.2 HEAVY VEHICLE PERMIT – STANBRIDGE STREET, DAYLESFORD GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Asset Engineer, I have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider an application for a heavy vehicle permit for Stanbridge Street, Daylesford received from Cleanaway.

BACKGROUND

Following Council's decision at its Ordinary Meeting on 17 August 2010 to impose a 16 tonne load limit on Stanbridge Street, Daylesford, an application for a heavy vehicle permit has been received from Cleanaway.

ISSUE/DISCUSSION

To allow the current domestic waste collection service to be carried out, Cleanaway needs to be able to operate their collection vehicles in Stanbridge Street. The collection vehicles are in excess of 16 tonne so an exemption to the weight limit is required.

The load limit in Stanbridge Street was imposed primarily to prevent through traffic from using Stanbridge Street.

COUNCIL PLAN /LEGISLATIVE COMPLIANCE

Council Plan 2009-2013:

Good Governance

22. Requiring Council Management to prepare policies and protocols which support transparent decision making.

FINANCIAL IMPLICATIONS

If a permit is not granted to allow the 'normal' waste collection truck to collect the waste then a smaller collection truck is required, and the contractor may request additional payment for the change of service.

RISK IMPLICATIONS

Not granting the permit will result in alternative waste collection having to be organised at additional cost or the possible suspension of the collection service in Stanbridge Street.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Issuing of the permit will allow for the current waste collection services to continue.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Nil

CONCLUSION

The issuing of a heavy vehicle permit to Cleanaway to allow their current vehicles to continue to use Stanbridge Street is the most practical way for the domestic waste collection to continue.

OFFICER'S RECOMMENDATION

- 9.2.1 *That Council agree to issue a permit to Cleanaway to operate higher mass vehicles exceeding 16 tonnes in Stanbridge Street, Daylesford for the purpose of collecting the household kerbside waste.*

MOTION

- 9.2.1 *That Council agree to issue a permit to Cleanaway to operate higher mass vehicles exceeding 16 tonnes in Stanbridge Street, Daylesford for the purpose of collecting the household kerbside waste.*

MOVED: Councillor Don Henderson
SECONDED: Councillor Janine Booth
CARRIED.

9.3 MONTHLY FINANCIAL REPORT GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the Manager of Finance, I have no interests to disclose in this report.

PURPOSE

The purpose is to report on the Council's financial performance for the 2010/11 financial year up to the 31 December 2010.

BACKGROUND

Due to the Christmas/New Year break, only a brief report has been provided. This report provides information on cash and investments and debtors.

ISSUE/DISCUSSION

CURRENT ASSETS:

Cash and investments at 31 December 2010 total \$7.3 million, which is just below the balance at the same time last year. This is primarily due to expenditure on the Doug Lindsay Recreation Reserve and unanticipated flood recovery expenditure.

Refer to the Investment schedule (attached) for detail of investments and cash held and the graph of cash and cash equivalents for the 12 months to 30 June 2010 with comparison to the first 6 months of this year.

TRADE & OTHER RECEIVABLES:

Rate debtors at the end of December 2010 are \$6.8 million, compared to rate debtors at the same time last year (\$6.4 million.) Approximately \$385,000 in debtors remains from 2009-10 and prior.

Sundry debtors total \$971,000 at the end of December compared to the same time last year (\$597,000). This has reduced since November as the invoice raised in November for September 2010 floods of \$466,000 has been cancelled and partially re-invoiced in January. The final claim for the Creswick Interpretive

centre from Department of Regional & Rural Development Victoria \$106,000 raised in November was paid early January 2011.

The two graphs attached show the level of Rate Debtors for 2010/11 in comparison to the same time last year and Sundry Debtors in comparison to the same time last year.

COUNCIL PLAN /LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

The internal financial report is required to assist in decision making and ensure departments do not exceed their budget.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

None noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As per the Hepburn Shire Community Engagement Framework, level 1 engagement has been undertaken. This information will be made available to the public via the minutes published on the Council's website.

CONCLUSION

The report on the financial performance of Council for the six months to 31 December 2010 has been reported.

