



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

***TUESDAY 15 JANUARY 2013***

**GLENLYON HALL  
BARKLY STREET  
GLENLYON  
6:00PM**

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**Hepburn Shire Council  
Ordinary Meeting of  
Council**



# **MINUTES**

**TUESDAY 15 JANUARY 2013**

**Glenlyon Hall  
Barkly Street, Glenlyon  
Commencing 6:00PM**

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# Hepburn Shire Council Ordinary Meeting of Council



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**AARON VAN EGMOND**  
CHIEF EXECUTIVE OFFICER  
15 JANUARY 2013

## 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.

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## 2. OPENING OF MEETING

**PRESENT:** Mayor Councillor Bill McClenaghan, Deputy Mayor Councillor Don Henderson, Birch Ward Councillor Pierre Niclas, Birch Ward Councillor Kate Redwood, Cameron Ward Councillor Neil Newitt, Creswick Ward Councillor Greg May.

**IN ATTENDANCE:** Chief Executive Officer Aaron van Egmond, General Manager Corporate Services Evan King, General Manager Infrastructure Bruce Lucas, General Manager Community Services 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

Acting General Manager Sustainable Development Mark Hogan

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### 4. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Greg May declared a direct conflict of interest in Agenda Item 12.2 – Advice from Recreation Advisory Committee – Newlyn Netball Facilities Upgrade due to his position as Secretary of the Newlyn Community and Sporting Complex and close associations with Newlyn Football Netball Club.

Councillor Neil Newitt declared an indirect conflict of interest in Agenda Item 13.2 – Australia Day Awards as his 12 year old daughter is a member of the Children’s Booktown Committee which is being considered for an Australia Day Award.

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### 5. CONFIRMATION OF MINUTES

#### RECOMMENDATION

- 5.1 That the Minutes of the Ordinary Meeting of Council held on 18 December 2012 (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 18 December 2012 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Neil Newitt

**Carried.**

**6. NOTICES OF MOTION**

Nil

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**7. ITEMS OF URGENT BUSINESS**

Nil

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## 8. PRESENTATION OF COUNCILLOR REPORTS

### MAYOR'S REPORT

#### **Councillor Bill McClenaghan, Holcombe Ward**

I would like to welcome you again to the Old Glenlyon Shire Hall which is the centrepiece of the Glenlyon community. It wasn't all that long ago when we were here last October for the swearing in of Councillors and the Mayoral election.

Certainly Councillors, if you look around the township of Glenlyon you will see a township that is rather unlike other townships in the Shire, especially like the bigger ones of Daylesford, Creswick, Hepburn Springs, Trentham and Clunes in that there are no fixtures like kerb and channel. The main road through the centre of town is a VicRoads arterial and most of the other roads in the town are not sealed. There are only earthen drains. There is no sewerage in Glenlyon which presents a problem for housing development on small lots.

The fire station which is currently located beside the Hall will be moving shortly when it relocates across the road. The new fire station will also have a garden planted. This will be a great asset to the town as will the former fire shed. The CFA have agreed that the former fire shed will be transferred to the Glenlyon Progress Association for their use in running this crown land property of which they are the Committee of Management.

You may remember that last year I spoke of *The Glenlyon Project*. *The Glenlyon Project* was a project of identifying and photographing the local people and families in the Glenlyon area, as well as neighbours in the Wheatsheaf, Coomoora, Denver and Drummond areas. *The Glenlyon Project* has been produced as a book. I did show you a book last year which was the only book available at that time containing photographs of local people.

The reason I bring this copy of the book to the meeting today is because it gives me great pleasure, Mr CEO, to present this book to Hepburn Shire Council from myself as Mayor of Hepburn Shire and Councillor for Holcombe Ward and Glenlyon at this January 2013 Ordinary Meeting of Council. It is my intention that this book be held by Hepburn Shire Council in perpetuity in recognition of the wonderful community in Glenlyon.

To further my report, it's been fairly quite over summer with the number of meetings and functions very much less than what they were through the November and December period. So I have relatively little to report in that area. However, meetings including regional planning meetings have continued to occur. Last week I attended a regional meeting of Central Highlands Councils where we looked at our regional plan. Regional plans are

very important because as well as Council having its own plan, a regional plan can draw Councils together to work in co-operation in order to do things better, in order to do bigger things and in order to do things more cheaply and expeditiously. The Mayors and CEOs Forum is held monthly and there are various working parties of which Cr Klein is a member of one of them. This year the Mayors and CEOs Forum is chaired by the Mayor of Moorabool Shire, Cr Pat Toohey. We look forward to good work at regional level with our collegiate Councils.

I would also like to present a publication from ICLEI (International Council for Local Environmental Initiatives) entitled *A Decade of Action 2002-12: The Story of the ICLEI Water Campaign*. As you all know the provision of potable water is a very strong issue in our Shire as it is everywhere else, particularly through the drought when we didn't have enough water; where we don't have enough water to fight fires, where we don't have enough water to drink and where potential contamination of potable water restricts the development of areas like Glenlyon and on small blocks all over the Shire. Once again I am pleased to present this important document to the Council for its further consideration at a later date.

## **COUNCILLOR REPORTS**

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

I can report that the Doug Lindsay Recreation Reserve is proceeding; turf has been installed and watered. Largely the people of Creswick that I have spoken to are pretty comfortable with what's happening with this project.

What Creswick residents do want to know about and are excited about is what's been happening at Calembeen Park. New seats have been installed and a new picnic shelter erected to replace the brick dump. More and more families are coming back to Calembeen Park.

I also attended a film night at Calembeen Park – an open air session organised by FReeZA. It wasn't terribly well attended, but those who did attend enjoyed themselves. I think that with some better advertising and a bit more structure these events can be a success. The night was a youth night. Youth did come for the start and then went home to watch something else – that was a bit sad. Family nights tend to be a bit more successful.

I can also say that people are very pleased to see that the tenders are now out for flood levies and works are being done. Shortly there will be a



newsletter to scotch rumours that there are only going to be a few stone walls and nothing else. I have seen the plans which are very good

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

As the period between last Council meeting and tonight's meeting includes the Christmas/New Year celebrations, Council duties and commitments have been a little less frequent. Just prior to Christmas, I attended a meeting at the Creswick office with Council officers, Cr Henderson and members of the local Victoria Police. Discussions involved the future of the diving tower at Calembreen Park, Creswick and the ongoing antisocial behaviour taking place regularly in the vicinity. On a more pleasant note, I also attended the Shire Christmas breakup at Doug Lindsay Reserve. The day provided the opportunity to meet and talk with Shire staff as well as an enjoyable meal and social drink. As a new comer to such Council events, I was pleased to find the atmosphere friendly, inviting and positive.

I would also like to touch on an issue which is currently close to the hearts of many residents in the Hepburn Shire, namely wild fires. Last Friday fire threatened and impacted many of my immediate neighbours. It also posed a significant risk to my own property and home. We are all aware of the CFA brigades and volunteers throughout our community but it probably isn't until one is placed directly in the firing line that their commitment, diligence and dedication is truly appreciated. As an organic farmer, the sound of helicopters in our vicinity is one often viewed with some dismay as it normally means some unwelcome chemicals in the air. On Friday, however, the sound of helicopters, in this case water bombing helicopters, was a most welcome one.

I know that the Hepburn Shire works in close co-operation with the CFA and other organisations in emergency situations. Last Friday, the Council owned Newlyn Recreation Reserve was used as a staging area for the fire. I would like to support and encourage these co-operative agreements.

### **Councillor Pierre Niclas, Birch Ward**

20 December 2012 – I attended the official opening of the Hepburn Springs Place of Last Resort. This is a fantastic building and given the events of the last few days - completed just in time. Having said that, I sincerely hope that this building never sees use as it is intended but rather as a great viewing shed for the netballers when they return to this location.

22 December 2012 – Cr Kate Redwood, CEO Aaron Van Egmond and myself represented Hepburn Shire Council at the Christmas Cheer Appeal. I know I speak on behalf of both Kate and Aaron when I say how rewarding we all felt it was to help out for a few hours on such a great cause.

Unfortunately what this event did bring to my attention was the very fine line that exists in our small community; the line between the haves and the have nots - the fragile balance that exists every day for some of our residents in having food to put on the table for the family or there being nothing.

Over the two days that the centre was open, they served approximately 430 registered people / families, all from around our shire.

From a personal perspective, I know I will take this number with me into all planning meetings as we as a Council work towards developing and delivering the next 4 year Council Plan.

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

The Christmas break hasn't been quite as peaceful as anticipated. Last week I was closely involved in the Chepstowe/Carngham bushfire. I had the opportunity to observe closely both the work of the emergency service volunteers and the response of the various agencies: Powercor, Telstra, Department of Human Services (DHS) and Pyrenees Shire. All were most impressive in their prompt and appropriate actions. I learnt a great deal and have had the opportunity to share some of this with our CEO. Here in Hepburn we were lucky with the Blampied fire, but can anticipate that there will be other fires in the district this summer.

I have also had time over the break to explore the performance of Councils across Victoria via their websites and other documents. I have a particular interest in benchmarking performance against the high performers. The areas of performance that I have explored include financial reporting, transparency of information, and council plans. I have been impressed with those councils that integrate their council plans with their reporting systems.

Over the last month I have attended the following Council commitments:

- Launch of the Hepburn Neighbourhood Safer Place
- Bioenergy Project Workshop
- Christmas Cheer Appeal
- Shire end of year party for staff
- New Year Parade, Daylesford

- Birch Ward public meeting

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

A shortened report tonight as most committees are just returning after well deserved breaks over the Christmas/New Year period.

I would like to thank those who returned early or who worked through the break over this time. I was approached by a member of the community who told me of the swift action by council staff to an emergency situation around a road accident in Clunes. I would like to pass on my thanks to those involved in the response.

Last Friday along with the Mayor and CEO I attended the Central Highlands All Councillor Forum.

The session outlined the components of the Central Highlands Regional Strategic Plan with most discussion centred around the Draft Regional Growth Plans currently being prepared.

Councillors, of note amongst discussions was the desire that we (as the elected representatives of the community) get to have an input in the formulation of the final plan.

The draft is to be circulated to the member councils shortly for feedback. I would flag that we need to have a briefing on the draft paper as soon as possible when it arrives.

### **Councillor Sebastian Klein, Coliban Ward**

Similarly to Cr Redwood, I used the break period to do some research into other council's activities. I paid particular attention to the Adelaide Hills Council's approach to heritage and tourism on their heritage streetscape of Hahndorf and to how the Port Lincoln Council maintains its status as a port and industrial centre, as well as tourism destination for central and southern Australia.

Upon returning I was back into the swing of things attending a meeting with Mayor and Cr Redwood in the Council Chambers with a range of experts and interested parties on Bioenergy. It was impressive to see how much information and vision was brought together in 1 or 2 hours, without any expense incurred. I look forward to seeing the progress from the considerable amount of work that occurred at this meeting.

I also attended a meeting with City of Ballarat and Central Highlands Regional Waste Management Group (CHRWMG) representatives on waste

management solutions and with Bruce Lucas and Tim Griffith about our own Waste Management Strategy and upcoming Resource Recovery Stations.

These two areas represent activities well worth getting our act in order as 50% of waste in landfill is putrescible material, accounting for 90% of the methane from landfills. If we can eliminate this then we remove much of the liability from our waste and provide potential feedstock for energy production as well as resources like soil conditioners, fertiliser and compost.

