



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

TUESDAY 20 MAY 2014

THE WAREHOUSE – CLUNES

36 FRASER STREET

(OFF COLLINS PLACE)

CLUNES

6:00PM

**Hepburn Shire Council
Ordinary Meeting of
Council**



MINUTES

TUESDAY 20 MAY 2014

The Warehouse – Clunes

36 Fraser Street, Clunes

Commencing 6:00PM

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AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
20 MAY 2014

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

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

2. OPENING OF MEETING

PRESENT: Mayor Councillor Don Henderson, Deputy Mayor Councillor Kate Redwood AM, Birch Ward Councillor Pierre Niclas, Cameron Ward Councillor Neil Newitt, Coliban Ward Councillor Sebastian Klein, Creswick Ward Councillor Greg May, Holcombe Ward Councillor Bill McClenaghan.

IN ATTENDANCE: Chief Executive Officer Aaron van Egmond, General Manager Corporate Services Evan King, General Manager Community Services Kathleen Brannigan, General Manager Infrastructure Bruce Lucas, Manager Strategic Asset Management Grant Schuster, Manager Community and Economic Development Adam McSwain, Governance Officer Mary Dancuk.

STATEMENT OF COMMITMENT

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

3. APOLOGIES

Nil

4. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Kate Redwood declared an indirect Conflict of Interest – close association in **Agenda Item 11.3 – Victoria Park, Daylesford Community Facility – Community Contribution and Council Underwriting** as the Secretary of the Daylesford Football Netball Club which is a major user of the facilities at Victoria Park.

Councillor Redwood n left the meeting at 7:13 pm and returned to the meeting at 7:23 pm. Councillor Redwood was absent while these matters were considered.

Councillor Sebastian Klein declared an indirect Conflict of Interest – close association in **Agenda Item 11.5 – Community, Sustainability, Landcare and Anzac Centenary Grants - Round Two 2013/14** as one of the community grant projects recommended for funding is a project Councillor Klein works on in a professional capacity.

Councillor Klein left the meeting at 7:38 pm and returned to the meeting at 7:40 pm. Councillor Klein was absent while these matters were considered.

Councillor Don Henderson declared a direct Conflict of Interest in **Agenda Item 11.7 – Lease Renewal – Creswick Town Hall Caretaker’s Cottage to Creswick Railway Workshops Association Inc** as the President of the Creswick Railway Workshops Association Inc.

Councillor Henderson left the meeting at 9:10 pm and returned to the meeting at 9:13 pm. Councillor Henderson was absent while these matters were considered.

5. CONFIRMATION OF MINUTES

RECOMMENDATION

- 5.1 That the Minutes of the Ordinary Meeting of Council held on 15 April 2014 (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 15 April 2014 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Councillor Kate Redwood

Seconded: Councillor Pierre Niclas

Carried

6. NOTICES OF MOTION

Nil

7. ITEMS OF URGENT BUSINESS

PROCEDURAL MOTION

7.1.1. *That Council considers an Item of Urgent Business – Leave of Absence for Councillor Sebastian Klein from the June Ordinary Meeting of Council.*

Moved: Councillor Sebastian Klein

Carried.

7.2. LEAVE OF ABSENCE – COUNCILLOR SEBASTIAN KLEIN

MOTION

7.2.1. *That Council grants a Leave of Absence to Councillor Sebastian Klein from the June Ordinary Meeting of Council (17 June 2014) in order to attend the Australian Local Government Association National General Assembly in Canberra.*

Moved: Councillor Sebastian Klein

Seconded: Councillor Kate Redwood

Carried.

MOTION

7.2.2. *That Council considers an Item of Urgent Business – Mayoral Summit on Asylum Seekers – 19 June 2014.*

Moved: Councillor Kate Redwood

Carried.

7.3. MAYORAL SUMMIT ON ASYLUM SEEKERS – 19 JUNE 2014 – DAREBIN CITY COUNCIL

MOTION

7.3.1. *That Council endorses the following statement to be submitted to the Mayoral Summit on asylum seekers:*

We call on the Australian Government to abandon its harsh policies and practices in dealing with onshore asylum seekers and restore Australia's international reputation and record on human rights.

Moved: Councillor Kate Redwood

Seconded: Councillor Sebastian Klein

Carried.

8. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Don Henderson, Creswick Ward

During this month I attended the Central Highlands Councils meeting which largely revolved around meeting with all Liberal candidates for Buninyong and Ripon. Unfortunately late notice to Labour candidates meant that only one attended. They seemed very focussed upon projects concerning Ballarat and up the Western Highway.

The CEO and myself had discussions with the Daylesford Community (Rex) Theatre Group who are searching for a new home following difficulties at the Rex Theatre complex.

ANZAC Day was celebrated in Creswick and I attended both the Dawn Service and the Main Service at 11 o'clock. The service is growing each year and I noted that the RSL acknowledged the good work of our outdoor staff in preparation for the event. I later attended the launch of a short film made to record the experiences of some of our living veterans. One has reached the age of 101 which is quite an achievement in itself.

Recently, I had the pleasure of hosting the Daylesford Primary School leaders. These young people were very interested to learn about Council and I must thank Michelle Collett for giving them a tour of the Daylesford Town Hall.

I was able to browse books at Clunes Booktown again this year and noted the many booksellers who had come from near and far to make this event a success.

The Climate Change Round Table took place in Bendigo recently and it was interesting to hear how other councils are addressing this issue. I found this forum very informative indeed. This forum provided the opportunity to inform other councils of initiatives.

Budget sessions have now been held in all wards of the Shire. I was able to attend sessions at Creswick, Glenlyon, Clunes and Daylesford. Thanks go to Evan King and the team for these well organised, if not well attended events.

Last week we met with Minister Tim Bull to inspect the Creswick library and hopefully he was suitably moved to assist with the funding of the refurbishment as the building is in a sad state. A bit sad that the biggest town in the Shire has the worst library.

At Timber Towns we were treated to information regarding the protection of the Leadbeaters Possum and an interesting discussion with the Wilderness

Society and forestry interests. Later I was able to also attend Municipal Association of Victoria (MAV) State Council briefly, where I noted Cr McClenaghan capably representing our interests.

A meeting of regional and rural councils saw items such as a bonding system and rate capping discussed.

The Creswick and District Historical Society held their annual Honour Roll dinner where four people who had contributed to the building of our community were inducted:

Elizabeth Northcote , Tom Evans , John Jebb and John La Gersche were placed on the Roll.

John La Gersche was the person who started reforestation after the mining activities had destroyed forests around Creswick and his work led to the setting up of the Creswick School of Forestry.

COUNCILLOR REPORTS

Councillor Greg May, Creswick Ward

In the period since my last Councillor report I have had the pleasure of attending several functions and meetings within our Shire. The first of those I'd like to mention were ANZAC Day commemorations. ANZAC Day in my area saw the first of the season's frosts but the very low temperature didn't seem to deter the big crowd which attended the Dawn Service in Creswick. A good percentage of the crowd were warmed up soon after by a hearty breakfast at the Creswick Farmers Arms Hotel. Later in the morning, it was encouraging to see approximately 30 people attend the wreath laying service at the memorial in the Kingston Avenue of Honour. Local resident Peter Laurie had even gone to the trouble of preparing a sprig of Rosemary for everyone in attendance.

The Avenue looked magnificent in the morning sunshine and much credit is due to the Friends of the avenue who invest much time and effort into its upkeep as well as the Shire's outdoor staff who had obviously mowed it recently.

For the first time this year, I attended Booktown in Clunes and was most impressed by its organisation, the range of entertainment available and of course the seemingly endless supply of books. I also noted that the old library in Clunes was in use on the day as a result of the Empty Spaces Project.

During recent weeks, I have also been making regular inspections of the new bowling green being constructed at Lindsay Park – Creswick. I'm pleased to say that the construction is progressing well with concrete ditches, sub-surface drainage and foundation material for the green itself in place. Hopefully, the facility will be well ready for the club to use in the upcoming bowls season.

Again this year I was invited by the Creswick and District Historical Society to attend their annual Honour Roll Dinner in the Creswick Town Hall. Each year four people who have made a significant contribution to the community in the Creswick area are inducted onto the Honour Roll. Inclusion on the honour roll is possibly something people should aspire to. Being involved in community organisations, assisting at local events and generally doing your bit, but not in the immediate future perhaps as one of the prerequisites for the Roll is to be deceased.

Councillor Henderson and I read the four citations and unveiled a plaque bearing their names. I had the privilege of reading the citation for Tom Evans.

Reading Tom's citation was significant for me. Although I didn't know Tom, he was a friend and team mate of my late father's.

Tom was a Creswick Shire Councillor for 8 years, represented the Liberal Party in Ballarat North for 28 years and was awarded the Order of Australia in 2008. The list of his achievements and community involvement is remarkable, one which few people will ever equal. Older community members I have since spoken to about Tom remember him with much fondness and as a man of principle and ethics, qualities which perhaps are less abundant in many of our modern day politicians.

Councillor Bill McClenaghan, Holcombe Ward

ANZAC Day was busy this year, beginning with the Dawn Service in Daylesford and the Hepburn Springs Service shortly thereafter. I squeezed in the march to the Cenotaph at Daylesford before leaving to march in Trentham and deliver an address at the service there on behalf of Council to mark the centenary year of the start of the Great War. Interestingly, although war was brewing in Europe and Asia Minor in April 1914, hostilities did not commence until late July and in early August when Germany invaded Belgium to strike at France. It was this event that brought Britain and Commonwealth countries into the war. Next year will see the centenary of the Gallipoli landing.

April and May have seen the formation of the new state government Waste Management Group that amalgamates the Highlands, Grampians and Desert

Fringe Waste Management Groups. Twelve Councils are represented currently in these regional groups but the new amalgamated group will only have four Councillor Directors and other skills based Directors. The twelve Councils will still meet together in a Local Government Waste Management Forum about four times per year in addition to Board Meetings of the new appointed Board. The area covered is massive and covers one third of the state from Bacchus Marsh to the South Australian border. After a Pre-Forum meeting in early April, the Forum first met on Friday 2nd May to elect the four Councillors who will become Directors of the Grampians Central West Waste and Resource Recovery Group. Four out of six existing Highlands Directors applied and two were successful. Regrettably, predictably and after all that effort, the State Budget has delivered precious little funding for the new amalgamated Group to achieve very much at all. I did not apply to continue as a Director and will concentrate my efforts on representing Hepburn Shire's interests in the Local Government Waste Management Forum amongst all twelve participating Councils where I expect the bulk of the meaningful action, networking and information exchange will be.

State and Federal Budgets have not delivered good news to Local Government. There are serious concerns at proposed changes to the Local Government Act that will impact the sector and the Municipal Association of Victoria (MAV) is actively addressing many of the sector's concerns about the future of Local Government and devising various solutions to problems faced. This has culminated in actions mooted at the first MAV State Council last Friday and at an introductory information session on Thursday 8th May, known as the MAV Rural and Regional Forum where delegates from country Victoria met to discuss issues of concern ahead of the State Council and hear about some strategies being developed to address the problems.

Fundamentally, Local Government is to receive less again in Financial Assistance Grants or FAGs as they are known. Federal funding of kindergartens is being scaled back. The State Opposition is raising the spectre of rates capping that led to massive shortfalls in capital works and infrastructure maintenance in the new amalgamated Councils of the Kennett era. Last Friday's State Council unanimously passed a motion against rates capping with the entire sector united against a most counterproductive political ploy that will hurl us all back to the bad old days. With amalgamated Councils in 1995, cut funds, capped rates and massive staff redundancies and payouts, one might only conclude that bigger is not better, amalgamate at your peril and these new amalgamated, under-funded waste management groups must look outside their politically contrived square for relevance and achievement.