OFFICER'S RECOMMENDATION

9.3.1 That Council receives the Monthly Financial Report for the six months from 1 July 2010 to 31 December 2010.

MOTION

9.3.1 That Council receives the Monthly Financial Report for the six months from 1 July 2010 to 31 December 2010.

MOVED: Councillor Sebastian Klein

SECONDED: Councillor Janine Booth

CARRIED.

10. SECTION 86 AND ADVISORY COMMITTEE MEETINGS

10.1 ASSEMBLIES OF COUNCILLORS – DECEMBER 2010 CHIEF EXECUTIVE OFFICER

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

PURPOSE

This report summarises Assemblies of Councillors during December 2010.

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

In accordance with *The Local Government Act 1989*, Section 80A (2) the following summary of Assemblies of Councillors during December 2010 is provided.

Date	Location
7 December 2010	Council Chamber, Daylesford
14 December 2010	Council Chamber, Daylesford
14 December 2010	Senior Citizens Room, Daylesford

There were no Advisory Committee Meetings held during December 2010.

COUNCIL PLAN /LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

FINANCIAL IMPLICATIONS

Nil.

RISK IMPLICATIONS

Nil

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Nil

CONCLUSION

Information provided for noting.

OFFICER'S RECOMMENDATION

10.1.1 That Council note the above information re Assemblies of Councillors during December 2010.

MOTION

10.1.1 That Council note the above information re Assemblies of Councillors during December 2010.

MOVED: Councillor Bill McClenaghan

SECONDED: Councillor Tim Hayes

CARRIED.

11. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

11.1 CLOSURE OF MEETING TO CONSIDER CONFIDENTIAL ITEMS

The Local Government Act 1989, Section 89 (2), states that:

(2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—

- (a) personnel matters;*
- (b) the personal hardship of any resident or ratepayer;*
- (c) industrial matters;*
- (d) contractual matters;*
- (e) proposed developments;*
- (f) legal advice;*
- (g) matters affecting the security of Council property;*
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;*
- (i) a resolution to close the meeting to members of the public.*

RECOMMENDATION

*11.1.1 That Council resolve that the meeting be closed to members of the public to discuss the following contractual and confidential matters; **Tender H241-2010 Restoration of Flood-Affected Gravel Roads**, in accordance with s 89 (2) (d) of the Local Government Act 1989 and **Australia Day Awards Recipients and Inductees to the International Women's Day Women's Honour Roll** in accordance with s 89 (2) (h) of the Local Government Act 1989.*

MOTION

11.1.1 *That Council resolve that the meeting be closed to members of the public to discuss the following contractual and confidential matters; **Tender H241-2010 Restoration of Flood-Affected Gravel Roads**, in accordance with s 89 (2) (d) of the Local Government Act 1989 and **Australia Day Awards Recipients and Inductees to the International Women's Day Women's Honour Roll** in accordance with s 89 (2) (h) of the Local Government Act 1989.*

MOVED: Councillor Janine Booth

SECONDED: Councillor Jon Barrell

CARRIED.

12. CONFIDENTIAL ITEMS

**12.1 TENDER H241-2010 – GRAVEL RESHEET WORKS OF 38.64KM OF FLOOD AFFECTED GRAVEL ROADS WITHIN THE HEPBURN SHIRE
GENERAL MANAGER INFRASTRUCTURE**

**12.2 AUSTRALIA DAY AWARDS 2011
CHIEF EXECUTIVE OFFICER**

**12.3 NOMINATIONS TO THE 2011 HEPBURN SHIRE INTERNATIONAL WOMEN'S
DAY WOMEN'S HONOUR ROLL
CHIEF EXECUTIVE OFFICER**

13. RE-OPENING OF MEETING TO MEMBERS OF THE PUBLIC

OFFICER'S RECOMMENDATION

13.1.1 That Council having considered the confidential items re-open the meeting to members of the public.

MOTION

13.1.1 That Council having considered the confidential items re-open the meeting to members of the public.

MOVED: Councillor Tim Hayes
SECONDED: Councillor Sebastian Klein
CARRIED.

14. CLOSE OF MEETING.

The Meeting closed at 6.56pm