### **RECOMMENDATION**

8.1 That Council receives and notes the Mayor's and Councillors' reports.

### **MOTION**

*8.1. That Council receives and notes the Mayor's and Councillors' reports.*

**Moved:** Councillor Kate Redwood

**Seconded:** Councillor Sebastian Klein

**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 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 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: From Mr Bob Kennedy, Glenlyon**

**Eldon Street, Glenlyon – Damage**

**In Oct, Nov 2012 the Council filled the potholes in Eldon Street with gravel. Two weeks later the road was graded (it didn't need grading). While carrying out this work, the grader damaged the north west of the nature strip to such a degree that it no longer can be kept in a 'fire safe' condition. The road at the south end is our 'fire safe' area, the damage is so bad the grass and weeds can no longer be cut and made safe by either a ride on mower or a tractor with a slasher. Because the maintenance can no longer carried out either by the Council or private members of the town, we now have 1½ metre grass that is now a fire hazard. If we need to use the 'fire safe' area in this road, people will have to drive through this unsafe area to get to safety.**

**My question to the Council is this:**

**What are you going to do to fix this?**

**I went to the Council Depot and asked what was going to be done. I was told a lot of crap. I also talked to an officer of the Council. I asked him to look at the mess and have it sorted out as it came under his department.**

**Answered by General Manager Sustainable Development, Mr Bruce Lucas**

Our maintenance team is aware of the damage caused to the nature strip which unfortunately was caused due to wet conditions when the scheduled maintenance was being undertaken.

Council is currently on site in Molesworth and Eldon Streets completing scheduled drainage improvement works. The required repairs to the nature strip are scheduled to be undertaken as part of this work.

Accordingly, the repairs are expected to be completed by the end of this week.

**Question 2: From Mr Bob Kennedy, Glenlyon**

**Barkly Street, Glenlyon**

**Over the years this street, being the main street of the town of Glenlyon, has been a point of contention within the town. Many a time we have asked for a regular maintenance plan to be laid out for this street. I have lost count of the many times it has been mentioned at the Glenlyon Progress Association meetings. I myself, have talked to the Council re the mess it is in, sometimes we get a little action, most times it is forgotten or some story that “we have no money, we are busy somewhere else”, etc, etc. This is the main street of the town; don’t say “we will look into it”.**

**My question is – When is the maintenance of this street put in the budget and then maintained the way it and the people of Glenlyon deserve?**

**Answered by General Manager Sustainable Development, Mr Bruce Lucas**

Barkly Street, Glenlyon is classified as an Arterial Road under the control of the state road authority, VicRoads.

This means that under the Road Management Act, VicRoads have responsibility for the sealed roadway, gravel shoulders, sealed intersections and all table drains and culverts.

Council does have responsibility for roadside trees and footpath infrastructure where it exists along Barkly Street.

This is the arrangement for all arterial roads not just Barkly Street, Glenlyon.

Council often receives requests for works on roads under the control of VicRoads. Council officers are happy to take the details and refer the request onto VicRoads for their action.

## **10. OFFICERS' REPORTS**

### **10.1. COMMUNITY ENERGY EFFICIENCY PROGRAM – STREET LIGHTING PROPOSAL**

#### **GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the Sustainability Officer, I John van Rooden have no interests to disclose in this report.*

#### **PURPOSE**

The purpose of this report is to seek Council's endorsement to submit a joint application with 14 other Councils, for funding under the Federal Government's Community Energy Efficiency Program. The funding would be used to replace globes in up to 600 street lights with energy efficient alternatives.

#### **BACKGROUND**

The Federal Government, under round two of the Community Energy Efficiency Program (CEEP), is targeting energy efficiency measures for local government. Applications close on Thursday 7 February 2013. Under the program, additional funding consideration is given to Councils ranked in the lowest 50% of the Local Government Area Index of Relative Socio-economic Disadvantage. Hepburn is ranked among these councils. Successful Council (Consortia) applicants with Low Social-economic status will be eligible for a two thirds ratio of Federal funding available for energy efficiency projects.

Street lighting is an obvious project for readily, identifiable energy efficiency gains both within Hepburn Shire and across the region.

Hepburn Shire's unmetered street lighting power costs were \$40,500 in the 2011-2012 financial year. An additional \$41,000 in Powercor operating costs were expended in the same period. These costs are expected to increase over time along with all utility costs. Street lighting constitutes about 30% of Hepburn Shire Council's greenhouse gas emissions.

The CEEP funding provides an opportunity to save approximately \$16,000 in power costs and a further \$9,000 in Powercor operating charges by replacing 600 streetlight globes with energy efficient alternatives. This figure is based on July 2012 tariffs. In addition, an estimated 86 tonnes of greenhouse gas emissions per annum will be saved.

In securing the two thirds CEEP funding in a combined bid across a number of Councils in the region, the payback period for Hepburn Shire Council's



contribution to the project (expected to be \$90,000 spread over two years) would be an estimated 3.6 years with a return on funds invested of 27.8%.

### **ISSUE / DISCUSSION**

The combined “Lighting the Region” bid for funding by a number of Councils effectively leverages the resources of the participants and provides the following benefits

- Makes the application of smaller Councils in the region possible, particularly with the time constraints attached to CEEP applications.
- Increases the chances of the application being successful and presents a stronger case to the Federal Government.
- It gives the region a strong bargaining position with Powercor in order to secure lower unit costs and improve the business case.

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

The *Hepburn Shire Council Plan 2009-2013* states:

‘Initiative 59: Becoming a carbon negative organisation by June 2013 and a carbon negative community by 2025.

Initiative 60: Seeking partnership opportunities in Federal and State funded sustainability programs to continue to reduce our carbon emissions’.

### **FINANCIAL IMPLICATIONS**

Upgrading 600 street lights to energy efficient alternatives, assuming Council is successful in the consortium application, would require a Council contribution of \$90,000 spread over a two year period, leveraging funding of \$160,000 through the CEEP funding program.

Identified savings would amount to \$25,000 per annum based on July 2012 power and operating charges. The payback period, assuming two thirds Federal Government funding, would be approximately 3.6 years or a 27.8% return on funds invested. Without Federal funding, the payback period would be 10 years minimum and a return of approximately 10% pa.

The reduction in utility costs will have a positive impact on limiting Council’s operating expenditure, further reducing the impact on ratepayers into the future

### **RISK IMPLICATIONS**

One of the risks is the combined application for CEEP funding may be unsuccessful in this round. There is also a chance that some low socio-

economic status Council participants may withdraw from the bid, which may mean that Federal funding reverts to a 50% funding model, which may impact on payback periods.

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

The streetlight replacement project will make a significant contribution to reducing carbon emissions estimated to be approximately 5% of overall Council emissions.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council will engage with the broader community on the positive environmental and financial implications should Council be successful securing the CEEP funding. This will be communicated through the local press, Council website and other opportunities as they arise.

### **CONCLUSION**

The CEEP funding will provide Council with an excellent opportunity to leverage Federal funding, to deliver Council objectives to reduce greenhouse gas emissions and to reap significant cost savings and return on investment.

### **OFFICER'S RECOMMENDATION**

That Council:

- 10.1.1 Endorses the submission of a joint Council application for funding under the Federal Government's Community Energy Efficiency Program, to replace 600 street lights with energy efficient alternatives.
- 10.1.2 Contributes an estimated \$90,000 to the project over 2 financial years commencing in 2013-2014.

## MOTION

*That Council:*

*10.1.1. Endorses the submission of a joint Council application for funding under the Federal Government's Community Energy Efficiency Program, to replace 600 street lights with energy efficient alternatives.*

*10.1.2. Contributes an estimated \$90,000 to the project over 2 financial years commencing in 2013-2014.*

**Moved:** Councillor Kate Redwood

**Seconded:** Councillor Sebastian Klein

**Carried.**

## **10.2. SUSTAINABILITY COMMUNITY GRANTS – 2012-2013 GENERAL MANAGER SUSTAINABLE DEVELOPMENT**

*In providing this advice to Council as the Sustainability Officer, I John van Rooden have disclosed an interest in this report. The interest was mitigated, as outlined in the Issue/Discussion section of this report.*

### **PURPOSE**

The purpose of this report is to seek Council's endorsement of the 2012-2013 Sustainability Community Grants Program recommendations.

### **BACKGROUND**

To assist in achieving Council's 2025 vision of a carbon negative community, the Sustainability Community Grants Program directly supports the work of community groups and non-profit organisations to contribute to becoming a more sustainable, vibrant and resilient community.

The grants were broken down into available funding brackets of:

1 x \$5,000 grant

1 x \$3,000 grant

2 x \$2,500 grants

The total amount of grant funding available is \$13,000.

### **ISSUE / DISCUSSION**

A selection committee was formed to evaluate each proposal against the quantitative selection criteria outlined to applicants. The committee, convened by the Sustainability Officer, included the Natural Resource Management Officer – Dale Tonkinson and a member of the Environmental Sustainability Advisory Committee – Elizabeth Hak.

Prior to my employment as the Sustainability Officer, I had an association with a number of the applicants and therefore excluded myself from the selection process in order to mitigate any interest or the perception of an interest in the approval process.

Grant applications were assessed against the following criteria:

	<b>Question</b>	<b>Weight</b>
1.	Description of project	15%
2.	Describe how your project will address the associated issues of your Grant Type selection	15%
3.	Who will be involved in your project and how will they be included in the project lifespan?	15%
4.	How will the Hepburn Shire community benefit from your project?	15%
5.	Describe how your project meets the Sustainability Grant Guideline objectives	15%
6.	How will the success of your project outcomes be measured?	5%
7.	How will you communicate to the Hepburn community about your completed project?	5%
8.	Costing for the 6 month project.	10%
9.	Creativity and innovation of project.	5%

Overall, the 8 applications received this year proved to be a great cross-section of representation from across the municipality and grant proposal types.

The four recommended grants are:

Applicant	Title	Grant Section Type	Amount
Yandoit Primary School	Solar System installation	Energy Efficiency Behavioural Change	\$5,000

Daylesford Community Food Gardeners <i>(auspiced by Daylesford Neighbourhood Centre)</i>	Daylesford Community Park food gardens	Energy & Water efficiency Waste reduction Behavioural change Innovation	\$3,000
Clunes Waterway Reserve Committee	Connecting Clunes to Creswick Creek	Behavioural Change Biodiversity	\$2,500
Sustainable Hepburn Association	Inspiring stories of Hepburn Shire	Behavioural change Innovation	\$2,500

A complete listing of all grants submitted and evaluated with comments is attached (refer Attachment 1).

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

The *Hepburn Shire Council Plan 2009-2013* states:

‘Initiative 64: Providing grants to community organisations pursuing environmental sustainability.

We will make significant progress to being an environmentally sustainable Shire by:

Initiative 59: Becoming a ....carbon negative community by 2025’.

### **FINANCIAL IMPLICATIONS**

The four recommended grants total \$13,000. This amount was approved in the 2012-2013 financial year Sustainability budget.

Some additional administrative council costs will be incurred with the tracking and promotion work associated with the successful projects.

### **RISK IMPLICATIONS**

The risk that projects may not be achieved was mitigated as far as possible by assessment against criteria in the selection process.

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

The recommended projects will make a significant contribution to reducing carbon emissions, water usage, waste to landfill, increased food security and restore native habitats. Additionally, social cohesion will be improved throughout the Shire as recommended submissions collaborate with local residents.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The availability of the grants was advertised in *The Advocate*, on the Council webpage, promoted through the Environmental Sustainability Advisory Committee and through Council e-mail distribution lists.