One of the MAV solutions to fund shortages for Local Government is a scheme to move away from WorkSafe and provide alternative and cheaper workcover insurance for the 79 local Councils in Victoria. Another scheme, set to start shortly, involves better borrowing arrangements by cutting out the middle-man (banks) and raising funds through Bonds, directly from the wholesale finance market. This will save us at least 1% in interest costs on our borrowings and translates into significant savings for the Victorian Local Government sector of \$100 million over ten years. A commitment is required from participating Councils by the end of May and it's great to see the item here before Council today.

Lastly, Mr Mayor, you may have noticed that I have not mentioned Holcombe Ward yet in this Holcombe Ward report. Although much of what I have reported on will impact all ratepayers in all wards and Shires, it is possible to get so committed with extra-curricular activities on external groups and bodies so as to lose sight of local Council issues and ward matters; our constituents, budgetary issues and the day to day requirements of the Councillor's task. For this reason, I did not nominate for the amalgamated Waste Management Group Board despite expectations and encouragement to do so and I believe that we will all need to be very active and focused if we are to meet the rising tide of challenges and cutbacks that will face Local Government in the immediate future.

Councillor Pierre Niclas, Birch Ward

25/04/2014 ANZAC Day

On 25th April, Hepburn Shire towns and their inhabitants once again joined with all Australians to remember and commemorate ANZAC Day.

I myself attended the Dawn Service in Daylesford, followed by a smaller service in Hepburn Springs and then the main march and ceremony once again in Daylesford. I am very confident in the longevity and ever growing community support for this remembrance service in our Shire if this year's attendance numbers are anything to go by.

This year's Dawn Service in Daylesford was probably the most memorable and emotional ANZAC Day ceremony I have ever attended. The crowds were up again this year, the air was still and cold, the crowd very respectful, the ceremony was made even more memorable by the haunting rendition of "*and the band played Waltzing Matilda*". I am certain there was not a dry eye in the crowd.

30/04/2014 Hepburn Springs Streetscape

I am very pleased to report that the Hepburn Springs Commercial and Community revitalisation initiatives continue to roll out from this Council.

Putting aside Stage 2 of the Community Consultation process, I am pleased to say we are now able to move closer to delivering the Hepburn Springs Streetscape plan. A small group of local Hepburn Springs property developers / business owners as well as interested locals attended a meeting with our Planning Department where they were reminded / made aware of the existing original strategic planning changes for Hepburn Springs approved by the local community many years ago.

This mixed use zoning strategy plan was once again discussed to ensure it is still relevant / needed today to help revitalise Hepburn Springs.

Whatever comes of the structural review for Hepburn Springs, the key guiding vision and 'rules of the game' must always recognise and include the ethos of people first in all considerations, as well as respect for the past. These key milestones will be the real measure of the success or otherwise of the change.

24/04/2014 and 10/05/2014 Hepburn Mineral Springs Reserve 150th Anniversary

I attended two Hepburn Mineral Springs Reserve 150th Anniversary Committee Meetings over the last month with 21st March 2015 being selected as the date this event will be celebrated.

Planning is moving along very well. The Committee is putting in place all the necessary organisational structure that will ensure a successful day for everyone in Hepburn Shire. The Committee will soon be looking for organisations, companies and individuals to join it in the actual involvement on that day.

The Mineral Springs need you!

Please contact me if you wish to be a big part of (or small part) of this very important day.

6/05 and 12/05/2014 Budget Information Sessions

Following the recent delivery of the Hepburn Shire Council Proposed Budget 2014/15, a series of Public Presentations and Community Input Sessions have been held around this Shire to ensure that all ratepayers and residents have a chance to fully review and comment on the proposed budget, as well as offer suggestions that they feel might add to the overall value of the budget, before it is finally adopted by Council next month.

I am very pleased to report that in my opinion, the budget in itself has been received very well by the community in general. Highlights of another low rate rise year, funding for Shire wide major initiatives and planning for the future of this Shire have been recognised and included into this proposed budget. Some concerns were raised about the level of Council's on-going funding of certain annual events.

Council regularly reviews its financial support of various community events and in fact is planning a review of the current versus appropriate level of financial support needed by the current major events in this Shire. This is very important as it ensures there is always a strong focus of 'value for money' for the ratepayers' dollar when Council commits to these events for multiple years.

Although public submissions closed 5.00pm yesterday, I invite ratepayers and residents to come to the Special Council meeting planned for 26th May in Daylesford to join in on the budget review and acceptance process.

19/05/2014 Hepburn Springs Streetscape Community Consultation

I was lucky enough to attend Stage 2 of the Community Consultation night held in Hepburn Springs at the Chalet.

Although only a small group attended, it was a very lively meeting with many good points raised.

I was very pleased to note that nearly all those attending agreed in principle with the design put forward for Main Street, Hepburn Springs with an additional rider that clear location signage be included in this model and as part of the final model.

Councillor Kate Redwood AM, Birch Ward

It has been an extra busy month - not so much due to the formal Council commitments but the behind the scenes work to push along on key initiatives.

In my report for April 2013, I noted the disappointment we felt at not being funded for a new facility in Vic Park. It is remarkable that we have regrouped, consulted regularly with Park users, achieved a new design and have a new submission in for State funding. Council's strong commitment for this project that is so much needed by the community has been much appreciated. Behind the scenes work to raise the \$250,000 community contribution is underway.

We held a final afternoon tea for the Wombat Hill Botanic Gardens Advisory Committee last week. This was an opportunity not only to thank the members

for their valuable contributions, but to discuss the process of developing the master plan - currently proposed in the Council's 2014/15 budget. It is wonderful that the Friends are keen to work collaboratively with Council on this key project which will provide a blueprint for the botanic gardens for the next hundred years. The generous gift of the sculpture from Stuart Rattle's estate was also recognised.

Three meetings have now been held to develop a design for the Heather Mutimer Honour Roll for Women quilting project. The Spa Quilters group have been particularly helpful. We are now in the process of writing to the living members of the Roll, and the families of those no longer with us to canvas their views on content, and their interest in participating. The International Women's Day Advisory Committee meets again in June.

ANZAC Day was a very busy and special one for all of us. It was great to see such large crowds attending services in Daylesford, and the very special gathering at Eganstown.

Finally, a civic event, not a Council responsibility but one that will interest many, I have been organising, on behalf of the Daylesford branch of the ALP, a forum on asylum seekers policy to be held in the Daylesford Town Hall on Saturday 9 August. Speakers will include Julian Burnside and David Manne. This Forum is a public event – all welcome to attend.

Work undertaken on behalf of Council has included the following:

- 15/04/2014 CEO/Mayor's meeting
 - Councillor only time
 - Councillor/CEO meeting
 - Pre Council meeting briefing by officers
 - Council meeting
- 25/04/2014 ANZAC Day Dawn Service Daylesford
 - ANZAC Day wreath laying at Eganstown
 - ANZAC Day march and service Daylesford
- 28/04/2014 Hepburn Health Board Meeting
- 30/04/2014 Daylesford & Hepburn Springs Business and Tourism Association (BATA) breakfast
 - Meeting re Stanbridge Jinker
- 03/05/2014 Clunes Booktown

- 06/05/2014 Citizenship ceremony
 - Councillor briefing – Proposed Budget 2014/15
 - Budget information session – Daylesford
- 08/05/2014 Constituents meetings re various issues
 - Wombat Hill Botanic Gardens meeting re master plan process
 - International Women’s Day Quilters meeting
 - Medicare Locals meeting
- 13/05/2014 CEO/Mayor’s meeting
 - ALP politicians Vic Park site visit
 - Councillor briefings re streetscapes and council offices/hub
- 14/05/2014 Daylesford Neighbourhood Centre AGM - returning officer
 - Wombat Hill Botanic Gardens Advisory Committee
- 16/05/2014 Wombat Hill Botanic Gardens Advisory Committee meeting to thank members
- 19/05/2014 Hepburn Springs streetscape consultation

Councillor Neil Newitt, Cameron Ward

Councillors, tonight as you may expect, I wish to speak about the success of this year's Booktown festival.

Despite predicted wet, cold conditions, well over 18,000 visitors attended this year - making it the biggest in the event's history.

Booksellers reported they were very happy (which is code for doing quite well).

I have been told by some local businesses, including those that don't sell books, they had a 30-40 percent increase in sales. Many businesses in town were also kept busy in the week leading up to the event.

I would like to share just one success story. Molly, a young girl of around 10 years hand made and sold skirts featuring book designs. By lunchtime Sunday, she had completely sold out all stock, and was taking orders for more.

VLine ran six return train services from Melbourne to Clunes on the weekend. I saw nearly 100 visitors alight from the first train. Around town, car parking this year extended further than ever.

A national audience of tens of thousands tuning into the Sunrise program on the Channel 7 and Prime networks, saw seven live crosses from Clunes during the two hour program. Already there have been responses from viewers that "we will be there next year".

I also saw The Warehouse in operation. It was judged a huge success with capacity crowds attending most of the author talks that were held in the Esmond Gallery. Council staff and volunteers worked flat-chat all weekend to make The Warehouse one of the successes of this year's festival. Comments flowed all weekend on how great the facility is.

Booktown has now been in existence for 8 years. It has grown from a one day second-hand book market idea into one of Victoria's premier festivals.

It exists because of the hard work and vision of volunteers in the Clunes community.

Creative Clunes is the core group of around half a dozen volunteers who work year round to make this event happen.

Additionally, over the weekend of Booktown, some 100 extra volunteers swing into action to fill over 200 hours of shifts to make the event a success. These volunteers come not only from Clunes' residents, but also from those that are visitors or weekenders who want to contribute to the town.

Booktown brings more than \$1million to this area, more than \$ 4million to the region's economy. But it is not only the retailers, accommodation providers, cafes, etc that benefit. It is for many community groups a sizeable chunk of their year's fundraising. Local groups including the RSL, Football Netball Club, Agricultural Society, Landcare, Primary and Pre schools participate in the festival. And they bring along their own volunteers and members to help.

Booktown has been a significant contributor to the growth of Clunes in recent years. Clunes has grown 30 percent in recent years. New businesses are opening, visitors are returning not only for the festival, but year round. Every week I have inquiries from those looking to relocate to Clunes. Booktown isn't just about selling books, it's about selling Clunes. It is delivering regional growth and economic development.

Councillors, I wish to congratulate all who are involved with the success of Booktown - the volunteers, the sponsors, the partners, and our own staff - all who put in their time, effort and knowledge.

It is these people in the community that are striving and delivering a better, stronger, healthier Clunes – not just for today's population but for the town's future.

Councillor Sebastian Klein, Coliban Ward

The month of May was bookended by a couple of ripping local events - the Trentham Art and Craft Fair and Spudfest. The art and craft fair has grown again in quality and the professional presentation and philanthropic donations are a credit to the volunteer organising committee.

I was away for the Easter ANZAC period - As always when I am abroad I took note of the many council assets I used:

The Albury visitor information centre, streetscape works, state of the art library and community space (where I got to see the Archibald Prize exhibition for this year), and also the Cenotaph, museum and town hall in my home town Jindera. Where at the ANZAC Day Service I took some small vicarious enjoyment in being a spectator to a service request from one family member, an uncle, to a cousin who is a councillor there in the Shire of Greater Hume.

Spudfest has grown and despite a cool Autumn day many turned out to celebrate the humble spud. The organisers aren't resting on their laurels but are reinventing themselves as the event evolves and grows.

This year the Spudfest highlight in my mind was a semi-historical re-enactment set upon the return of the diggers and around a debate that actually occurred between candidates for the role of councillor for Trentham in the Ballan Shire. Critical to the debate were important community assets and infrastructure that needed to be built in Trentham but were missing in previous shire budgets.

Due to a hectic calendar with the Victorian Local Governance Association (VLGA) and other commitments, I was only able to make it to the Budget meeting in Trentham where residents were most concerned about receiving a response to their petition. It seems that they are determined that life there doesn't replicate art – namely the community theatre piece mentioned earlier.

In summary, the events I attended were:

- Trentham Easter Art and Craft Fair
- Numerous meetings with the Victorian Local Governance Association (VLGA) – Minister Guy, Minister Bull, meeting at City of Casey, City of Glen Eira
- Two Trentham Community Hub Community Reference Group meetings
- Participated in a semi-historical re-enactment at Spudfest
- Trentham Budget Information Session
- Trentham Neighbourhood Centre Committee of Management meeting.

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 Greg May

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

9.1. PETITIONS

Nil

9.2. QUESTIONS

**Question: From Mr Gary McIntosh
Chairperson
Bullarto Community Planning Group**

In February 2014 the Bullarto Community Planning Group provided a comprehensive briefing to Council following Hepburn Shire facilitated community development meetings held at Bullarto Hall in June and August 2013.

Following this briefing and in close liaison with Council officers, an application for a \$2,000 'community strengthening grant' was prepared and submitted on 28th March 2014 with full details, costings and all relevant background information included.

The group was advised by Council's planning department that a planning permit was not required to relocate an unused community noticeboard to Council owned land near Bullarto Hall, a very small part of the application costed at only \$200, one tenth of the total application.

However it is noted in Council's agenda that our entire application has been given a 'not recommended' status, the reason stated being 'no approvals in place re land use'.

While we understand there are complicated land tenure and lease issues at Bullarto, can you please explain what 'approvals are not in place' and the processes for obtaining same for our community noticeboard to be relocated near the Bullarto Hall?

Answered by Mayor Cr Don Henderson

The Bullarto Community Planning Group community grant application was not recommended by the assessment panel. While a planning permit is not required, the land where the notice board was proposed to be installed is currently leased to the Bullarto Hall Committee. In order to install a community notice board on this land there would need to be a formal decision of Council approving this. To be eligible for receipt of a community grant all permits, permissions and approvals for projects need to be in place so the panel considered the project ineligible.

Question: From Ms Judy Henderson, Creswick

My question is about the Creswick Ward Community Plan.

Background:

In response to my question from the April meeting, the Council said that 'the review of Councils Advisory Committees had been completed' and 'future directions for Council Advisory Committees would be considered at the May Council Meeting'. Creswick has had a community planning advisory committee since 2003, but no longer.

There is No visibility of any Advisory Committees on the Shire Web page with the exception of the Recreation Committee and the names of residents who sit on the Recreation Committee. There is no clarity or duration and currency of appointment in relation to this single Advisory Committee.

The Hepburn Community Planning Framework is dated May 2007, some 7 years ago. It is silent about the process for endorsement by the Shire Council, and as the Shire advised me in April 2014, some are endorsed and some are not endorsed by this Council. The role of these Committees is to implement the Community Plans.

Questions:

When can the community expect the replacement Advisory Committee to the CWCC (defunct for almost 12 months now) to be announced by the Shire Council?

Will any such Committees be clearly advised on the Shire web resource, in respect to appointments and duration as advised above??

Will there be any community consultation about the shape and form of any such NEW Advisory Committee to drive the implementation of the Creswick Ward Community Plan?

If there is no Advisory Committee, who will drive the Community Plans?

Answered by Mayor Cr Don Henderson

Over the past few months Council has been discussing its Advisory Committee structure.

It is anticipated that a report about a renewed Creswick Ward Community Committee will be on the Agenda for the July Council meeting. If a new advisory committee for the Creswick Ward is established, the terms of reference will be developed and a public call for nominations for membership of the advisory will be conducted. Once appointed details of the members and term of appointment will be published on Council's website.

It is not proposed to conduct any formal community consultation about the form of a new Creswick advisory committee.

Council will consider a draft Community Planning Policy and Strategy at its July meeting which will set out Council's approach to community planning.

9.3. REQUESTS TO ADDRESS COUNCIL

Nil

10. STATUTORY PLANNING REPORTS

There are no Planning Applications for consideration at the May 2014 Council meeting.

11. OFFICERS' REPORTS

11.1. FINANCIAL REPORT – AS AT 31 MARCH 2014 GENERAL MANAGER CORPORATE SERVICES

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

PURPOSE

The purpose of this report is to present to Council the financial performance for the 2013/14 financial year up to 31 March 2014.

BACKGROUND

This report provides information on Council's operating performance for the period 1 July 2013 to 31 March 2014 based on the revised budget adopted by Council in December 2013.

ISSUE / DISCUSSION

Income Statement

The year to date operating result is a \$6.5 million surplus. This surplus is \$2.7 million more than the year to date (YTD) budget. This favourable variance is a timing issue due to grant income being received in advance. Grants received in advance include Local Government Infrastructure Funding \$1.0 million, the Warehouse – Clunes \$0.9 million and other smaller miscellaneous grants received but not included in the budget \$0.3 million. The other key driver of the favourable surplus is YTD spending which is \$0.5 million under budget.

Please refer to the Income Statement attached for full details.

Balance Sheet

Cash at 31 March 2014 totals \$13.6 million.

Total debtors are \$6.3 million comprising \$0.8 million in non rate debtors and \$5.5 million in rate debtors. Of the \$5.5 million in rate debtors \$0.4 million relates to rates and charges from prior years. This arrears balance has reduced by \$0.9 million since 30 June 2013 due to debt collection activities.

Please refer to the Balance Sheet attached for full details.

Capital Works & Projects

To date \$5.1 million of the \$10.3 million capital works budget has been spent.

Please refer to the Capital Works Program for full details.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

None noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

The report on the financial performance of Council for the nine months to 31 March 2014 has been reported.

OFFICER'S RECOMMENDATION

11.1.1 That Council receives and notes the Financial Report for the nine months from 1 July 2013 to 31 March 2014.

MOTION

11.1.1. That Council receives and notes the Financial Report for the nine months from 1 July 2013 to 31 March 2014.

Moved: Councillor Neil Newitt
Seconded: Councillor Kate Redwood
Carried.

ATTACHMENT 1 - FINANCIAL REPORT AS AT 31 MARCH 2014

Income Statement
For the period ending 31 March 2014

	YTD Budget 2013/14 \$'000	YTD Actual 2013/14 \$'000	Variance YTD Budget to YTD Actual \$'000	
Revenues from ordinary activities				
Rates & charges	16,261	16,180	(81)	0%
User Fees, Statutory fees & fines	1,069	1,017	(52)	-5%
Grants - Recurrent	4,191	3,526	(665)	-16% 1
Grants - Non recurrent	280	3,500	3,220	1150% 2
Contributions	9	133	124	1374% 3
Other revenue	1,798	1,448	(349)	-19% 4
Total revenue	23,608	25,804	2,196	9%
Expenses from ordinary activities				
Employee benefits	7,124	7,386	263	4%
Materials and services	7,168	6,355	(813)	-11% 5
Bad and doubtful debts	85	80	(5)	-6%
Depreciation/amortisation	4,637	4,626	(10)	0%
Finance costs	240	220	(20)	-8%
Other expenses	582	649	67	12%
Total expenses	19,834	19,316	(518)	-3%
Surplus (deficit) for the year	3,774	6,488	(2,714)	-72%

1. This variance is driven by the 50% prepayment of Grants Commission funding which was received in (June 2013)

2. This variance is a timing issue only and is the result of receiving funding in advance of the budget receipt date.

Funds received or invoiced in advance include:

LGIF Local Government Infrastructure Funding \$1M

HSC Hub \$60k

The Warehouse - Clunes \$911k.

Creswick flood mitigation plan \$165k

Engage youth \$15k

Transport Trial Glenlyon \$34k

Smart run community transport \$42k

Trentham community facility planning \$27k

Sustainability projects \$10k

Walk to School November \$10k

3. Contributions greater than budget due to public open space contributions of \$133K

4. Reduced other revenue is driven by the net of the following:

Flood reimbursement income under \$781k due to phasing.

Lease income up by \$155k

Interest income up by \$115k

Insurance reimbursement income up by \$38k

Implementation and admin costs of the Fire Service Levy \$62k

Workcover reimbursements \$58k

5. Materials under budget due to no receipt of invoices from Waste Contractors & Community Services for 1 month approx \$225k and expenditure behind plan for various non capital projects.

Balance Sheet as at 31 March 2014

	31/03/2014 Actual \$000's	31/03/2013 Actual \$000's	Movement year on year	
Assets				
Current assets				
Cash and cash equivalents	13,646	13,528	118	1%
Trade and other receivables	6,283	5,836	447	8% 1
Other Assets	41	(11)	52	-471% 2
Total current assets	19,969	19,353	616	3%
Non-current assets				
Financial assets	250	521	(271)	-52% 3
Investments in associates accounted for using the equity method	-	114	(114)	-100% 4
Property, plant and equipment, infrastructure	205,517	191,636	13,881	7% 5
Total non-current assets	205,767	192,271	13,497	7%
Total assets	225,736	211,624	14,113	7%
Liabilities				
Current liabilities				
Trade and other payables	(1,043)	(1,888)	845	-45% 6
Trust funds and deposits	(949)	(942)	(7)	1%
Provisions	(1,855)	(1,812)	(43)	2%
Interest-bearing loans and borrowings	(1,529)	(95)	(1,434)	1510% 7
Total current liabilities	(5,375)	(4,737)	(638)	13%
Non-current liabilities				
Provisions	(525)	(580)	55	-9%
Interest-bearing loans and borrowings	(3,048)	(3,641)	592	-16% 7
Other Liabilities	(188)	(1,628)	1,440	-88% 8
Total non-current liabilities	(3,761)	(5,849)	2,087	-36%
Total liabilities	(9,137)	(10,586)	1,449	-14%
Net Assets	216,600	201,038	15,562	8%
Equity				
Accumulated surplus	(132,612)	(116,934)	(15,678)	13% 9
Surplus YTD	(6,488)	(8,967)	2,479	-28% 10
Reserves	(77,500)	(75,137)	(2,363)	3% 11
Total Equity	(216,600)	(201,038)	(15,562)	8%

1. Trade & other receivables higher than this time last year mainly due to the introduction of the Fire Services levy collected with the rates.

2. Inventory on hand (diesel) invoices now processed in a more timely manner.

3. Reclassification of financial assets.

4. The Central Highlands Regional Library of which Hepburn Council was a part of has now wound up. The books held in Council's three libraries are now owned directly by Council and have therefore been transferred from this asset class to property, plant and equipment. .

Balance Sheet as at 31 March 2014

5. The increase is mainly due to \$13M in capital works undertaken in 2012-13, including significant flood recovery works. At 30 June 2013 a revaluation of some of Council assets was undertaken increasing their value by \$2.3 million

6. The lower balance of trade payables is a result of flood works winding up.

7. Current loan balance increase is associated with the loan taken out to fund the Superannuation Defined Benefits liability owed by Hepburn Shire Council which was paid in July this year.