The recommended submissions incorporate high community involvement components and will offer opportunities for participatory launching ceremonies as the Community Engagement Framework is undertaken.

## **CONCLUSION**

The grants support community strengthening initiatives to contribute to a sustainable, vibrant and resilient Hepburn Shire and aid the Council's vision of a carbon negative community by 2025.

## **OFFICER'S RECOMMENDATION**

That Council:

10.2.1 Awards the Sustainability Community Grants, as recommended, to:

Yandoit Primary School	\$5,000
Daylesford Community Food Gardeners (auspiced by Daylesford Neighbourhood Centre)	\$3,000
Clunes Waterway Reserve Committee	\$2,500
Sustainable Hepburn Association	\$2,500.

10.2.2 Advises all applicants of the results of the Sustainability Community Grants process.

## MOTION

*That Council:*

10.2.1. *Awards the Sustainability Community Grants, as recommended, to:*

<i>Yandoit Primary School</i>	<i>\$5,000</i>
<i>Clunes Waterway Reserve Committee</i>	<i>\$2,500</i>
<i>Sustainable Hepburn Association</i>	<i>\$2,500.</i>

10.2.2. *Advises all applicants of the results of the Sustainability Community Grants process.*

10.2.3. *Advises the Daylesford Community Food Gardeners of their pending success of a grant of \$3,000, subject to an agreement with Council for the use of the Daylesford Community Park.*

**Moved:** Councillor Sebastian Klein

**Seconded:** Councillor Kate Redwood

**Amended.**





## AMENDMENT

*That Council:*

10.2.1. *Awards the Sustainability Community Grants, as recommended, to:*

*Yandoit Primary School* \$5,000

*Daylesford Community Food Gardeners* \$3,000  
*(auspiced by Daylesford Neighbourhood Centre)*

*subject to a location agreed by Council.*

*Clunes Waterway Reserve Committee* \$2,500

*Sustainable Hepburn Association* \$2,500.

10.2.2. *Advises all applicants of the results of the Sustainability Community grants process.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Pierre Niclas

**Carried.**

## MOTION

*That Council:*

10.2.3. *Awards the Sustainability Community Grants, as recommended, to:*

*Yandoit Primary School* \$5,000

*Daylesford Community Food Gardeners* \$3,000  
*(auspiced by Daylesford Neighbourhood Centre)*

*subject to a location agreed by Council.*

*Clunes Waterway Reserve Committee* \$2,500

*Sustainable Hepburn Association* \$2,500.

10.2.4. *Advises all applicants of the results of the Sustainability Community grants process.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Pierre Niclas

**Carried.**

**ATTACHMENT 1 - SUSTAINABILITY COMMUNITY GRANTS 2012-2013 –  
SUMMARY OF PROJECT RECOMMENDATIONS**

## Sustainability Community Grants 2012-2013: Recommended

Applicant	Project Name	Grant Type	Project Description	Amount Requested	Recommended Amount	Score Ave.	Comments:
<b>SHARE</b>	<i>Inspiring Sustainability Stories of Hepburn Shire</i>	Behaviour Change, Innovation	Will work with digital storyteller to produce youtube clips profiling local residents and their inspirational stories on living more resiliently. Available on SHARE website and available to the broader community after being launched at a public event. Story telling is a powerful tool for change.	\$3,000	\$2,500	67%	<p>Innovation tool to inspire behaviour change</p> <p>A gifted, local story teller will be engaged to elicit inspiring stories</p> <p>Has the potential to reach the broader community</p> <p><b>Council Plan:</b> Behaviour change strategy to encourage a more resilient lifestyle.</p>
<b>Yandoit Primary School</b>	<i>Solar System</i>	Energy efficiency, Behaviour Change	Install a 3kw solar system, to enable school to produce a significant amount of energy, raise student awareness of self sufficiency, reduce power costs and generate income from power sold to the grid.	\$5,000	\$5,000	69%	<p>Real benefits to school and integral to an education program for children to monitor energy usage and production and what measures can be taken to reduce consumption.</p> <p>The project will be heavily promoted through the school, families and local community.</p> <p>Show students how they may impact on reducing greenhouse gas emissions .</p> <p><b>Council Plan:</b> Assisting the Community by becoming Carbon negative by 2025</p>
<b>Daylesford Community Food Gardeners</b> (auspiced by Daylesford Neighbourhood Centre)	<i>Daylesford Community Park Food Gardens</i>	Energy & Water Efficiency, Biodiversity, Waste reduction, Behaviour Change, Innovation	Develop an edible community garden aimed for social enrichment, sustainability, shade and enjoyment as part of the Daylesford Community Park project. The garden will demonstrate permaculture principles and will highlight sustainability in a welcoming social environment. It will provide opportunities for learning and shared knowledge.	\$5,000	\$3,000	71%	<p>Will be an integral part of the Daylesford Community Park and should encourage a greater usage of the park and help provide a safe place and reduce vandalism.</p> <p>Will be a sustainable garden, with water sourced from the site only and will include indigenous planting alongside edible plants.</p> <p>Excellent opportunity for shared learning experiences</p> <p><b>Council Plan:</b> Improve biodiversity and habitat preservation.</p>
<b>Clunes Waterway Reserve Committee Inc</b>	<i>Connecting Clunes to Creswick Creek</i>	Behaviour Change Biodiversity	To connect and enhance residents understanding of the importance of Creswick Creek for wildlife, by increasing the knowledge and appreciation of the platypus, through a Platypus Education and Community Awareness campaign and to help celebrate the close proximity to town.	\$3,000	\$2,500	75%	<p>The iconic Platypus is an innovative concept to re engage the community with the creek.</p> <p>This should lead to a greater understanding of the natural environment and the whole ecosystem</p> <p>Should result in uptake of community activity to monitor and help rehabilitate the creek.</p> <p>Workshops to be delivered by the Australian Platypus Conservancy</p> <p><b>Council Plan:</b> Improve biodiversity and habitat preservation.</p>

## NOT Recommended

Applicant	Project Name	Grant Type	Project Description	Amount Requested	Score Ave.	Comments:
<b>Hepburn Kindergarten</b>	<i>Solar System</i>	Energy Efficiency	Install 3.5kw solar system, to enable school to produce a significant amount of energy and be almost me carbon neutral in line with Council objectives.	\$5,000	63%	Good application, however, education and learning outcomes limited compared to Yandoit Primary School.  Already have a solar system as a recommended grant
<b>Creswick Neighbourhood Centre</b>	<i>Thrive – Community Gardening in the Shire Study</i>	Behaviour Change	To develop an understanding of the state of community gardens in the shire - the successes, challenges and barriers. The findings will be shared with stakeholders and recommendations made. This is a part of the larger 'Hepburn Shire Community Garden Strategy'.	\$3,000	58%	Project is largely to employ a project worker to conduct a study.  Difficult to clarify the outcomes and benefits of the project in isolation to broader strategy  Not sure if co-operative approach in community gardens will deliver a real community benefit. Gardens can have differing characteristics.
<b>Daylesford Secondary College</b>	<i>Triple R Mission – Waste Reduction</i>	Waste Reduction	Encourage students to use recycle bins properly through different learning opportunities, excursions etc. The aim is to think outside the box regarding rubbish and how it can be reused to reduce the amount of waste	\$5,000	61%	Admirable project, however waste reduction could be achieved through other means and for a lesser amount.  Details of workshops are unclear and the outcomes are uncertain.
<b>Trentham Sustainability Group</b>	<i>Sustainable House Tours</i>	Energy & Water Efficiency Behaviour Change	In support of existing Sustainable House brochure, conduct a tour by coach for new and prospective residents. The aim is to inspire participants to take a more sustainable approach when building or renovating by visiting sustainable homes in the Trentham area.	\$2,500	62%	Tour by it's very nature will have limited uptake.  Tours could be contacted in another manner without the need for Council funding for a tour bus.  Funding will include the production of more Sustainable House brochures, which were the subject of earlier Council funding

### **10.3. CLUNES COMMUNITY AND INTERPRETIVE CENTRE PROGRESS REPORT**

#### **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 provide Council with a progress report about the Clunes Community and Interpretive Centre (CCIC) project for the following reporting period:

**Reporting Period: 30 November 2012 - 3 January 2013**

#### **BACKGROUND**

This is a great project for the township of Clunes, Hepburn Shire and the region. It will deliver enhanced services to the community and encourage increased economic activity in Clunes and surrounding communities.

The building will be created through the redevelopment and expansion of the existing Clunes Museum building, which once completed, will incorporate the Clunes Library, the Clunes Museum, visitor information services and community activity and exhibition spaces.

Key focuses of the project over the next twelve months are the construction of the facility, ongoing engagement and consultation with the Clunes community and stakeholders, planning for the operation of the facility and relocation of the library to the new facility.

Nicholson Construction Pty Ltd (Nicholson Construction) was awarded the tender to construct the Clunes Community Interpretive Centre at the Ordinary Council meeting on 18 September 2012.

#### **ISSUE / DISCUSSION**

##### **PROGRESS DURING REPORTING PERIOD**

##### **Construction**

- Concrete footings, slab and upstand walls for refurbishment poured.
- First floor framing for refurbishment complete.
- Plumbing and electrical rough in for refurbishment complete.
- Foundations of old toilet block removed (variation, currently being assessed).
- Excavation for footings for new building in progress.
- Construction of lift well overrun sump in progress.

- Treatment of rising damp in progress.
- Shop drawings of structural steel framing for part 1 completed.
- Mechanical shop drawings in progress.
- Powercor augmentation signed-off for installation of new substation.

### Administration, Funding and Reporting

- A working group of Council officers has been meeting regularly to review and further develop operational plans for the facility.
- Majority of building fit out requirements documented.

### Budget

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Design Phase	\$307,000	\$228,126	\$215,562
Construction Phase	\$2,401,000	\$2,452,050	\$2,348,745
Other (including multi-media & fit out).	\$351,000	\$428,824	\$123,001
Total	\$3,059,000	\$3,109,000	\$2,686,308

Note a further \$50,000 Living Libraries grant has been received, increasing the total budget

### Design Phase Budget - Progress and Variations

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Contract	\$200,000	\$198,800	\$198,800
Contingency	\$107,000	\$21,200	\$8,636
Tender	-	\$8,126	\$8,126
Total	\$307,000	\$228,126	\$215,562

### Construction Phase Budget - Progress and Variations

Budget Item	Original Budget	Revised Budget	Actual (including Commitments)
Contract	\$2,276,000	\$2,298,709	\$2,298,709
Contingency	\$113,000	\$62,341	-
Electricity supply	-	\$50,000	-
Tender	-	\$1,000	\$718
Sewer	\$12,000	\$40,000	\$49,318
Total	\$2,401,000	\$2,452,050	\$2,348,745



## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The *Hepburn Shire Council Plan 2009-2013* states:

‘We will create healthier, safer more vibrant communities’.

## FINANCIAL IMPLICATIONS

The Clunes Community and Interpretive Centre development has been made possible through funding contributions from the Federal Government Regional Development Australia Fund, the Victorian State Government Living Libraries program, Hepburn Shire Council and the Clunes Museum. Progress Claim 1 was approved in December 2012 and included a variation to the contract which is the removal of interactive energy display (-\$19,500) to be replaced with a more cost effective option, pending advice from Council's Environmental Sustainability Officer. A variation claim for approximately \$17,000 for rebuilding a section of the brick wall in the existing building due to latent conditions is currently being assessed.