8. Other liabilities decreased because Defined Benefits Super has now been paid refer increase in borrowings.

9. This movement is the surplus for the 2012-13 financial year.

10. Refer to comments in the income statement.

11. The increase is a result of adjustments at 30 June 2013 including the revaluation of some of Council's assets \$2.3

Cashflow Statement
For the period ending 31 March 2014

	31/03/2014 Actual
	\$'000
Cash flows from operating activities	
<i>Receipts</i>	
Rates & charges	11,993
Statutory & user fees and fines	1,017
Grants	7,275
Other revenue	1,164
Interest	325
	21,774
<i>Payments</i>	
Employee costs	(8,107)
Materials & consumables	(8,328)
Finance costs	(220)
Other expenses	(649)
	(17,303)
Net cash provided by operating activities	4,470
Cash flows from investing activities	
Proceeds from property, plant and equipment	92
Payments for property, plant and equipment	(8,044)
Net cash used in investing activities	(7,952)
Cash flows from financing activities	
Proceeds from borrowings	1,423
Repayment of borrowings	(494)
Net cash provided by (used in) financing activities	929
Net decrease in cash & cash equivalents	(2,552)
Cash & cash equivalents at beginning of year	16,285
Cash & cash equivalents at end of period	13,646

*** Please note that there was no monthly report produced for March 2013, therefore no comparatives are available for this month.*

2013/2014 CAPITAL WORKS PROGRAM

Capital Works or Project	Total Budget 2013/14 + CFWD	Y-T-D	% Spent Y-T-D	YTD Spend + Commitment	YTD Spend + Commitment %
ROADS & BRIDGES					
Asset Renewal					
Reseals	\$1,215,000	\$1,180,257	97%	\$1,235,213	102%
Gravel Resheets	\$524,600	\$322,716	62%	\$326,807	62%
LGIF - McLennans Rd gravel road works	\$127,750	\$65,383	51%	\$65,383	51%
Reseal Preparation	\$85,000	\$42,373	50%	\$42,373	50%
Bridge Renewal	\$765,423	\$59,222	8%	\$718,157	94%
Bridge Replacement Design - 2nd part for Wheelers Bridge	\$116,144	\$3,446	3%	\$66,646	57%
Footpath Improvement & Renewal	\$245,643	\$226,802	92%	\$226,802	92%
Albert St, Daylesford Footpath - Special Charge Scheme	\$1,920	\$2,965	154%	\$2,965	154%
Kerb & Channel Rehabilitation	\$135,000	\$112,492	83%	\$112,592	83%
Pavement Rehabilitation, Formation & Drainage	\$1,831,466	\$1,132,445	62%	\$1,538,876	84%
Total Asset Renewal	\$5,047,946	\$3,148,103	62%	\$4,335,816	86%
Asset Expansion & Upgrade					
Stanbridge Street traffic calming kerbs and signs	\$25,000	\$4,876	20%	\$4,876	20%
Total Asset Expansion & Upgrade	\$25,000	\$4,876	20%	\$4,876	20%
New Assets					
LGIF - Planning and design of the Slaty Creek Pedestrian Bridge	\$20,000	\$2,520	13%	\$6,740	34%
Creswick Flood Mitigation Plan Implementation	\$499,639	\$393,871	79%	\$428,125	86%
Creswick Flood Mitigation Works-Stage 2	\$771,519	\$0	0%	\$0	0%
Total New Assets	\$1,291,158	\$396,391	31%	\$434,865	34%
TOTAL ROADS AND BRIDGES	\$6,364,104	\$3,549,370	56%	\$4,775,557	75%
RECREATION					
Asset Renewal					
Playground Replacement Equipment Program	\$22,000	\$23,808	108%	\$23,808	108%
Calembeen Park Creswick Tower Relocation	\$103,953	\$0	0%	\$0	0%
Trentham Pool Solar Heating Coils	\$25,000	\$22,300	89%	\$22,300	89%
LGIF - Netball Court Resurfacing - Hepburn & Newlyn	\$50,000	\$354	1%	\$41,216	82%
Hard-court annual Renewal Program	\$10,000	\$0	0%	\$0	0%
Total Asset Renewal	\$210,953	\$46,462	22%	\$87,325	41%
New Assets					
Bleakley St Bridge Design & Construction (Walking & Cycling projects 9,10,11)	\$93,255	\$125,747	135%	\$125,747	135%
Wombat Trail Stage 1 (Walking & Cycling Project 15)	\$15,000	\$5,510	37%	\$5,510	37%
Total New Assets	\$108,255	\$131,257	121%	\$131,257	121%
TOTAL RECREATION	\$319,208	\$177,719	56%	\$218,582	68%
LAND & BUILDINGS					
Asset Renewal					
Capital Building Renewal Program	\$270,007	\$69,731	26%	\$151,412	56%
Depot Portable Accommodation	\$73,120	\$73,422	100%	\$74,503	102%
LGIF - Clunes Bottle Museum Repairs & Asbestos Removal	\$200,719	\$70,632	35%	\$93,007	46%
LGIF - Creswick Calembeen Park Reserve - Improvement Works	\$125,000	\$0	0%	\$0	0%
LGIF - Renovation of HMSR Caretakers Cottage	\$40,000	\$0	0%	\$0	0%
Clunes Town Hall Engineers Report	\$5,000	\$1,964	39%	\$6,754	135%
Total Asset Renewal	\$713,846	\$215,749	30%	\$325,677	46%
Asset Expansion & Upgrade					
Clunes Community & Interpretative Centre Design & Construction	\$712,938	\$610,345	86%	\$649,695	91%
Trentham Community Facilities Review	\$22,500	\$109	0%	\$109	0%
Total Asset Expansion & Upgrade	\$735,438	\$610,454	83%	\$649,804	88%
TOTAL LAND & BUILDINGS	\$1,449,284	\$826,204	57%	\$975,481	67%
PLANT, EQUIPMENT & OTHER					
Asset Renewal					

2013/2014 CAPITAL WORKS PROGRAM

Capital Works or Project	Total Budget 2013/14 + CFWD	Y-T-D	% Spent Y-T-D	YTD Spend + Commitment	YTD Spend + Commitment %
Works Plant & Equipment	\$1,118,414	\$291,464	26%	\$526,496	47%
Passenger & Commercial Fleet	\$391,415	\$70,562	18%	\$102,755	26%
Annual Computer equipment renewal	\$58,000	\$22,416	39%	\$39,206	68%
Relocation of Mineral Water Tank Farm at Hepburn Springs Mineral Reserve	\$96,000	\$63,018	66%	\$95,459	99%
Drainage Golf Links Road Easement Hepburn	\$67,000	\$46,726	70%	\$52,796	79%
Library Books renewal	\$50,000	\$0	0%	\$14,000	28%
Total Asset Renewal	\$1,780,829	\$494,186	28%	\$830,713	47%
New Assets					
Triple Interceptor Pit Installation (Creswick Depot)	\$8,000	\$102	1%	\$102	1%
Streetscape Revitalisation Planning- Creswick, Clunes, Hepburn	\$120,000	\$43,170	36%	\$166,170	138%
Daylesford Streetscape Revitalisation Project	\$300,000	\$29,243	10%	\$29,243	10%
Total New Assets	\$428,000	\$72,514	17%	\$195,514	46%
TOTAL PLANT, EQUIPMENT & OTHER	\$2,208,829	\$566,701	26%	\$1,026,227	46%
TOTAL CAPITAL WORKS 2013-14	\$10,341,425	\$5,119,993	50%	\$6,995,847	68%
Less Projects Not Completed Due to OUTSIDE INFLUENCES					
Creswick Flood Mitigation Works-Stage 2	\$771,519	\$0	0%	\$0	0%
Bridge Renewal	\$765,423	\$59,222	8%	\$718,157	94%
ADJ TOTAL CAPITAL WORKS 2013-14	\$8,804,483	\$5,060,771	57%	\$6,277,690	71%

11.2. LOCAL GOVERNMENT FUNDING VEHICLE 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 consider the Local Government Funding Vehicle for future borrowing requirements.

BACKGROUND

The Municipal Association of Victoria (MAV) established a Defined Benefit Taskforce in response to the \$453m defined benefit shortfall to provide recommendations that will reduce the cost of the shortfall and reduce the risk of future calls arising. The first recommendation of the taskforce was to establish a working group to:

- develop detailed specifications for an alternative to traditional bank loans
- prepare a tender for aggregated debt for Victorian Councils
- test Victorian Councils' commitment to borrowing
- ensure that transactional banking is excluded from the specifications.

Aggregated Borrowing

The MAV engaged Ernst & Young's (EY) independent Debt & Capital Advisory team to undertake a funding options analysis to evaluate available funding sources and structures to determine the optimal funding platform for Victorian Councils. The EY report identified significant savings could be achieved through aggregating Council borrowings, obtaining a credit rating on a pooled basis and subsequently issuing a bond into the wholesale bond market. Savings identified are as follows:

- Approximately a 100 basis point (i.e. 1%) reduction in the interest rate when compared to borrowing directly from banks
- For each \$100m of debt procured via the Local Government Funding Vehicle (LGFV), Victorian Councils can save up to \$10m over a ten year period
- Based on the total sector debt of \$1bn, the LGFV could save the sector \$100m over ten years.

EY assisted MAV in establishing an interim funding facility in June 2013, through conducting a competitive tender on behalf of 23 Councils. The tender was highly successful and confirmed the benefits of scale and collective

borrowing. The LGFV long term financing strategy was presented to Councils in November 2013, with 56 Councils responding positively to the expressions of interest ('Eol') totalling in excess of \$450m of borrowing requirements. Based on the widespread Council support, MAV made the decision to proceed with the LGFV financing strategy on behalf of Victorian Councils.

Bank Commitment and Involvement

Commonwealth Bank of Australia and National Australia Bank were appointed by MAV as co-arrangers for the LGFV bond issuance following an Eol. MAV has worked with EY and the banks over the last two months to finalise the LGFV financing structure. MAV presented the final structure to Councils at the end of March 2014 advising that Council commitments for the inaugural July 2014 bond issuance were required by May 2014.

ISSUE / DISCUSSION

The bond market

A bond is simply a loan from another source – the wholesale bond market. Cheaper funding is available in the wholesale bond market than from banks for highly rated borrowers such as Councils. The investors (or lenders) in the bond market are institutional investors such as superannuation funds, banks and foreign governments. The bond market is a key source of funding for the Commonwealth Government of Australia, State Governments (e.g. Treasury Corporation Victoria) and major corporations. There are numerous examples of local government bonds in other jurisdictions such as New Zealand, USA, Canada and Europe. The LGFV transaction is a market standard structure of "pooling" loans to access the bond market and is considered tried and tested.

LGFV loan terms

Aggregated purchasing arrangements lead to savings where there are standard terms. The first bond issue will be on a 5 and/or 7 year basis with a fixed interest rate and repayment of interest only over the term.

Other terms and conditions such as security, conditions precedent, representations and warranties, covenants and undertakings, event of default and reporting requirements will be in line with existing standard terms in the bank market.

While the LGFV first bond issuance necessitates a change in how Councils borrow, the standardised terms proposed will drive an optimal pricing outcome and will be the most advantageous solution for the sector

Borrowing process

The borrowing process for Councils will be simplified under the LGFV. Councils submit a drawdown notice to the LGFV, with no requirement to undertake a tender to determine best price. Debt is available on an “as needs” basis during the year through a combination of regular bond issuances (annual or more frequently based on demand by Councils) and an ongoing interim finance facility which provides short term funding which will be refinanced through subsequent bond issuances.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective – Sustainable Financial Management and Innovative Corporate Systems

Key Strategic Activity:

19. Implement sustainable financial practices and policies that guide the future financial direction of Council and ensure long term financial stability

FINANCIAL IMPLICATIONS

Analysis suggests the LGFV will provide Councils with an approximately 100 basis point (i.e. 1%) reduction in the interest rate when compared to a tender process undertaken with the banking sector. This saving is significant when the borrowing amounts are considered.

A one off LGFV establishment fee of \$4,000 is payable by Councils following confirmation of participation. MAV have invested heavily to date on upfront costs including Ernst & Young (financial advisor), Moody’s (credit rating) and legal costs.

RISK IMPLICATIONS

The LGFV will be governed by a small board comprising representative and independent skills based members, likely to include Council CEOs, or nominees, MAV and independent financial market experts. The skills possessed by board members will include financial and legal expertise relevant to bond insurance.

The LGFV Board will be appointed by the MAV Board for a period of two years.

The role of the LGFV Board will include:

- i. Reporting to councils

- ii. Risk management
- iii. Market review and analysis
- iv. Management / selection of service providers
- v. Future and ongoing strategic decision making.

The LGFV Board terms of reference and composition will be finalised by MAV prior to the first bond issuance in July 2014.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Inter-generational savings

MAV Procurement has accessed the wholesale market to deliver savings to Victorian Councils in other tenders (e.g. trucks). The LGFV represents a change in the debt procurement model which “cuts out the middle person” to deliver cheaper funding costs by going direct to the wholesale bond market. Banks currently borrow money from the wholesale bond market and on lend these funds to Councils but in the process add in a profit margin. Access to the wholesale bond market is achieved through the credit strength, collective bargaining, scale and diversification that the LGFV delivers.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As this is an internal / administrative matter there is no need for community consultation.

CONCLUSION

Hepburn Shire Council borrowed \$1,423,098.81 on the 1 July 2013 to fund the Defined Benefits superannuation shortfall. These funds were borrowed for a twelve month period in anticipation that the LGFV would be established. The creation of the LGFV will deliver real savings to the Hepburn Shire Council through reduced interest rates gained through accessing the wholesale debt market.

OFFICER'S RECOMMENDATION

That Council:

- 11.2.1 Approves the Local Government Funding Vehicle as a new source of funding for future borrowing requirements; and
- 11.2.2 Participates in the first Local Government bond issuance in July 2014 for an amount of \$1,423,098.81 being the funds borrowed for the Defined Benefits shortfall; and
- 11.2.3 Authorises the Mayor and Chief Executive Officer to sign and seal the agreement.

MOTION

That Council:

- 11.2.1. Approves the Local Government Funding Vehicle as a new source of funding for future borrowing requirements; and*
- 11.2.2. Participates in the first Local Government bond issuance in July 2014 for a seven year tenure of an amount of \$1,423,098.81 being the funds borrowed for the Defined Benefits shortfall; and*
- 11.2.3. Authorises the Mayor and Chief Executive Officer to sign and seal the agreement.*

Moved: Councillor Bill McClenaghan
Lapsed

MOTION

That Council:

- 11.2.4. Approves the Local Government Funding Vehicle as a new source of funding for future borrowing requirements; and*
- 11.2.5. Participates in the first Local Government bond issuance in July 2014 for an amount of \$1,423,098.81 being the funds borrowed for the Defined Benefits shortfall; and*
- 11.2.6. Authorises the Mayor and Chief Executive Officer to sign and seal the agreement.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Kate Redwood

Carried.

**ATTACHMENT 2 - LOCAL GOVERNMENT FUNDING VEHICLE
PARTICIPATION AGREEMENT**



4th April 2014

Local Government Funding Vehicle (LGFV) Participation

By signing a copy of this correspondence, _____ Council hereby accepts the conditions outlined in this letter and attached term sheet acknowledges and agrees to participate in the inaugural issuance of the Local Government Funding Vehicle (LGFV).

X _____

Signed for and on behalf of _____ Council by its authorised representative

Dated (dd/mm/yy)

Borrowing requirements (councils can select one or both 5 and 7 year tenor):

Total amount: _____

of which

5 year tenor amount: _____

7 year tenor amount: _____

NB. If insufficient funds are allocated to either tenor (i.e. <\$100m), the tenor of the first issuance will be determined based upon the majority requirement of councils.

Upon receipt of this agreement, MAV will raise an invoice to your council for a one off LGFV establishment fee of \$4,000 (excluding GST).

Primary Council Contact for LGFV:

Name: _____
Phone: _____
Position: _____
Email: _____

Secondary Contact for LGFV:

Name: _____
Phone: _____
Position: _____
Email: _____

Please return this form including a copy of an approved council resolution for participation in the LGFV **ASAP following May council meeting but no later than 30 May 2014** - to Cameron Spence, Manager Commercial Services, cspence@mav.asn.au

Councillor Kate Redwood left the meeting at 7:13 pm due to an indirect Conflict of Interest and returned to the meeting at 7:32 pm.

**11.3. VICTORIA PARK, DAYLESFORD COMMUNITY FACILITY - COMMUNITY CONTRIBUTION AND COUNCIL UNDERWRITING
GENERAL MANAGER COMMUNITY SERVICES**

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

PURPOSE

The purpose of this report is for Council to consider underwriting the community contribution for the Victoria Park, Daylesford Community Facility.

BACKGROUND

At its April 2014 Council meeting, Council approved the submission of a funding application for a new community facility at Victoria Park, Daylesford through the Community Facility Funding Program. Council also allocated \$250,000 in the 2014/15 budget and \$250,000 in the 2015/16 budget towards the project.

ISSUE / DISCUSSION

The project is estimated to cost \$1.9 million to complete. The current project budget is made up of the following:

Funding Source	Funding Amount	Confirmed Yes/No	Status
Sport and Recreation Victoria - Community Facility Funding Program, Major Category	\$650,000	No	Project Proposal submitted
Regional Development Victoria, Putting Locals First Program	\$500,000	No	Project Proposal submitted
Hepburn Shire Council	\$500,000	Yes	
Community contribution	\$250,000	No	
Total	\$1,900,000		

Council officers have been advised that a significant weakness with the funding application and project budget submitted is the un-confirmed community contribution of \$250,000.

The \$250,000 community contribution to this project is expected to include funding from the Victoria Park user groups and private and not-for-profit contributions/sponsorship. Raising the \$250,000 required has commenced with a funding application for the Daylesford Community Bank being developed and user groups starting develop plans in place to fundraise for the project.

If successful, funding through the Community Facility Funding Program would not be available until the commencement of the 2015/16 financial year. This provides 13 months for the user groups involved to raise the \$250,000 required.

In order to strengthen the funding application submitted through the Community Facility Funding Program, Officers have been informed that Council could underwrite the \$250,000 community contribution.

It should be noted that if Council was to underwrite the community contribution, this would not guarantee the success of the funding submission. It would, however, strengthen the submission and remove a significant weakness.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective - Active and Engaged Communities

Key Strategic Activity:

4. Implement a proactive and planned approach to the maintenance, renewal and upgrade of recreation assets.

FINANCIAL IMPLICATIONS

If Council underwrites the community contribution and the \$250,000 is not raised, then Council would be required to cover the gap in funding on top of the \$500,000 already contributed.

RISK IMPLICATIONS

The \$250,000 community contribution will need to be raised over the next 13 months, June 2014 to July 2015, to ensure Council does not have to contribute additional funds to the project.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The development of new well-located, designed and accessible facilities at Victoria Park, Daylesford have been identified as a high community priority over a number of years and are expected to increase community participation at the reserve.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

A fundraising plan between all the Victoria Park user groups will need to be developed to ensure a broad range of community members and stakeholders are involved in fundraising for this project.

CONCLUSION

Underwriting the community contribution of \$250,000 to the Victoria Park, Daylesford Community Facility would significantly strengthen the funding application and provide Victoria Park user groups with 13 months to raise the funding required.

OFFICER'S RECOMMENDATION

11.3.1 That Council underwrites the \$250,000 community contribution for the Victoria Park, Daylesford Community Facility.

MOTION

That Council

11.3.1. *Underwrites the \$250,000 community contribution for the Victoria Park, Daylesford Community Facility.*

11.3.2. *Requires a detailed proposal for the \$250,000 community contribution submitted following consultation with all user groups and stakeholders.*

Moved: Councillor Bill McClenaghan

Seconded: Councillor Pierre Niclas

Carried.

11.4. APPOINTMENT OF PUBLIC ART PANEL GENERAL MANAGER COMMUNITY SERVICES

In providing this advice to Council as the Community and Cultural Development Officer, I Kate Gerritsen have no interests to disclose in this report.

PURPOSE

The purpose of this report is to recommend that Council adopts the Terms of Reference for the Hepburn Shire Public Art Panel and appoints members to the Panel.

BACKGROUND

As noted in Hepburn Shire Council's Public Art Policy 40 (C), the purpose of the Public Art Panel is to provide advice to assist Hepburn Shire Council make decisions about public art projects and acquisitions.

Nominations for Public Art Panel participants opened on 7 April 2014 for two weeks. The opportunity was promoted in the *Hepburn Advocate* and via media releases, posters, promotion in libraries, community newsletters, directly to Council's arts email list, and on ArtsHub.com.

It is proposed that the Panel will consist of a pool of members with a maximum of 10, excluding officers, called upon for each panel meeting.

Council received 12 nominees for the Panel.

ISSUE / DISCUSSION

The Public Art Panel Terms of Reference (Attachment 3) set out the purpose, role and responsibilities and selection criteria for the Panel. The Terms of Reference also describe the role and responsibilities of Council in supporting the Panel.

The Public Art Panel selection criteria, as included in the Terms of Reference, are:

- Professional and/or community art expertise;
- Knowledge of contemporary public art applications and issues;
- Experience in art, art curatorship, art policy, architecture and/or design;
- Proven ability to work cooperatively in advisory groups or selection panels.

The nominations received were assessed against the criteria by the General Manager Community Services, Manager Community and Economic Development and Community and Cultural Development Officer.

A good breadth of experience and knowledge of broad artistic disciplines was represented in the Public Art Panel nominations. Attachment 4 outlines the relevant experience and expertise of each of the nominees received. It is proposed Council appoints all nominees.

COUNCIL PLAN

Council Plan 2013-2017:

Strategic Objective – Active and Engaged Communities

Key Strategic Activity:

1. Work with and support communities and residents to implement community driven projects through community planning, provision of advice, information and community grants, acknowledging the significant contribution made by community volunteers.

Action: Develop and implement Council's Public Art Policy

FINANCIAL IMPLICATIONS

The Public Art Panel will be supported and resourced by existing Council officers.

RISK IMPLICATIONS

Nominees were required to complete a nomination form that identified their prior experience and qualifications.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The Hepburn Shire Public Art Policy recognises that public art will further increase liveability for present and future residents, and enhance its attractiveness as a visitor destination.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Development of the Public Art Policy included significant community engagement; the establishment of a Public Art Panel was a key priority coming from this engagement.

CONCLUSION

The Public Art Panel will provide advice to assist Hepburn Shire Council in the area of public art and play a central role in the implementation of Council's Public Art Policy. Once appointed, the Panel will convene its inaugural meeting on 30 May 2014.