## RISK IMPLICATIONS

The following summarises the key risks and actions taken during the reporting period in relation to the project.

Key Risks	Controls Implemented	Additional Controls / Next Steps
Potential injuries to workers and the public resulting from renovation works.	Ongoing monitoring against the Site Safety Plan by Senior Project Engineer.  WorkSafe inspection of site on 10/12/12. No issues identified.	Continue to monitor safety plan.
The community is not involved in decision making in relation to operation of the facility and therefore does not embrace and use the facility.	Engagement with the Community Reference Group and key users of the new building has commenced and is continuing in relation to the operation, governance and fit out of the building.  Working group is meeting regularly to update business plan and fit out requirements.	Business plan and fit out requirements to be finalised in order to submit budget requirements for 2013-2014.
Construction is delayed resulting in delays in opening the facility and community dissatisfaction with council's project management.	Regular progress reviews with builders. Detailed project timeline is updated every three weeks and circulated to Project Control Group. Senior Project Engineer monitors progress against timelines and reports any issues to the Project Control Group.	Continue to monitor timelines.

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

The Clunes town map has been relocated from the Museum wall to Collins Place.

A social procurement framework and reporting template has been provided to Nicholson's for monthly reporting against targets including:

- Level of local content;
- Expenditure in local businesses and use of local tradespeople and suppliers;
- Work experience placements; and,
- Number of apprentices employed.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

- Turning of sod event with The Hon Catherine King MP held 3 December 2012 and media release issued.
- A Community Reference Group meeting was held on 5 December 2012.
- A Workshop with Community Reference Group about merchandising and volunteers was held 3 December 2012.
- Meeting with Creative Clunes about Reading and Writing interactive display proposed for library.
- Meeting with Clunes Museum about income and expenditure and contributions.

## **CONCLUSION**

This report provides Council with an update on progress of the Clunes Community and Interpretive Centre project for the reporting period 30 November 2012 - 3 January 2013.

## **OFFICER'S RECOMMENDATION**

10.3.1 That Council receives and notes the progress report for the period 30 November 2012 – 3 January 2013.

**MOTION**

*10.3.1. That Council receives and notes the progress report for the period 30 November 2012 - 3 January 2013.*

**Moved:** Councillor Neil Newitt  
**Seconded:** Councillor Sebastian Klein  
**Carried.**

#### **10.4. DEAN RECREATION RESERVE – LEASE TO GOLDFIELDS AMERICAN MOTORCYCLE CLUB MANAGER RISK AND PROPERTY**

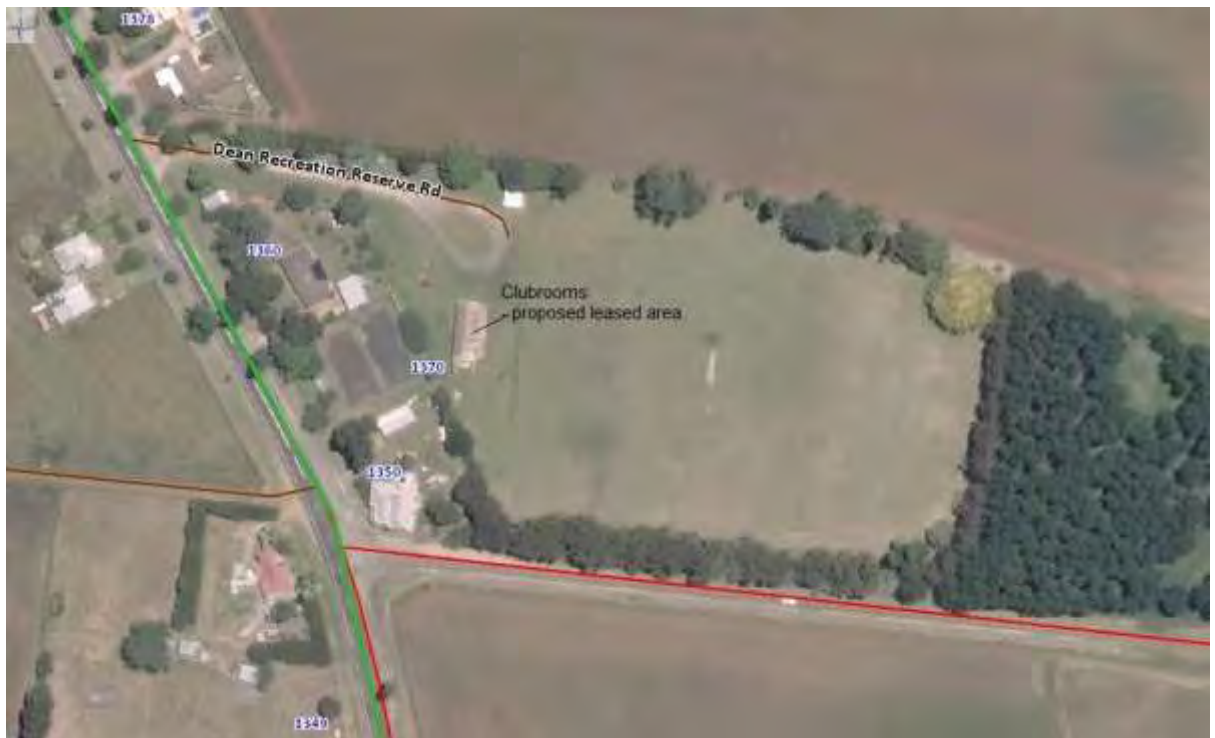
*In providing this advice to Council as the Manager Risk and Property, I Grant Schuster have no interests to disclose in this report.*

#### **PURPOSE**

This report seeks a decision by Council to advertise its intention to enter into a lease agreement with the American Motorcycle Club for the Dean Recreation Reserve clubrooms.

#### **BACKGROUND**

The reserve is located at 1370 Daylesford Ballarat Road, Dean, and was transferred from the proprietors of the Dean Hotel to the then Shire of Creswick in 1983. It consists of two soccer pitches, two tennis courts, a cricket pitch, a pine plantation, a brick clubroom, a male and a female public toilet block and a storage shed. The image below shows the clubrooms and the overall reserve.



The Dean Recreation Reserve Special Committee is responsible for the management and operation of the reserve. The committee is not currently

active and does not hold regular meetings. It has no revenue stream due to the facility not being utilised by any groups.

Up until 2011, the reserve was home to two soccer clubs which have since moved to updated sports facilities across the shire. As such, the clubrooms do not have a proactive maintenance schedule in place apart from regular mowing of the grassed area by Council staff.

For the purposes of this report, the occupancy is for the brick clubrooms and toilets. The surrounding reserve grounds will not be included in the lease and will continue to be mowed by council staff and be available to the public.

### **ISSUE / DISCUSSION**

The Goldfields chapter of the American Motorcycle Club has approached Council with a proposal to lease the clubrooms for the purposes of having a meeting point for club members when participating in recreational rides around the surrounding environs.

A community meeting was advertised and hosted by Council staff with the support of the Dean Recreation Reserve Special Committee. It is understood there are no community concerns about a motorcycle club being based at the reserve as long as potential noise issues are addressed in the lease.

The motorcycle club has proposed to undertake a robust schedule of capital works to the clubrooms, thereby reducing the cost impact on Council resources to renew and maintain the facility. This would be formalised in the lease, with the club responsible for all minor and structural maintenance of the clubrooms and toilets, which are proposed to be closed to the public. The lease will also stipulate compliance with noise and nuisance laws.

The rent charged will be the community based fee of \$104 per year plus responsibility to pay all outgoings which include rates, utilities, insurance, and a fire services levy. The length of the proposed lease will be three years with two three year renewal options (a total of nine years).

Other points to note:

Upon commencement of the lease, it is proposed that Council disbands the Special Committee and take full management responsibility for the tennis courts and playing fields. The unused part of the reserve is potentially surplus to Council needs. The soccer and cricket playing fields will not be part of the lease to the motorcycle club and their future will be dealt with separately.

Members of the club have expressed interest in purchasing the clubrooms at some stage in the future – the clubs' capital investment will need to be considered. As such, the club should have first right of purchase. A

current valuation of the property at the lease commencement date will be used as a future basis from which to calculate a sale price to the club, should Council decide such an action in future. These terms will be written into the lease.

The land is zoned Public Park and Recreation. As such, there are no issues identified with the lease relating to the zoning of the land.

The American Motorcycle Club Inc is incorporated in New South Wales (NSW). The Goldfields chapter will come under the NSW body. Council will sign its lease agreement with the overarching incorporated body in NSW.

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

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

Council is empowered to lease the premises in accordance with Section 190 of the *Local Government Act 1989*.

### **FINANCIAL IMPLICATIONS**

There are no significant financial implications regarding the issue of a lease to the American Motorcycle Club to occupy the Dean Recreation Reserve clubrooms.

The annual lease fee will be \$104 + GST, however the motorcycle club will undertake an agreed schedule of capital works to the clubrooms thereby reducing the cost impact on Council resources to renew and maintain the facility.

### **RISK IMPLICATIONS**

The lease requires minimum public liability insurance of \$10m with evidence of this and currency to be provided. The lease will also stipulate a requirement of the club to submit a Business Plan and Risk Management Plan at commencement.

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

Hepburn Shire Council recognises that participation in recreational groups and clubs provide important social connection and benefits for communities.

No other implications are envisaged regarding this lease.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

A meeting with the Special Committee was first undertaken by Council officers to gauge their thoughts. No serious concerns were expressed and a second public meeting was held at the reserve on 19 September 2012.

No verbal or written objections to this lease proposal have been received.

As the lease will include capital improvement requirements, it may be interpreted as being a “building lease” or “improving lease”. As such, Section 190 of the *Local Government Act 1989* stipulates that Council must publish a public notice of the proposed lease at least 4 weeks before the lease is made. Before the proposed lease is finalised, any person has a right to make a written submission as provided for in Section 223 of the *Local Government Act 1989*.

## **CONCLUSION**

The grant of a lease, as proposed, will formalise the occupancy of the clubrooms at the Dean Recreation Reserve by the Goldfields chapter of the American Motorcycle Club.

## **OFFICER’S RECOMMENDATION**

That Council:

- 10.4.1 Requests Council officers to prepare a lease with the American Motorcycle Club Inc for the Dean Recreation Reserve clubrooms;
- 10.4.2 Authorises Council officers to publicly advertise the details of the proposed lease in accordance with Section 190 of the Local Government Act 1989 prior to presenting the lease to Council for adoption; and
- 10.4.3 Revokes the delegation to the Dean Recreation Reserve Special Committee upon commencement of the lease

## MOTION

*That Council:*

- 10.4.1. Requests Council officers to prepare a lease with the American Motorcycle Club Inc for the Dean Recreation Reserve clubrooms and toilets;*
- 10.4.2. Authorises Council officers to publicly advertise the details of the proposed lease in accordance with Section 190 of the Local Government Act 1989 prior to presenting the lease to Council for adoption, and facilitate a public meeting with Dean residents to discuss the proposal during the advertising period; and*
- 10.4.3. Revokes the delegation to the Dean Recreation Reserve Special Committee upon commencement of the lease.*

**Moved:** Councillor Pierre Niclas

**Seconded:** Councillor Greg May

**Carried.**



**10.5. FOOTPATH CONSTRUCTION - ALBERT STREET DAYLESFORD  
BETWEEN WEST AND PERRINS STREETS - DECLARATION OF A  
SPECIAL CHARGE SCHEME  
GENERAL MANAGER INFRASTRUCTURE**

*In providing this advice to Council as the Manager Assets and Engineering Services, I Richard Russell have no interests to disclose in this report.*

**PURPOSE**

The purpose of this report is to consider submissions received and declare the special charge scheme for the construction of a footpath along Albert Street Daylesford between West Street and Perrins Street in accordance with Section 163 of the *Local Government Act 1989*.