OFFICER'S RECOMMENDATION

That Council:

- 11.4.1 Adopts the Public Art Panel Terms of Reference May 2014.
- 11.4.2 Appoints the following to the Public Art Panel for a period of three years ending 20 May 2017:
- Frances Guerin
 - Ian Head
 - Kareena Hodgson
 - Brad Hooper
 - Elizabeth Liddle
 - Glenn Mack
 - Carol Oliver
 - Kim Percy
 - Seren Pugh
 - Petrus Spronk
 - Dr Sue Walker OAM
 - Dr Louiseann Zahra-King.

MOTION

That Council:

11.4.1. Adopts the Public Art Panel Terms of Reference May 2014.

11.4.2. Appoints the following to the Public Art Panel for a period of three years ending 20 May 2017:

- *Frances Guerin*
- *Ian Head*
- *Kareena Hodgson*
- *Brad Hooper*
- *Elizabeth Liddle*
- *Glenn Mack*
- *Carol Oliver*
- *Kim Percy*
- *Seren Pugh*
- *Petrus Spronk*
- *Dr Sue Walker OAM*
- *Dr Louiseann Zahra-King.*

Moved: Councillor Pierre Niclas

Seconded: Councillor Kate Redwood

Carried.

**ATTACHMENT 3 - HEPBURN SHIRE COUNCIL PUBLIC ART PANEL –
TERMS OF REFERENCE – MAY 2014**

PUBLIC ART PANEL

TERMS OF REFERENCE MAY 2014

1. Purpose

The Public Art Panel will provide advice to assist Hepburn Shire Council make decisions about public art projects and acquisitions.

2. The Panel

2.1. Role and Responsibilities

2.1.1. The Panel will be conversant with Hepburn Shire Council's Public Art Policy 40 (C) in order to advise Hepburn Shire Council on selection of public art based on the following criteria, as set out in the policy:

- Quality of the artwork and artist
- Durability of work
- Safety and suitability
- Relevance to Hepburn Shire
- Artwork materiality

2.1.2. The Panel will act as advocates/voices in the community about public art, and assist to keep the community informed about proposed public art projects.

2.1.3. Panel members will declare to Council officers any conflicts of interest, either financial or personal, that relates to a Public Art Panel meeting agenda item. The onus to determine whether a conflict of interest exists rests entirely with the individual Panel member.

2.2. Selection criteria and panel appointments

2.2.1. The Public Art Panel will be selected based on the following criteria:

- Professional and/or community art expertise;
- Knowledge of contemporary public art applications and issues;

- Experience in art, art curatorship, art policy, architecture and/or design;
 - Proven ability to work cooperatively in advisory groups or selection panels.
- 2.2.2. The selection of the Panel will be determined by Council. Selection will be based on relevant expertise as described in the selection criteria; geographic representation across the Shire; and diversity of culture, gender and age.
- 2.2.3. Public Art Panel positions will be publicly advertised and appointed through applications to Council.
- 2.2.4. A maximum of 10 people (including a Hepburn Shire Councillor) will attend the Public Art Panel meetings, additional short-term members may be selected from communities or groups involved with a special project, or to provide special expertise for a project that requires it.
- 2.2.5. Non Hepburn Shire residents who demonstrate exceptional skills in the area of public art may be appointed to the Panel.
- 2.2.6. Other members may be sought where particular skills are required or as new partnership opportunities are identified. This may be for a short or long term period depending upon the requirements of the project.

2.3. Non-panel participants

- 2.3.1. Relevant Council officers such as engineers, planning, heritage, arts and tourism will be co-opted as required, but without voting rights.

3. Hepburn Shire Council

3.1. Role and Responsibilities

- 3.1.1. Council will have overall accountability for the development and implementation of public art in the Shire while recognising that the advice, liaison, discussion and involvement of the Public Art Panel are essential.
- 3.1.2. Council will make officers available to provide advice to the Public Art Panel on proposed public art projects where required.
- 3.1.3. Council Officers are responsible for calling meetings, circulating minutes and written material for the Public Art Panel.

4. Administration and Co-ordination

4.1. Administration

- 4.1.1. Where available, a Hepburn Shire Councillor will participate in the Public Art Panel meetings.
- 4.1.2. The Public Art Panel will elect a Chair from amongst its members on an annual basis, or as required.
- 4.1.3. The Public Art Panel will be administered and supported by Hepburn Shire Council. Council will be responsible for calling meetings, circulating minutes and written material as required.
- 4.1.4. Meetings of the Public Art Panel will be held as needed.
- 4.1.5. This document will be reviewed after the first year to determine whether the Terms of Reference remain current and relevant.
- 4.1.6. Hepburn Shire Council will be responsible for determining if the Public Art Panel is no longer required.

4.2. Co-operation

- 4.2.1. All individuals involved in the Public Art Panel will be required to work in a co-operative and positive manner.
- 4.2.2. Adhering to the principle of clear and open communication is considered essential to the operation of the Public Art Panel and for the continued development of public art projects in the Shire.
- 4.2.3. Where issues of conflict arise, parties will be encouraged to discuss issues openly and clearly in a respectful manner.
- 4.2.4. Where there is difficulty in resolving issues of conflict, an independent mediator may be engaged to assist in finding resolution.

**ATTACHMENT 4 - HEPBURN SHIRE COUNCIL PUBLIC ART PANEL –
RECOMMENDED PANEL MEMBERS**

Hepburn Shire Council Public Art Panel - Recommended Panel Members

Name	Locality	Professional and/or community art expertise	Knowledge of contemporary public art applications and issues	Experience in art, art curatorship, art policy, architecture and/or design	Proven ability to work cooperatively in advisory groups or selection panels
Brad Hooper	Glenlyon	Arch. BA. In private practice as 'Brad Hooper Architect' since 1982. Works include private residential, small public realm projects and small local government projects (principally Maroondah City Council). Delivered training sessions to recent graduates re the Practice and Learning of Architecture for the AIA as a pre-requisite training for graduates sitting Victoria Registration exams. Delivered training sessions to AIA members re the introduction of the ResCode planning provisions. Current member of the Daylesford Macedon Ranges Open Studios program committee.	Part-time permanent position since Jan 2009 as Urban Design Advisor, City of Greater Bendigo. Projects implemented/executed include: Pennyweight Walk Outdoor Gallery; Bath Lane sculptures by Yvonne George & Craig Haire; ongoing consultation with private developers about public realm improvements including artworks; light & vision show to celebrate 150 years of the Bendigo rail line; design and implementation of Hargreaves Street Pocket Park (current) including special street furniture elements by local artists/artisans; consultation re Chancery Lane artworks including 'Barcelona Gate'; sculpture for Epsom-Huntly Recreation Complex (unrealised to date)	Public sector work, policy work. Extensive architecture experience. Served on various committees with the Australian Institute of Architects (AIA).	selection panel for Landscape Architect consultancy for the Bendigo Botanic Gardens. Advising for Bendigo Botanic Gardens Visitor Hub facility (\$2-3 m). Advisor on urban design: <ul style="list-style-type: none"> • Theatre development, Bendigo; • Kangaroo Flat Aquatic Centre; Advisor and community engagement re: <ul style="list-style-type: none"> • Eaglehawk Structure Plan; • Maiden Gully Structure Plan; • Strathfieldsaye Structure • Bendigo Hospital Precinct Structure Plan; • Lake Weeroona, Master Plan, Bendigo; • Gateway Park Master Plan, Kangaroo Flat. Engaged by Glenlyon Progress Association Inc to advise and assist with works to Glenlyon Shire Hall.
Carol Oliver	Musk	Sculpture BA, RMIT. English BA, Latrobe. Art teacher 40 yrs including training secondary teachers. Organised own and community exhibitions.	Visual arts experience	Art teacher, advertising, exhibition organiser	Board of Hepburn Hospital (3 yrs). Advertising, writing and leadership board role for QUIT
Elizabeth Liddle	Eganstown	Senior Arts Officer - Indigenous Art, Arts Victoria (10 yrs). Practising artist.	Curator of Vic Indigenous arts Wards (9 yrs) . Managed public art project (\$200K) and on assessment panel for \$200K commission in progress, Melbourne Museum.	Arts Victoria work and vic Indigenous Art Awards	Melbourne Museum commission selection panel. Numerous Arts Vic selction panels.
Frances Guerin	Wheatsheaf	Visual Arts MA, Latrobe. Public Art, RMIT. Current artist involved with DMROS.	Practising visual artist. Many years experience coordinating exhibitions for self and community including The Silent Witness project for Centrelink offices and public venues. Several projects with Arts Access.	Visual arts and public art experience.	Experience as a Community Helath educator running advisory groups. Selection panel and organistion team for Phyllis Palmer Gallery (Latrobe Uni Bendigo) group show in 2014.
Glenn Mack	Daylesford	Professional glass artist (30 years)	Numerous stained galss project commissions for varying clients.	Professional experience in art and design. Involvement in tertiary design secotr	Selector/judge for Ballarat Uni design students, panel member for sculpure trail (?), advisory group for design of COOGI fabric store (NYC)
Ian Head	Glenlyon	experience in arts sponsorship and management with Comalco and Rio Tinto - Projects have included the Comalco Sculpture Award 1968 – 1972, curatorial responsibility for the Comalco and Rio Tinto art collections, management of the CRA Victorian Arts Centre funding programme, .	Commissioning of artists over 13 years for the Comalco Print project, selection of the recipient gallery (between NGA and NGV) for the Rio Tinto Fred Williams Pilbara Series.	commissioning of artists over 13 years	fourth year as President of the Swiss Italian Festa. I have been a member of the Hepburn Shire Arts and Culture Advisory committee and have for the past four years been an assessor of the Shire's Community Grants programme. I am also a volunteer at the Daylesford Visitor Information Centre.