**BACKGROUND**

The construction of a footpath along Albert Street Daylesford between West Street and Perrins Street has been requested by residents living in the area with a frontage to the southern side of Albert Street from West to Perrins Streets. The terrain in this area is steep and the existing worn track does not provide adequate pedestrian access.

**ISSUE / DISCUSSION**

Council at its Ordinary meeting on 19 June 2012, resolved to advertise its intention to declare a special charge scheme for the construction of a footpath along Albert Street Daylesford between West Street and Perrins Street in accordance with Section 163 of the *Local Government Act 1989*.

Public notices were placed in the *The Courier* Ballarat on 24 November 2012 and *The Advocate* on 28 November 2012. Notification was also sent directly to all property owners who have a liability under the proposed scheme.

Both the public notice and the letter to property owners outlined the rights of any person to make a submission under section 223 or an objection under section 163B of the *Local Government Act 1989*, in relation to this special charge scheme. Submissions and objections were to be made in writing by 2 January 2013.

A special charge scheme for the footpath construction has been formulated in accordance with Council's Special Charge Scheme Policy. There are 11 adjoining property owners with frontage to the footpath that would contribute to this scheme on the basis of estimated pedestrian usage by each property. Council will meet the cost of the derived community and public benefit on the

basis of the estimated pedestrian use of the footpath by other properties in the area called the "community and public benefit".

This project is to defray expenses associated with providing a footpath as shown on Council Engineering Drawing HSC 2010-016 which Council considers is or will be a special benefit to those persons required to pay the special charge and who are described in the succeeding parts of this declaration.

The four basic fundamentals for objection are listed in Section 185(2) (b) of the *Local Government Act 1989* which are:

- the property in question will not receive any special benefit;
- the basis of distribution of the Scheme is unreasonable;
- the Scheme is inconsistent with the relevant provisions of the Planning Scheme;
- and (for road and drainage schemes and as an alternative to the "Planning Scheme" ground) there is a catch-all ground that the Scheme is excessive or unsuitable, etc.

Council received one submission regarding the scheme. The submission stated "we are against paying for shire property unless it's with our rates". Therefore this submission is not considered a valid objection to the project.

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

Any special charge scheme must be undertaken in compliance with section 163 of the *Local Government Act 1989* and Council's Policy Number 61 *Special Rates and Charges*.

Council needs to complete the remaining steps in order to declare a Special Charge Scheme under Section 163 of the *Local Government Act 1989*.

- Consideration of any submissions and objections under section 163 of the *Local Government Act 1989* and a hearing if necessary no less than 28 days after public notice.
- Resolution of Council to declare a Special Charge following any hearings.
- Notice to persons making a submission that Council has declared a Special Charge Scheme
- Notice of levy of the special charge by Notice to Landowners
- Appeal by outside authority, generally to Victorian Civil and Administrative Tribunal (VCAT).
- After 30 days of notice to residents advising of proposed special charge (if no appeal lodged at VCAT), implementation of works can proceed.

- Project delivery and completion and provide notice to residents of any changes to the amount of special charge due to variations during construction.
- Complete project and provide final cost reconciliation report to Council.

### **FINANCIAL IMPLICATIONS**

This proposed special charge scheme project will be jointly funded from property owners through a special charge scheme and Council. A budget allocation has been made for Council's contribution for this project. The proposed project cost is estimated at \$34,500 with the adjoining landowner contributions estimated at \$7,500 or \$680 per property with Council contribution of \$27,000 carry forward from 2011-2012 Budget.

### **RISK IMPLICATIONS**

If the project does not proceed, the residents will not have a safe pedestrian access to their properties and residents requiring the use of a motorised pedestrian transport to access the town centre will not be able to do so.

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

The number of properties with direct frontage is 11 and the estimated total properties that could use the footpath is estimated to be 56.

The completion of this path further extends the footpath network, providing improved pedestrian linkages into the town centre consistent with Council's Walking & Cycling Strategy.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Since consideration of proposed footpath construction scheme started in 2010 there have been a number of letters to residents advising of the proposed works and seeking residents feedback on the level of support for such a proposal. A formal survey of residents was also conducted in May 2012. All affected property owners have been advised of Council's intention to declare the scheme and their rights to make submissions or objections to this scheme.

If Council approves the scheme, property owners will be sent a notice advising of the formal declaration and outlining their appeal rights to the Victorian Civil and Administrative Tribunal (VCAT).

## **CONCLUSION**

Council has received requests from residents to construct a footpath in Albert Street between West Street and Perrins Street to provide a footpath suitable for pedestrians and motorised pedestrian transport.

Council resolved to commence its statutory obligations in relation to the Albert Street Footpath special charge scheme by giving notice of its intention to declare a special charge scheme to provide any affected person the opportunity to have their submissions or objections heard by Council.

## **OFFICER'S RECOMMENDATION**

That Council:

10.5.1 Notes that one submission was received as an objection for this scheme.

10.5.2 Declares a Special Charge in accordance with Section 163 of the Local Government Act 1989 as follows and having considered there was one submission that was an objection gives notice under section 163 (4) of the Local Government Act 1989 of the declaration of a Special Charge for the purpose of constructing a new footpath on the southern side of Albert Street Daylesford between West and Perrins Streets.

10.5.1 Incorporates the following outline of declaration:

- a) The Special Charge in 10.5.2 above shall apply to the properties in Albert Street as detailed in Attachment 1 of this recommendation.
- b) The apportionment of costs to each property is based on the formulae outlined in the report and shown in Attachment 2 of this recommendation.
- c) The total estimated cost to each property is outlined in Attachment 3 of this recommendation.

That in respect of all special rates or charges the following conditions be included when the charge is declared and notice forwarded to the owner:

- The option of Payment in full within thirty (30) days of the request for payment or twenty (20) quarterly instalments over a period of five (5) years.
- Interest on instalment payments will be charged at the rate of interest linked to the official Cash Rate (as listed by the Reserve Bank of Australia) plus 1% as at the first day of each quarterly instalment.
- Outstanding payments that are not paid by the agreed time will be charged at the rate of interest linked to the official Cash Rate (as listed by the Reserve Bank of Australia) plus 1%.
- Requests for different arrangements for payment may be considered by the General Manager Corporate Services.

**ATTACHMENT 1 – Area of Albert Street Footpath Special Charge Scheme**



## **ATTACHMENT 2 – Guidelines for Apportionment of Costs**

### **Clause 6.4 - Apportionment from Policy Number 61 - Guidelines for Special Charge Scheme**

Apportionment of costs shall be on each property identified by Council as receiving a “special benefit” and has been included in the Scheme.

In determining apportionment, Council will have regard to the objectives in the *Local Government Act 1989* (Part 1A) to ensure the equitable imposition of rates and charges.

Council will determine apportionment based on a range of factors, which may include:

- Equal split of special benefit charge amongst properties benefitting;
- frontage of lots receiving special benefit;
- area of lots receiving special benefit;
- use of lots receiving special benefit;
- a combination of apportionment criteria methods.

**ATTACHMENT 3 – Apportionment of Costs**

Property	Address	User Benefit Contribution
Lot 1 PS 15479	74 Albert Street, Daylesford	\$682
Lot 2 PS 15479	72 Albert Street, Daylesford	\$682
Lot 3 PS 15479	70 Albert Street, Daylesford	\$682
Lot 4 PS 15479	68 Albert Street, Daylesford	\$682
Lot 1 TP 135962	66 Albert Street, Daylesford	\$682
Lot 1 TP 82477	62 Albert Street, Daylesford	\$682
Lot 1 TP 9635	60 Albert Street, Daylesford	\$682
CA PT5 Sec 1B	58 Albert Street, Daylesford	\$682
Lot 1 TP832768	56 Albert Street, Daylesford	\$682
Lot 5 LP 15479	66a Albert Street, Daylesford	\$682
Lot 1 PS 15479	74 Albert Street, Daylesford	\$682
		<b>\$7,500</b>

**Note:** There are eleven properties for apportionment of costs for the user benefit contribution. The last property description and street address is incorrect – a typographical error.

The correct property details are Lot 2 TP 753154 - 74 West Street, Daylesford.

Letters to land owners will be sent to the correct address.

## MOTION

*That Council:*

- 10.5.1. *Notes that one submission was received as an objection for this scheme.*
- 10.5.2. *Declares a Special Charge in accordance with Section 163 of the Local Government Act 1989 as follows and having considered there was one submission that was an objection gives notice under section 163 (4) of the Local Government Act 1989 of the declaration of a Special Charge for the purpose of constructing a new footpath on the southern side of Albert Street Daylesford between West and Perrins Streets.*
- 10.5.3. *Incorporates the following outline of declaration:*
- d) *The Special Charge in 10.5.2 above shall apply to the properties in Albert Street as detailed in Attachment 1 of this recommendation.*
  - e) *The apportionment of costs to each property is based on the formulae outlined in the report and shown in Attachment 2 of this recommendation.*
  - f) *The total estimated cost to each property is outlined in Attachment 3 of this recommendation.*

*That in respect of all special rates or charges the following conditions be included when the charge is declared and notice forwarded to the owner:*

- *The option of Payment in full within thirty (30) days of the request for payment or twenty (20) quarterly instalments over a period of five (5) years.*
- *Interest on instalment payments will be charged at the rate of interest linked to the official Cash Rate (as listed by the Reserve Bank of Australia) plus 1% as at the first day of each quarterly instalment.*
- *Outstanding payments that are not paid by the agreed time will be charged at the rate of interest linked to the official Cash Rate (as listed by the Reserve Bank of Australia) plus 1%.*



- Requests for different arrangements for payment may be considered by the General Manager Corporate Services.

**ATTACHMENT 1 – Area of Albert Street Footpath Special Charge Scheme**



**ATTACHMENT 2 – Guidelines for Apportionment of Costs**

**Clause 6.4 - Apportionment from Policy Number 61 - Guidelines for Special Charge Scheme**

Apportionment of costs shall be on each property identified by Council as receiving a “special benefit” and has been included in the Scheme.

In determining apportionment, Council will have regard to the objectives in the *Local Government Act 1989* (Part 1A) to ensure the equitable imposition of rates and charges.

Council will determine apportionment based on a range of factors, which may include:

- Equal split of special benefit charge amongst properties benefitting;
- frontage of lots receiving special benefit;
- area of lots receiving special benefit;
- use of lots receiving special benefit;
- a combination of apportionment criteria methods.