Hepburn Shire Council Public Art Panel - Recommended Panel Members

Name	Locality	Professional and/or community art expertise	Knowledge of contemporary public art applications and issues	Experience in art, art curatorship, art policy, architecture and/or design	Proven ability to work cooperatively in advisory groups or selection panels
Kareena Hodgson	Lyonville	Performing Arts CERT. After 20 years as a professional Circus artist with companies such as Circus Oz and DV8 Physical Theatre (UK) I have more recently started work in the community Arts sector. I have produced the children's program for The Swiss + Italian Festa for the last 2 years as well as self producing 5 sell out theatre shows in The Lyonville Hall. These shows included internationally acclaimed acts	Experience is more live theatre based but my enthusiasm for community art is across the board. As the new Activities Co –Ordinator at the Arc I am also very keen to see more of our local venues used for Community Art including live performances, workshops and exhibitions.	Performance art focus - taught circus in many community groups including youth detention centres, remote communities and Melbourne's Women's circus. I have sat on audition panels for Rock'n'Roll Circus and Circus Oz.	Swiss Italian Festa for the last 3 years. Programming the children's program for the last 2. - co ordinated children's workshops making 400 lanterns, a children's art exhibition, family festa fun day, The lantern and street parade, and the children's Circus show. President for the Lyonville Hall and was President of Daylesford Kinder for 2 years. (2011-2012). Founder -Women's Circus in Brisbane in 1996 called Vulcana Women's Circus, which is still running today.
Kim Percy	Daylesford	Media Arts (Visual Art) MA, RMIT. Practising artist for over 20 years.	Created my own public art pieces including Submerged, Daylesford Foto Biennale 2007, Lake Daylesford and ContainArt, City of Ballarat, 2014.Taught art and design at RMIT, University of Ballarat, DNC and private classes.	Run own artist run gallery, Black Room Exhibition Space, worked as assistant to Director Karen Woodbury at Metro Gallery, curated many group exhibitions both regionally and in Melbourne	Daylesford Foto Biennale, Daylesford Community Child Care Committee, Daylesford Dharma School Parent Group (President), 360 Degrees Art Group, Public Art Consultation for Hepburn Hub, External Assessor for Visual Communication (University of Ballarat) as well as a mentoring artists and designers.
Louiseann Zahra-King	Eganstown	Art & Design PhD, Monash. Printmaking GRAD Dip, VCA. Visual Arts BA, Monash. Artist and curator for numerous solo and group exhibitions.	Practising artist for 20 years. Contemporary arts focus and connections to contemporary arts groups and orgs. Lecturer, Monash Uni School of Art, Tutor, RMIT Uni School of Art and higher degree examiner at Monash and VCA.	Artist and curator for numerous solo and group exhibitions.	200 Gertrude St Exhibition Selection Committee – Arts Victoria Grant Selection Committee RMIT School of Art Galleries Committee RMIT School of Art Research Committee RMIT School of Art International Committee City of Banyule Art Prize Judge Hepburn Shire Arts and Culture Advisory Committee
Petrus Spronk	Hepburn Springs	Fine Art PGRAD Dip, SA School of art. Arts BA, SA. Experience in installing art exhibitions, art teaching, art lectures and art writing. practicing artist (45 years)	Public sculpture with 7 public art works in the public domain. All of which have come in on budget and on time.	Experienced artist, many solo and group exhibitions. Worked in local government context.	During my working life as an artist I have presented numerous workshops to community groups, during the seventies I also ran my own school up and own the western Australian coast. I am a director of clay space and am mentoring young people who are having difficulty with the school situation and I am getting some results
Seren (Corey) Pugh	Sailors Falls	Bachelor of Fine Art, Queensland University of Technology, Brisbane. Master of Fine Art, Royal Melbourne Institute of Technology, Melbourne (2008-2010)	Young practising contemporary artist. Exhibited in contemporary arts festivals, ACMI, Melbourne Now.	Experienced artist, many solo and group exhibitions. Successfully managed Australia Council, Arts Vic and RAF funded projects.	Analysis and Synthesis, QUT, creative precinct, 2005, Brisbane, selections for next Wave Festival.

Hepburn Shire Council Public Art Panel - Recommended Panel Members

Name	Locality	Professional and/or community art expertise	Knowledge of contemporary public art applications and issues	Experience in art, art curatorship, art policy, architecture and/or design	Proven ability to work cooperatively in advisory groups or selection panels
Sue Walker OAM	Hepburn Springs	Arts PhD, Uni Melbourne, Arts BA, Uni Melbourne. OAM (Service to the arts). 30 yrs as Director of Victorian Tapestry Workshop.	<p>Director of the Victorian Tapestry Workshop in Melbourne (30 years) working with artists, architects and clients initiating and managing more than 300 public art projects for sites ranging from small local community organisations such as schools, hospitals and churches to monumental national institutions like Parliament House Canberra and the High Court of Australia.</p> <p>Gallery Manager of Art Projects Australia curated exhibitions and worked with a community of artists with intellectual disabilities. Collector of contemporary art - several hundred small works of contemporary art including paintings, works on paper and sculpture.</p>	<p>VTW role included recommending suitable artists for site-specific commissions and working closely with architects to ensure that the resulting works of art met with their expectations and those of the client. In this position I also wrote catalogues and printed material and curated many exhibitions for display in venues including Australia embassies overseas, national and State galleries, and regional galleries and community centres.</p>	<p>Numerous boards, advisory groups and committees in the visual arts and other fields of the arts including the crafts and music. As a Board member and Chairman of the Federal Government's Artbank Board Took part in acquisition meetings and the selection of works for purchase for the Artbank Collection which were then rented out to Government departments and Australian posts overseas. Member of the art committees at several major hospitals e.g. Peter Mac, Monash Medical Centre, etc. - the placing of art in hospitals has been a longstanding interest e; and for 15 year Trustee and Chairman for several terms at the McClelland Gallery and Sculpture Park at Langwarrin where I became aware of the importance of the arts in regional centres.</p>

Councillor Sebastian Klein left the meeting at 7:38 pm due to an indirect Conflict of Interest in Item 11.5.1 and returned to the meeting at 7:40 pm.

11.5. COMMUNITY, SUSTAINABILITY, LANDCARE AND ANZAC CENTENARY GRANTS - ROUND TWO 2013/14

GENERAL MANAGER COMMUNITY SERVICES

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

PURPOSE

The purpose of this report is to recommend the allocation of Round Two 2013/14 Community, Sustainability, Landcare and Anzac Centenary Grants.

BACKGROUND

The Community, Sustainability, Landcare and Anzac Centenary Grant programs allow Council to directly support the work of community groups and organisations as well as provide the chance for new innovations across Hepburn Shire.

Round Two 2013/14 Community, Sustainability, Landcare and Anzac Centenary Grants opened on Tuesday 18 February 2014 and closed on Friday 28 March 2014. The availability of the grants was advertised in *The Advocate*, in local newsletters, through Council email networks, via grant information sessions and on Council's webpage.

A total of fifty eight (58) applications were received for this funding round.

ISSUE / DISCUSSION

The applications were received in the following grant categories:

- Community Grants - 37 applications seeking \$63,415 in funding (one additional late application that was not considered was received)
- Sustainability Grants - 6 applications seeking \$17,660 in funding
- Landcare Grants - 10 applications seeking \$39,250 in funding (one additional late application that was not considered was received)
- Anzac Centenary Grants - 4 applications seeking \$2,000.

The grants were assessed by Council's Community, Sustainability and Landcare Grants Assessment Panel, appointed by Council in September 2013. This assessment panel is made up of five community members with skills and experience in arts and culture, sustainability, land management,

community development and events. The Manager Community and Economic Development, Sustainability Officer, Natural Resource Management Officer and Events Coordinator also participated in the assessment.

Grant applications were assessed against the criteria contained in the Community Grants Guidelines (Attachment 5) and set out below:

1. Description of project 10%
2. What will this project address? 25%
3. What will the project achieve? 25%
4. How will the project be implemented and who will be doing it? 20%
5. How will risk and safety issues associated with the project be assessed? 10%
6. Financial details – income and expenditure budget 10%

The recommended Community, Sustainability, Landcare and Anzac Centenary Grants allocation for Round Two (2013/14) is \$56,670. A summary of projects and recommendations is attached (Attachment 6).

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective – Active and Engaged Communities

Key Strategic Activity:

1. Work with and support communities and residents to implement community driven projects through community planning, provision of advice, information and community grants, acknowledging the significant contribution made by community volunteers.

FINANCIAL IMPLICATIONS

In the 2013/14 budget, Council has allocated \$40,000 for Community Grants, \$13,000 for Sustainability Grants, \$17,000 for Landcare Grants and \$5,000 for Anzac Centenary Grants.

Following Round One of the grants program, the following funding amounts are available for Round Two:

- Community Grants - \$29,579
- Sustainability Grants - \$10,000
- Landcare Grants - \$17,000
- Anzac Centenary Grants - \$4,500.

It is recommended that:

- Community Grants - 18 grants to the value of \$27,670 are provided
- Sustainability Grants - 4 grants to the value of \$10,000 is provided
- Landcare Grants - 7 grants to the value of \$17,000
- Anzac Centenary Grants - 4 grants to the value of \$2,000 is provided.

RISK IMPLICATIONS

All applicants are required to identify how project risk and safety issues will be managed.

Discussions have been held with Landcare applicants whose projects involve roadside management to confirm that they have completed job safety analysis and traffic management plans.

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

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

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Community, Sustainability, Landcare and Anzac Centenary Grants support projects by volunteer community groups. The focus of these projects is to strengthen community resilience and connection, promote sustainability, contribute to sustainable land use and commemorate the Anzac Centenary.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Round Two 2013/2014 Community, Sustainability, Landcare and Anzac Centenary Grants was advertised in *The Advocate*, in local newsletters, through Council email networks, via grant information sessions and on Council's webpage.

CONCLUSION

The recommended projects support the objectives of the Community, Sustainability, Landcare and Anzac Centenary Grant Guidelines.

OFFICER'S RECOMMENDATION

That Council:

- 11.5.1 Awards the Community, Sustainability, Landcare and Anzac Centenary Grants for Round Two 2013/2014, as recommended to:

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Community Grants		
Hepburn Libraries, Daylesford Outside School Hours Care, ARC, Daylesford N/Hood Centre & Spa Country Events Group Inc.	Daylesford Winterfest for Kids	\$2,000
Hepburn Health Service	The Absolutely Fabulous Food Festival (TAFFF)	\$2,000
Spa Country Events Group Inc. (Trading as Words in Winter)	Words in Winter	\$2,000
Daylesford Macedon Ranges Open Studios Inc.	DMROS 2014	\$2,000
Trentham District Primary School	Trentham Primary School's Storybook Mural	\$2,000
Daylesford Girl Guides	Replace & Upgrade Old Broken Kitchen Items	\$500
Bullarto Primary School	Installation Drip Irrigation System for Kitchen Garden	\$500
5000 Club	5000 Club	\$2,000

Name of Organisation / Club / Group	Project Name	Recommended Funding
Kingston Agricultural Society Inc.	2014 Kingston Agricultural Show	\$2,000
Clunes Market auspice Clunes Tourist & Development Assoc.	Clunes Farmers Market	\$2,000
Daylesford Climbing Club	Daylesford Climbing Wall	\$2,000
Pavilion Arts Project	Pavilion Arts - Lantern Festival October 2014	\$2,000
Spa Country Sculptors Association	Essential Equipment for Spa Country Sculptors Association	\$350
Glenlyon Progress Association	Glenlyon Community Events 2014	\$2,000
Clunes Men's Shed	Safety Equipment	\$500
Creswick Neighbourhood Centre	A Happy Small Town Market: Marketing Materials	\$500
Wattle Flat-Pootilla Landcare Group	First Aid Training Wattle Flat-Pootilla LandCare Group	\$1,320
ClaySpace	Three Rooms Three Stories	\$1,909

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Sustainability Grants		
Clunes Landcare & Waterways Group	Connecting Community with the Creek - Fantastic Frogtober	\$1,500
Creswick Primary School	Native Fauna Awareness	\$2,000
Hepburn Kindergarten	Installation Solar System - Hepburn Kindergarten	\$5,000
Friends of Creswick's Park Lake Botanical Reserve	Complete Preparation for Planting Victorian Section Tolhurst Plan at Park Lake	\$1,500
Recommended - Landcare Grants		
Malmsbury District LandCare	Drummond North Pattersons Curse Control	\$3,000
Blampied-Kooroocheang Landcare Group Inc	South Central Cairn Curran Water Catchment Conservation Project	\$5,000
Friends of Cornish Hill Inc	Cornish Hill Community Bird Song	\$3,000
Mt Bolton & Mt Beckworth LandCare Group	Hepburn Shire Gorse Proposal 2014	\$3,000
Shepherds Flat Landcare Group	Restoration Jim Crowe Creek - Muller's Lane Bridge to Shrives Bridge	\$1,240

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Landcare Grants - continued		
Ullina Landcare Group	Birch Creek Willow Control	\$560
RockyLead LandCare Group	Rocklyn - Roadside Spraying	\$1,200
Recommended - Anzac Centenary Grants		
Daylesford & District Historical Society Inc.	Daylesford & District Historical Society Inc.	\$500
Creswick Museum	Creswick Museum	\$500
Hepburn Primary School	Re-instatement of the WW1 Honour Rolls at the School	\$500
Creswick-Smeaton RSL	New Flagpole for Cenotaph	\$500

- 11.5.2 Carries forward the remaining \$2,500 from Round Two of the Anzac Centenary Grants to 2014/15 for the Villers–Bretonneux, France project.