**ATTACHMENT 3 – Apportionment of Costs**

<b>Property</b>	<b>Address</b>	<b>User Benefit Contribution</b>
Lot 1 PS 15479	74 Albert Street, Daylesford	\$682
Lot 2 PS 15479	72 Albert Street, Daylesford	\$682
Lot 3 PS 15479	70 Albert Street, Daylesford	\$682
Lot 4 PS 15479	68 Albert Street, Daylesford	\$682
Lot 1 TP 135962	66 Albert Street, Daylesford	\$682
Lot 1 TP 82477	62 Albert Street, Daylesford	\$682
Lot 1 TP 9635	60 Albert Street, Daylesford	\$682
CA PT5 Sec 1B	58 Albert Street, Daylesford	\$682
Lot 1 TP832768	56 Albert Street, Daylesford	\$682
Lot 5 LP 15479	66a Albert Street, Daylesford	\$682
Lot 2 TP 753154	74 West Street, Daylesford	\$682
		<b>\$7,500</b>

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

**ATTACHMENT 2 - CONFIDENTIAL –  
Submission Received**

Dear Richard

As the property owners and rate payers of 62 albert st daylesford we are shocked that council would consider charging us for the construction of a public footpath, which all the people that live in daylesford or the hepburn shire for that matter are entitled to use.

Unlucky for us we live near its construction so we have to pay for it , it being ( the public footpath on council land). ...What do we pay rates for ? Does this mean we will get some sort of exemption off our rates since we are paying for something on council land that everyone in the town and visiting can use ?

Also i would appreciate a copy of the number of propertys that are paying for the suggested footpath , and the amount of money each property is paying .

we are against paying for shire property unless its with our rates

regards Robert Aberdein

## 10.6. NEW ROAD NAME

### GENERAL MANAGER CORPORATE SERVICES

*In providing this advice to Council as the Manager of Finance and Rates, I Anthea Lyons and Emilia Tatti have no interests to disclose in this report.*

### PURPOSE

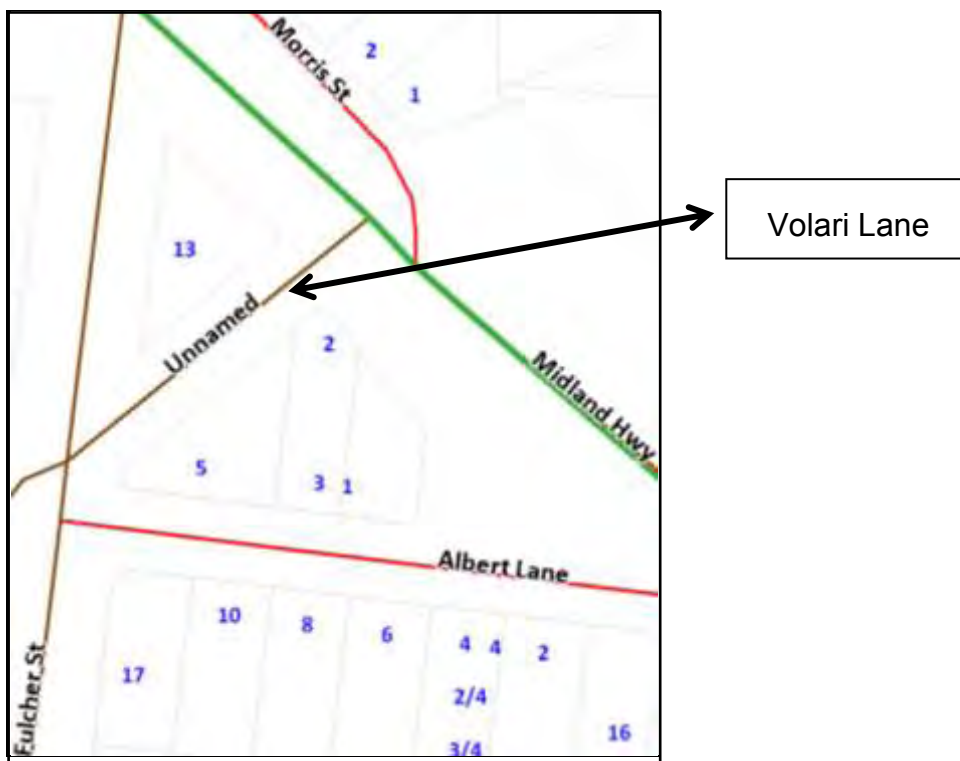
The purpose of this report is to name an unnamed section of road between Midland Highway and Fulcher Street, Daylesford.

### BACKGROUND

As a result of a subdivision, this unnamed road needs naming in accordance with the Guidelines for Geographic Names 2010.

### ISSUE / DISCUSSION

Please refer map below for the road name in question.



The proposed name is Volari Lane. An advertisement was placed in *The Advocate* on 28 November and 5 December 2012 and also at the entrance of the road to be named. Submissions were called for name suggestions. None were received.

The name “Volari” was chosen from the old maps of the Parish of Wombat. The area of land around the unnamed road was surveyed by Mr J Volari in 1891. Geographic Names Victoria guidelines require names to have either a historical link, relate to a geological or topographic feature, or be locally known.

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

The road has been named in accordance with the principles outlined in the Guidelines for Geographic Names 2010.

### **FINANCIAL IMPLICATIONS**

Cost of signage and installation to Council would be approximately \$350 per sign (\$700 for two signs – one at each end of road).

### **RISK IMPLICATIONS**

The naming of the road will provide greater guidance for those that use it including emergency services.

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

Not Applicable

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

An advertisement was placed in *The Advocate* on 28 November and 5 December, 2012 and also at the entrance of the road to be named calling for road name suggestions. No community feedback was provided.

### **CONCLUSION**

Due to a subdivision the need has arisen to name an unnamed road. The recommendation is that the road be named Volari Lane in recognition of the original surveyor.

### **OFFICER’S RECOMMENDATION**

10.6.1 That Council resolves to name the section of unnamed road between the Midland Highway and Fulcher Street as “Volari Lane”, Daylesford.

## MOTION

10.6.1. *That Council resolves to name the section of unnamed road between the Midland Highway and Fulcher Street as “Volari Lane”, Daylesford.*

**Moved:** Councillor Sebastian Klein

**Seconded:** Councillor Neil Newitt+

**Carried.**

**10.7. RECORD OF ASSEMBLIES OF COUNCILLORS – DECEMBER 2012  
GENERAL MANAGER CORPORATE SERVICES**

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

**PURPOSE**

This report summarises Assemblies of Councillors for December 2012.

**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, an audit committee established under section 139, a club, association, peak body, political party or other organisation;

<b>Assemblies of Councillors</b>		
<b>Date</b>	<b>Location</b>	<b>Committee Name</b>
21 November 2012	Creswick RSL	Municipal Emergency Management Planning Committee
4 December 2012	Council Chamber, Daylesford	Councillor Briefing
11 December 2012	Council Chamber, Daylesford	Councillor Briefing
12 December 2012	Mayor's Room	International Women's Day Women's Honour Roll Committee
18 December 2012	Trentham Neighbourhood Centre	Councillor/CEO Meeting
18 December 2012	Trentham Neighbourhood Centre	Pre Council Meeting



## **ISSUE / DISCUSSION**

1. The *Local Government Act 1989* (as amended) requires the record of an Assembly of Councillors to be reported at an Ordinary Meeting of the Council.
2. The *Local Government Act 1989* (as amended) requires the record of an Assembly of Councillors to be incorporated in the minutes of that 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**

- 10.7.1 That Council receives and notes the Records of Assemblies of Councillors for 21 November 2012 and December 2012.

## **MOTION**

*10.7.1. That Council receives and notes the Records of Assemblies of Councillors for 21 November 2012 and December 2012.*

**Moved:** Councillor Kate Redwood

**Seconded:** Councillor Neil Newitt

**Carried.**

**ATTACHMENT 3 - RECORDS OF ASSEMBLIES OF COUNCILLORS –  
DECEMBER 2012**

**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** Municipal Emergency Management Planning Committee

**Date:** 21 November 2012

**Time:** 9.30am – 11.30am

**Venue:**  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify) **CRESWICK RSL**

**Councillors present:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Cr Bill McClenaghan | <input type="checkbox"/> Cr Kate Redwood  |
| <input type="checkbox"/> Cr Don Henderson               | <input type="checkbox"/> Cr Pierre Niclas |
| <input type="checkbox"/> Cr Sebastian Klein             | <input type="checkbox"/> Cr Greg May      |
| <input type="checkbox"/> Cr Neil Newitt                 |   |

**Members of Council Staff present:**

- |  |  |
|--|--|
| <input type="checkbox"/> CEO, Aaron van Egmond                     | <input type="checkbox"/> GM Infrastructure, Bruce Lucas  |
| <input type="checkbox"/> GM Corporate Services, Evan King          | <input type="checkbox"/> GM Sustainable Development, Barry Green   |
| <input type="checkbox"/> GM Community Services, Kathleen Brannigan | <input checked="" type="checkbox"/> Other, please specify:<br><b>Richard Russell, Eric Wright, Terry Crisp, Kevin Clohesy,</b> |

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

**Name and title of Officer responsible for this written record:**

- |  |   |
|--|---|
| <input type="checkbox"/> CEO Aaron van Egmond                      | <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas |
| <input type="checkbox"/> GM Corporate Services, Evan King          | <input type="checkbox"/> GM Sustainable Development, Barry Green  |
| <input type="checkbox"/> GM Community Services, Kathleen Brannigan | <input type="checkbox"/> Other, please specify:                   |

**Signature:** 

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



# MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE 2012 AGENDA

**Wednesday 21 November 2012**

**9.30am to 11.30am**

**Creswick RSL**

**Invitees:**

Bradley Towers	Trentham Police	Bruce Lucas	HSC
Sgt Andrew Guiney	Daylesford Police	John Beer	HSC
Leanne Curran	Daylesford Police	Kathleen Brannigan	HSC
Sgt Dean Towk	Creswick Police	Evan King	HSC
Gillian Cavanagh	Red Cross	Eric Wright	HSC
Glenn Stickland	Red Cross	Terry Crisp	HSC
Barry Nicholls	Ambulance Victoria	Kevin Clohesy	HSC
Graham McGrath	Ambulance Victoria	Richard Russell	HSC
Carl Oliver	Coliban Water	Bill McClenaghan	HSC
Neville Pearce	Coliban Water	Adam McSwain	HSC
Mathew Gardner	CFA	Melissa Phillips	HSC
Geoffrey Gray	CFA	Grant Bradshaw	SES
Dean Jones	CFA	Tony Grimme	SES
Alan Hives	CFA Local (Creswick)	Stephen Latter	Hepburn Health
Geoffrey Gray	CFA	Kevin Henderson	Goulburn Murray Water
Margaret Holt	Central Highlands Water	Gordon Cornell	WICEN
Cameron Butcher	Central Highlands Water	Karen Doyle	Parks Victoria
Brian Hamer	DHS Grampians	Jeni Taylor	Integrated Fire Management Planning
Sally McCarron	DHS	John Searby	DSE
Merydth Whitehead	DSE		

**Apologies:** Adam McSwain, Kathleen Brannigan, Evan King, Grant Bradshaw

Item No.	Time	Agenda Item	Purpose	Presenter
1.	9.30am	<b>Welcome &amp; Apologies</b>		Chair
2.		<b>Adoption of Minutes of Meeting – 19 July 2012</b>		Chair
3.		<b>Correspondence</b> • One Dam Flood Plan listed on register		Richard Russell
4.		<b>Community Emergency Risk Assessment –</b>		Richard Russell
5.		<b>Update of Flood Safe Program for Flood Effected Towns</b>		Tony Grimme SES
6.		<b>Vulnerable Persons &amp; Vulnerable Persons Register</b>		Sally McCarron DHS & Kathleen Brannigan HSC
7.		<b>General Business</b> • Meeting Dates for 2013		
		<b>Close</b>		

**Next Meeting:**



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** BRIEFING MEETING

**Date:** 4/12/12

**Time:** 11-00 AM

- Venue:**  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify)

**Councillors present:**

- Cr Pierre Niclas  
 Cr Kate Redwood  
 Cr Neil Newitt  
 Cr Sebastian Klein

- Cr Don Henderson  
 Cr Greg May  
 Cr Bill McClenaghan

**Members of Council Staff present:**

- CEO Aaron van Egmond  
 GM Corporate Services Evan King  
 GM Community Services Kathleen Brannigan

- GM Infrastructure Bruce Lucas  
 GM Sustainable Development Barry Green  
 Other, please specify:  
 MARK HOGAN

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned
CR Klein item 6	Wt 2-30 R-2-37

**Matters Considered:**

**Agenda Attached**

**Name and title of Officer responsible for this written record:**

- CEO Aaron van Egmond  
 GM Corporate Services Evan King  
 GM Community Services Kathleen Brannigan

- GM Infrastructure Bruce Lucas  
 GM Sustainable Development Barry Green  
 Other, please specify:

**Signature:** Evan King

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

**Councillor Briefing Agenda**  
**Tuesday 4 December 2012**



<b>Tuesday, 4 December 2012</b> <b>11:00 am</b>		<b>Council Chamber</b> <b>Daylesford Town Hall</b>	
<b>Chair</b>	<b>Mayor</b>	Cr Bill McClenaghan	
<b>Attendees</b>	<b>Councillors</b>	Cr Pierre Niclas, Cr Kate Redwood, Cr Neil Newitt, Cr Sebastian Klein, Cr Don Henderson, Cr Greg May	
	<b>Officers</b>	Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure, Acting General Manager Sustainable Development, General Manager Community Services and other officers as required	
<b>Apologies</b>			

Time		Title	Venue
9:00 am – 10:00 am	External Presentation	<b>Victorian Ombudsman Information Session</b>	Daylesford Senior Citizens' Centre

Time		Title	Action Officer	
1.	11:00 am	Verbal Presentation <b>Vincent Street Revitalisation</b>	General Manager Infrastructure	<b>Page 3</b>
2.	11:30 am	Verbal Presentation <b>Council Plan Development Overview</b>	Chief Executive Officer	<b>Page 4</b>
3.	12:00 pm	Verbal Presentation <b>Council Plan / Budget Timetable</b>	General Manager Corporate Services	<b>Page 5</b>
	12:30 pm	<b>Lunch Break – Lunch will be provided</b>		
4.	1:00 pm	External Presentation <b>Workcover Insurance – Update</b>	QBE Insurance/ General Manager Corporate Services	<b>Page 6</b>
5.	1:30 pm	Report <b>Hepburn Bathhouse &amp; Spa – Compensation Claim</b>	General Manager Corporate Services	<b>Page 7</b>
6.	2:00 pm	Report <b>Confidential – Extension of Contract – H202-2009 Supply of Banking Services</b>	General Manager Corporate Services	<b>Page 11</b>

**Councillor Briefing Agenda**  
**Tuesday 4 December 2012**



Time		Title		Action Officer	
7.	2.30 pm	Report	<b>Lease Renewal, New Lease and New Licence – Creswick Park Lake Residence, Creswick Men’s Shed and Creswick Garden Club Shed</b>	General Manager Corporate Services, Manager Risk & Property Officer	<b>Page 13</b>
8.	3:00 pm	Verbal Presentation	<b>Procurement Policy Review</b>	General Manager Corporate Services & Contracts and Procurement Officer	<b>Page 18</b>
9.	3:30 pm	Report	<b>Extension of Time Application 10141 – 56 Werona Road, Basalt – Construction of a Dwelling and Carport – Update (Sally Harvey)</b>	Acting General Manager Sustainable Development & Acting Manager Planning	<b>Page 19</b>
10.	4:00 pm	Informal Discussion	<b>Delegated Planning Committee Applications</b>	Acting General Manager Sustainable Development & Acting Manager Planning	<b>Page 20</b>
11.	4:30 pm	Verbal Presentation	<b>Planning Update</b>	Acting General Manager Sustainable Development & Acting Manager Planning	<b>Page 21</b>
12.	5.00 pm	<b>CLOSE OF MEETING</b>			<b>Page 22</b>





**Hepburn Shire Council**  
**DISCLOSURE OF CONFLICT OF INTEREST**

I, Councillor Sebastian Klein hereby disclose  
a conflict of interest in the following matter: Banking Contract

This matter is being considered at a meeting of Council/ Special Committee or Assembly of Councillors

Diethyl session  
(insert name of any Special Committee)  
on 4-12-12

The class of the interest is (tick as appropriate):

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

The following is the type of indirect interest:

- indirect interest by close association (section 78)
- indirect financial interest (section 78A)  OR
- indirect interest because of conflicting duty (section 78B)  OR
- indirect interest because of receipt of gift(s) (section 78C)  OR
- indirect interest through civil proceedings (section 78D)

[NB all references to sections are references to sections in the *Local Government Act 1989*].

The nature of the interest is as follows:

I own shares in the Trentham Community Bank.

Print Name: SEBASTIAN KLEIN  
Signed: [Signature]  
Date: 4-12-12

**Councillor Briefing Agenda**  
**Tuesday 4 December 2012**



<b>Tuesday, 4 December 2012</b> 11:00 am		<b>Council Chamber</b> <b>Daylesford Town Hall</b>	
<b>Chair</b>	<b>Mayor</b>	Cr Bill McClenaghan	
<b>Attendees</b>	<b>Councillors</b>	Cr Pierre Niclas, Cr Kate Redwood, Cr Neil Newitt, Cr Sebastian Klein, Cr Don Henderson, Cr Greg May	
	<b>Officers</b>	Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure, Acting General Manager Sustainable Development, General Manager Community Services and other officers as required	
<b>Apologies</b>			

Time	Title	Venue
9:00 am – 10:00 am	External Presentation <b>Victorian Ombudsman Information Session</b>	Daylesford Senior Citizens' Centre

Time	Title	Action Officer
1. 11:00 am	Verbal Presentation <b>Vincent Street Revitalisation</b>	General Manager Infrastructure <b>Page 3</b>
2. 11:30 am	Verbal Presentation <b>Council Plan Development Overview</b>	Chief Executive Officer <b>Page 4</b>
3. 12:00 pm	Verbal Presentation <b>Council Plan / Budget Timetable</b>	General Manager Corporate Services <b>Page 5</b>
12:30 pm	<b>Lunch Break – Lunch will be provided</b>	
4. 1:00 pm	External Presentation <b>Workcover Insurance – Update</b>	QBE Insurance/ General Manager Corporate Services <b>Page 6</b>
5. 1:30 pm	Report <b>Hepburn Bathhouse &amp; Spa – Compensation Claim</b>	General Manager Corporate Services <b>Page 7</b>
6. 2:00 pm	Report <b>Confidential – Extension of Contract – H202-2009 Supply of Banking Services</b>	General Manager Corporate Services <b>Page 11</b>

**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** BRIEFING MEETING

**Date:** 11/12/12

**Time:** 10-30

**Venue:**  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify)

**Councillors present:**

- Cr Pierre Niclas
- Cr Kate Redwood
- Cr Neil Newitt
- Cr Sebastian Klein

- Cr Don Henderson
- Cr Greg May
- Cr Bill McClenaghan

**Members of Council Staff present:**

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan

- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:  
ANTHEA LYONS  
KATE SEWELL

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

**Name and title of Officer responsible for this written record:**

- CEO Aaron van Egmond
- GM Corporate Services Evan King
- GM Community Services Kathleen Brannigan

- GM Infrastructure Bruce Lucas
- GM Sustainable Development Barry Green
- Other, please specify:

**Signature:** Evan King

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

**Councillor Briefing Agenda**  
**Tuesday 11 December 2012**



<b>Tuesday, 11 December 2012</b> <b>10:30 am</b>		<b>Council Chamber</b> <b>Daylesford Town Hall</b>	
<b>Chair</b>	<b>Mayor</b>	Cr Bill McClenaghan	
<b>Attendees</b>	<b>Councillors</b>	Cr Pierre Niclas, Cr Kate Redwood, Cr Neil Newitt, Cr Sebastian Klein, Cr Don Henderson, Cr Greg May	
	<b>Officers</b>	Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure, Acting General Manager Sustainable Development, General Manager Community Services and other officers as required	
<b>Apologies</b>			

Time		Title		
	9:00 am – 10:00 am	Site Visit	<b>Tour of Works - Hepburn Mineral Springs Reserve</b>	Optional

Time		Title		Action Officer	
1.	10:30 am	Verbal Presentation	<b>Mid Year Budget Review</b>	General Manager Corporate Services & Manager Finance	<b>Page 3</b>
	12:30 pm	<b>Lunch Break – Lunch will be provided</b>			
2.	1:00 pm	Informal Discussion	<b>Planning (Questions prior to Delegated Planning Committee Meeting)</b>	Acting General Manager Sustainable Development & Acting Manager Planning	<b>Page 4</b>
3.	1:30 pm	Verbal Presentation	<b>Doug Lindsay Reserve</b>	General Manager Infrastructure	<b>Page 5</b>
4.	2:00pm	Verbal Presentation	<b>Council Plan Review</b>	Chief Executive Officer	<b>Page 6</b>
5.	2:30 pm	Verbal Presentation	<b>Flood Works Update</b>	General Manager Infrastructure	<b>Page 7</b>

**Councillor Briefing Agenda  
Tuesday 11 December 2012**



Time		Title	Action Officer		
6.	3:00 pm	Presentations - Internal and External	<b>Dean Recreation Reserve – Proposal by Goldfields American Motorcycle Club to Lease Club Rooms</b>	GM Corporate Services, Manager Risk & Property Officer	Page 8
					<b>Attachment 1</b>
7.	4:00 pm	External Presentation	<b>Daylesford Community Theatre Inc – Funding Proposal</b>	Ms Loretta Little & Ms Karen Hemming, Daylesford Community Theatre Inc	Page 17
					<b>Attachment 2</b>
8.	4:30 pm	<b>CLOSE OF MEETING</b>			Page 20
	5:00 pm	<b>Delegated Planning Committee</b>			

**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** International Women's Day Women's Honour Roll  
Committee

**Date:** Wednesday 12 December 2012

**Time:** 4:00 pm

**Venue:**  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify) Mayor's Room

**Councillors present:**

- |   |  |
|---|--|
| <input type="checkbox"/> Cr Pierre Niclas           | <input checked="" type="checkbox"/> Cr Don Henderson |
| <input checked="" type="checkbox"/> Cr Kate Redwood | <input type="checkbox"/> Cr Greg May                 |
| <input type="checkbox"/> Cr Neil Newitt             | <input type="checkbox"/> Cr Bill McClenaghan         |
| <input type="checkbox"/> Cr Sebastian Klein         |  |

**Members of Council Staff present:**

- |   |   |
|---|---|
| <input type="checkbox"/> CEO Aaron van Egmond                     | <input type="checkbox"/> GM Infrastructure Bruce Lucas          |
| <input type="checkbox"/> GM Corporate Services Evan King          | <input type="checkbox"/> GM Sustainable Development Barry Green |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | <input type="checkbox"/> Other, please specify:                 |

**Conflict of Interest Disclosures:**

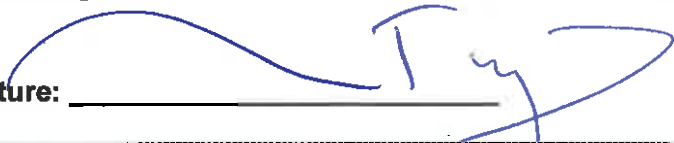
Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

**Name and title of Officer responsible for this written record:**

- |   |   |
|---|---|
| <input type="checkbox"/> CEO Aaron van Egmond                     | <input type="checkbox"/> GM Infrastructure Bruce Lucas                  |
| <input type="checkbox"/> GM Corporate Services Evan King          | <input type="checkbox"/> GM Sustainable Development Barry Green         |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | <input checked="" type="checkbox"/> Other, please specify: Maria Taylor |

**Signature:** \_\_\_\_\_ 

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



# HEPBURN SHIRE COUNCIL

## INTERNATIONAL WOMEN'S DAY WOMENS HONOUR ROLL MEETING

**Wednesday 12 December, 2012**

**Council Chamber**

**4:00 PM - 5:00 PM**

### AGENDA

**PRESENT:**

- Dr Anne Gleeson - Committee Member
- Roma Wiseman - Committee Member
- Joan Rattray - Committee Member
- Mabel Moran - Committee Member
- Dr Lorene Gottschalk - Committee Member
- Cr Don Henderson - Committee Member

**CHAIR:** Cr Kate Redwood - Chair

**ACTION RECORDER:** Maria Taylor - Acting Executive Assistant - CEO

	Time	Agenda Item	Purpose	Presenter
1.	4:00pm	Welcome & Meeting Open		Chair
2.	4:01pm	Conflict of Interest Guide	Information & Discussion	Chair
3.	4:15pm	Assessment Panel – Report	Information & Discussion	Panel
4.	4:45pm	Business Arising	Information & Discussion	Chair
5.	5:00pm	CLOSE		

**NEXT MEETING:** ?

**CHAIR:** Cr Kate Redwood



**RECORD OF ASSEMBLY OF COUNCILLORS**

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

**Title of Meeting:** Councillor/CEO Meeting  
**Date:** Tuesday 18 December 2012  
**Time:** 2:00 pm

**Venue:**  Council Chamber Daylesford  
 Senior Citizens Centre Daylesford  
 Other (specify) Trentham Neighbourhood Centre

**Councillors present:**

- Cr Pierre Niclas
- Cr Don Henderson
- Cr Kate Redwood
- Cr Greg May
- Cr Neil Newitt
- Cr Bill McClenaghan
- Cr Sebastian Klein

**Members of Council Staff present:**

- CEO Aaron van Egmond
- GM Infrastructure Bruce Lucas
- GM Corporate Services Evan King
- GM Sustainable Development Barry Green
- GM Community Services Kathleen Brannigan
- Other, please specify:

**Conflict of Interest Disclosures:**

Councillor Name	Time Left and Returned

**Matters Considered:**

**Agenda Attached**

**Name and title of Officer responsible for this written record:**

- CEO Aaron van Egmond
- GM Infrastructure Bruce Lucas
- GM Corporate Services Evan King
- GM Sustainable Development Barry Green
- GM Community Services Kathleen Brannigan
- Other, please specify:

**Signature:** 

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



**AGENDA  
COUNCILLOR/CEO MEETING**

<b>Tuesday 18 December 2012 Commencing 2:00 pm</b>		<b>Trentham Neighbourhood Centre High Street, Trentham</b>	
<b>Chair:</b>	Mayor	Councillor Bill McClenaghan	
<b>Attendees:</b>	Councillors	Pierre Niclas, Kate Redwood, Neil Newitt, Sebastian Klein, Don Henderson, Greg May	
<b>Apologies:</b>			
	Officers	CEO, Aaron van Egmond	
<b>AGENDA – COUNCILLOR/CEO MEETING</b>			
<b>2:00 pm</b>		<b>Councillors/CEO Only</b>	
<b>1.</b>	<b>Stanbridge Jinker</b>	<b>CEO</b>	
<b>2.</b>	<b>Delegated Planning Committee Minutes</b>	<b>Mayor/CEO</b>	
<b>3.</b>	<b>Briefings – 15 January (Council Meeting) and 22 January (Council Plan &amp; Office Accommodation)</b>	<b>CEO</b>	
<b>4.</b>	<b>Hepburn Bathhouse &amp; Spa – Meeting with Minister</b>	<b>CEO</b>	
<b>5.</b>	<b>Doug Lindsay Oval Resurfacing</b>	<b>Mayor</b>	
<b>6.</b>	<b>Community Energy Efficiency Funding Application</b>	<b>CEO</b>	
<b>7.</b>	<b>Late Tender Issues</b>	<b>Mayor</b>	
<b>8.</b>	<b>Business Planning</b>	<b>CEO</b>	
<b>3:00pm</b>	<b>Discussion – Council Meeting Agenda 18 December 2012</b>	<b>Councillors and Officers</b>	

## **11. COUNCIL SPECIAL COMMITTEES (SECTION 86)**

### **11.1. MINUTES OF SPECIAL COMMITTEES (SECTION 86) GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the General Manager Corporate Services, I Evan King, 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 Committees, as provided by the Committees over the past month, for your information:

Minutes from the Creswick Museum Special Committee General Meeting 03/12/2012.

Minutes from the Lyonville Hall Special Committee General Meeting 20/11/2012.

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

The following recommendations have been received by Council and are presented for Council to consider adopting:

- Nil

#### **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**

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

## **MOTION**

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

**Moved:** Councillor Sebastian Klein

**Seconded:** Councillor Greg May

**Carried.**

## **12. COUNCIL ADVISORY COMMITTEES**

### **12.1. MINUTES OF ADVISORY COMMITTEES**

#### **GENERAL MANAGER CORPORATE SERVICES**

*In providing this advice to Council as the General Manager Corporate Services, I Evan King, 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:

- Wombat Hill Botanic Gardens Advisory Committee 20/11/2012.
- Creswick Ward Community Committee 10/12/2012.

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**

12.1.1 That Council receives and notes the minutes of the Advisory Committees listed above which have been distributed under separate cover.

## **MOTION**

*12.1.1. That Council receives and notes the minutes of the Advisory Committees listed above which have been distributed under separate cover.*

**Moved:** Councillor Pierre Niclas

**Seconded:** Councillor Sebastian Klein

**Carried.**

**Councillor Greg May left the meeting due to a direct Conflict of Interest at 8.21 pm and returned to the meeting at 8.23 pm.**

## **12.2. ADVICE FROM RECREATION ADVISORY COMMITTEE GENERAL MANAGER COMMUNITY SERVICES**

*This recommendation to Council is based on a resolution by the Recreation Advisory Committee from an e-meeting held during December 2012.*

### **PURPOSE**

The purpose of this report is to provide advice to Council from the Recreation Advisory Committee (RAC) recommending that Council submit the Newlyn Netball Facilities Upgrade application to the Sport and Recreation Victoria Country Football Netball Funding Program.

### **BACKGROUND**

At the Ordinary Meeting of Council on 20 September 2011, a submission by the Newlyn Football Netball Club to the Sport and Recreation Victoria Country Football Netball Funding Program for January 2012 was supported by Council and \$15,000 from the 2012-2013 budget was allocated towards the application. As the application was unsuccessful the funding was not required.

Newlyn Football Netball Club has redesigned the project since the previous unsuccessful application. The application was received by Council in December and the Recreation Advisory Committee considered a motion and voted via email. Five of the six Committee members voted in favour of submitting the grant applications, two members not on email were posted the details but one has not responded. The Chair of the Recreation Advisory Committee, Cr Greg May, abstained from voting.

The Newlyn Netball Facilities Upgrade includes extension of the existing building to include change facilities and showers for female players and umpires. Feedback from Sport and Recreation Victoria is that improving conditions for female sports players and umpires is considered a very high priority. The estimated project cost is \$60,000. The Newlyn Football Netball Club is contributing \$7,500 in cash and \$7,500 in kind. The funding application is for \$40,000.

The Newlyn Football Netball Club application requests \$5,000 from Council's 2013-2014 budget.

Applications are due for submission to Sport and Recreation Victoria on Wednesday 30 January 2013. Only councils can apply directly to the Department of Planning and Community Development for these grants.

### **ADVISORY COMMITTEE'S RECOMMENDATION**

The following recommendation was voted on via email and mail to all RAC members commencing 20/12/2012.

*12.2.1 The Recreation Advisory Committee recommends to Council that the Newlyn Netball Facilities Upgrade be endorsed by Council and furthermore that Council commit \$5,000 toward the application during their January 2013 Ordinary Meeting of Council.*

Moved: Wayne Strong  
Seconded: Georgie Patterson  
For: 5  
Against: 0  
Abstained: 1  
\*One member did not respond.

### **MOTION**

*That Council:*

- 12.2.1. Notes the recommendation of the Recreation Advisory Committee regarding the need to upgrade the Newlyn Netball facilities.*
- 12.2.2. Further notes that \$5,000 is required as a commitment to support the project application.*
- 12.2.3. Therefore supports in principle a commitment of \$5,000 for the Newlyn Netball Facilities Upgrade and notes that this would need to be provided from the 2013-2014 budget.*

**Moved:** Councillor Kate Redwood  
**Seconded:** Nil  
**Lapsed.**

## MOTION

*That Council:*

- 12.2.1. *Notes the recommendation of the Recreation Advisory Committee regarding the need to upgrade the Newlyn Netball facilities.*
- 12.2.2. *Commits \$5,000 from the 2013-2014 budget for the Newlyn Netball Facilities Upgrade project.*

**Moved:** Councillor Kate Redwood

**Seconded:** Cr Neil Newitt

**Lost.**

## AMENDMENT

*That Council:*

- 12.2.1. *Notes the recommendation of the Recreation Advisory Committee regarding the need to upgrade the Newlyn Netball facilities.*
- 12.2.2. *Council commits \$5,000 from the 2012-2013 budget for the Newlyn Netball Facilities Upgrade project.*

**Moved:** Councillor Don Henderson

**Seconded:** Nil

**Lapsed.**



## MOTION

*That Council:*

*12.2.1. Endorses the Newlyn Netball Facilities Upgrade project.*

*12.2.2. Council commits \$5,000 towards the Newlyn Netball Facilities Upgrade project application from the 2012-2013 budget.*

**Moved:** Councillor Don Henderson

**Seconded:** Councillor Pierre Niclas

**Carried.**

## **13. CONFIDENTIAL ITEMS**

### **13.1. 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**

13.1.1 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:

- 89(2)(d) Contractual matters; and

13.1.2 89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.

Australia Day Awards 2013;

Nominations to the 2013 Hepburn Shire International Women's Day Honour Roll.

## MOTION

13.1.1. *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:*

- *89(2)(d) Contractual matters; and*

13.1.2. *89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person.*

*Australia Day Awards 2013;*

*Nominations to the 2013 Hepburn Shire International Women's Day Honour Roll.*

**Moved:** Councillor Sebastian Klein

**Seconded:** Councillor Kate Redwood

**Carried.**

**The Meeting closed to Members of the Public at 8:25 pm.**

## 14. RE-OPENING OF MEETING TO PUBLIC

### RECOMMENDATION

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

### PROCEDURAL MOTION

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

**Moved:** Councillor Don Henderson

**Carried.**

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## 15. CLOSE OF MEETING

**The Meeting closed at 8:36 pm.**

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