MOTION

11.5.1. *That Council awards the following Community Grant for Round Two 2013/2014, as recommended to:*

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Community Grants		
Hepburn Libraries, Daylesford Outside School Hours Care, ARC, Daylesford N/Hood Centre & Spa Country Events Group Inc.	Daylesford Winterfest for Kids	\$2,000

Moved: Councillor Pierre Niclas

Seconded: Councillor Kate Redwood

Carried.

Councillor Sebastian Klein returned to the meeting at 7:40 pm

MOTION

That Council:

11.5.2. *Awards the Community, Sustainability, Landcare and Anzac Centenary Grants for Round Two 2013/2014, as recommended to:*

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Community Grants		
Hepburn Health Service	The Absolutely Fabulous Food Festival (TAFFF)	\$2,000
Spa Country Events Group Inc. (Trading as Words in Winter)	Words in Winter	\$2,000
Daylesford Macedon Ranges Open Studios Inc.	DMROS 2014	\$2,000
Trentham District Primary School	Trentham Primary School's Storybook Mural	\$2,000
Daylesford Girl Guides	Replace & Upgrade Old Broken Kitchen Items	\$500
Bullarto Primary School	Installation Drip Irrigation System for Kitchen Garden	\$500
5000 Club	5000 Club	\$2,000

Name of Organisation / Club / Group	Project Name	Recommended Funding
Kingston Agricultural Society Inc.	2014 Kingston Agricultural Show	\$2,000
Clunes Market auspice Clunes Tourist & Development Assoc.	Clunes Farmers Market	\$2,000
Daylesford Climbing Club	Daylesford Climbing Wall	\$2,000
Pavilion Arts Project	Pavilion Arts - Lantern Festival October 2014	\$2,000
Spa Country Sculptors Association	Essential Equipment for Spa Country Sculptors Association	\$350
Glenlyon Progress Association	Glenlyon Community Events 2014	\$2,000
Clunes Men's Shed	Safety Equipment	\$500
Creswick Neighbourhood Centre	A Happy Small Town Market: Marketing Materials	\$500
Wattle Flat-Pootilla Landcare Group	First Aid Training Wattle Flat-Pootilla LandCare Group	\$1,320
ClaySpace	Three Rooms Three Stories	\$1,909

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Sustainability Grants		
Clunes Landcare & Waterways Group	Connecting Community with the Creek - Fantastic Frogtober	\$1,500
Creswick Primary School	Native Fauna Awareness	\$2,000
Hepburn Kindergarten	Installation Solar System - Hepburn Kindergarten	\$5,000
Friends of Creswick's Park Lake Botanical Reserve	Complete Preparation for Planting Victorian Section Tolhurst Plan at Park Lake	\$1,500
Recommended - Landcare Grants		
Malmsbury District LandCare	Drummond North Pattersons Curse Control	\$3,000
Blampied-Kooroocheang Landcare Group Inc	South Central Cairn Curran Water Catchment Conservation Project	\$5,000
Friends of Cornish Hill Inc	Cornish Hill Community Bird Song	\$3,000
Mt Bolton & Mt Beckworth LandCare Group	Hepburn Shire Gorse Proposal 2014	\$3,000
Shepherds Flat Landcare Group	Restoration Jim Crowe Creek - Muller's Lane Bridge to Shrives Bridge	\$1,240

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Landcare Grants - continued		
Ullina Landcare Group	Birch Creek Willow Control	\$560
RockyLead LandCare Group	Rocklyn - Roadside Spraying	\$1,200
Recommended - Anzac Centenary Grants		
Daylesford & District Historical Society Inc.	Daylesford & District Historical Society Inc.	\$500
Creswick Museum	Creswick Museum	\$500
Hepburn Primary School	Re-instatement of the WW1 Honour Rolls at the School	\$500
Creswick-Smeaton RSL	New Flagpole for Cenotaph	\$500

11.5.3. *Makes the following grant allocations conditional as follows:*

Pavilion Arts Project – upon receipt of a letter from an incorporated auspicing body providing insurance and an undertaking to acquit the grant.

Clunes Men's Shed – upon supplying details acquitting an earlier grant.

Creswick Neighbourhood Centre – upon supplying further and better particulars of proposed expenditure.

Friends of Creswick Park Lake Botanical Reserve – upon making suitable arrangements for approved works to be undertaken by the Creswick-Ullina Landcare Group.

11.5.4. Carries forward the remaining \$2,500 from Round Two of the Anzac Centenary Grants to 2014/15 for the Villers–Bretonneux, France project.

Moved: Councillor Bill McClenaghan

Seconded: Councillor Pierre Niclas

AMENDMENT

11.5.5. That Council assigns the balance of the community grants allocation to the Bullarto Community Planning Group application - on the condition that works conducted through this project do not include moving the information board.

Moved: Councillor Sebastian Klein

Lapsed.

MOTION

That Council:

11.5.2. Awards the Community, Sustainability, Landcare and Anzac Centenary Grants for Round Two 2013/2014, as recommended to:

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Community Grants		
Hepburn Health Service	The Absolutely Fabulous Food Festival (TAFFF)	\$2,000
Spa Country Events Group Inc. (Trading as Words in Winter)	Words in Winter	\$2,000
Daylesford Macedon Ranges Open Studios Inc.	DMROS 2014	\$2,000
Trentham District Primary School	Trentham Primary School's Storybook Mural	\$2,000
Daylesford Girl Guides	Replace & Upgrade Old Broken Kitchen Items	\$500
Bullarto Primary School	Installation Drip Irrigation System for Kitchen Garden	\$500
5000 Club	5000 Club	\$2,000

Name of Organisation / Club / Group	Project Name	Recommended Funding
Kingston Agricultural Society Inc.	2014 Kingston Agricultural Show	\$2,000
Clunes Market auspice Clunes Tourist & Development Assoc.	Clunes Farmers Market	\$2,000
Daylesford Climbing Club	Daylesford Climbing Wall	\$2,000
Pavilion Arts Project	Pavilion Arts - Lantern Festival October 2014	\$2,000
Spa Country Sculptors Association	Essential Equipment for Spa Country Sculptors Association	\$350
Glenlyon Progress Association	Glenlyon Community Events 2014	\$2,000
Clunes Men's Shed	Safety Equipment	\$500
Creswick Neighbourhood Centre	A Happy Small Town Market: Marketing Materials	\$500
Wattle Flat-Pootilla Landcare Group	First Aid Training Wattle Flat-Pootilla LandCare Group	\$1,320
ClaySpace	Three Rooms Three Stories	\$1,909

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Sustainability Grants		
Clunes Landcare & Waterways Group	Connecting Community with the Creek - Fantastic Frogtober	\$1,500
Creswick Primary School	Native Fauna Awareness	\$2,000
Hepburn Kindergarten	Installation Solar System - Hepburn Kindergarten	\$5,000
Friends of Creswick's Park Lake Botanical Reserve	Complete Preparation for Planting Victorian Section Tolhurst Plan at Park Lake	\$1,500
Recommended - Landcare Grants		
Malmsbury District LandCare	Drummond North Pattersons Curse Control	\$3,000
Blampied-Kooroocheang Landcare Group Inc	South Central Cairn Curran Water Catchment Conservation Project	\$5,000
Friends of Cornish Hill Inc	Cornish Hill Community Bird Song	\$3,000
Mt Bolton & Mt Beckworth LandCare Group	Hepburn Shire Gorse Proposal 2014	\$3,000
Shepherds Flat Landcare Group	Restoration Jim Crowe Creek - Muller's Lane Bridge to Shrives Bridge	\$1,240

Name of Organisation / Club / Group	Project Name	Recommended Funding
Recommended - Landcare Grants - continued		
Ullina Landcare Group	Birch Creek Willow Control	\$560
RockyLead LandCare Group	Rocklyn - Roadside Spraying	\$1,200
Recommended - Anzac Centenary Grants		
Daylesford & District Historical Society Inc.	Daylesford & District Historical Society Inc.	\$500
Creswick Museum	Creswick Museum	\$500
Hepburn Primary School	Re-instatement of the WW1 Honour Rolls at the School	\$500
Creswick-Smeaton RSL	New Flagpole for Cenotaph	\$500

11.5.3. *Makes the following grant allocations conditional as follows:*

Pavilion Arts Project – upon receipt of a letter from an incorporated auspicing body providing insurance and an undertaking to acquit the grant.

Clunes Men's Shed – upon supplying details acquitting an earlier grant.

Creswick Neighbourhood Centre – upon supplying further and better particulars of proposed expenditure.

Friends of Creswick Park Lake Botanical Reserve – upon making suitable arrangements for approved works to be undertaken by the Creswick-Ullina Landcare Group

11.5.4. Carries forward the remaining \$2,500 from Round Two of the Anzac Centenary Grants to 2014/15 for the Villers–Bretonneux, France project.

11.5.5. Refers the balance of community grants funding to the Panel for further consideration of unsuccessful applications.

Moved: Councillor Bill McClenaghan

Seconded: Councillor Pierre Niclas

Carried.

**ATTACHMENT 5 - COMMUNITY, SUSTAINABILITY, LANDCARE AND
ANZAC CENTENARY GRANTS PROGRAM – ROUND TWO – 2013/14
GUIDELINES**

Community, Sustainability, LandCare & ANZAC Centenary Grants Program GUIDELINES Round 2 – 2013/14

The purpose of community, sustainability, LandCare and ANZAC Centenary grants is to assist residents and community groups in running community and sustainability projects. A community project is one that helps community members to share their skills and interests, brings people together and improves the quality of life within our communities. These grants are intended to fund a portion of the total project costs, with the remainder to be provided by the applicant.

Each year council has two funding rounds for the community to apply for grants. The total amount available per year is \$70,000 split across eight grant categories: Sustainability, LandCare, Arts & Culture, Community Events, Small Equipment, Community Strengthening, Anzac Centenary Celebrations and Defibrillator.

Grants Available

Grant Type	Description	Maximum Amount Available
Sustainability	Projects that take action to reduce environmental impact and promote positive change	\$5,000
LandCare	Projects that contribute to sustainable land use and protecting the Shire’s soil, water and living natural resources. Only Community LandCare groups are eligible to apply.	\$7,500
Community Strengthening	Projects with an emphasis on connecting communities and building community capacity.	\$2,000
Community Events	Events primarily targeted to the local community, street parties, days of celebration or commemoration.	\$2,000
Arts & Culture	Projects that have a focus on culture and/or arts activities	\$2,000
Defibrillator	To assist with the purchase of defibrillators for at need community groups	\$1,000
Small Equipment	To finance the purchase of minor equipment to assist community organisations	\$500
Anzac Centenary Celebrations	To assist and encourage projects that commemorate the service and sacrifice of Australian servicemen and women in the First World War	\$500

Eligibility

➔ **Please Note: Projects which commence prior to notification of success from Council in this round will be ineligible. Please refer to the funding schedule for dates of this round on page 3.**

If you answer 'no' to any of the following questions your project is ineligible for funding. Not sure? Please contact us.

- Does your project take place in the Hepburn Shire and to the benefit of its residents?
- Are you a not for profit group or able to be sponsored by such a group? (Please note: 'for profit' organisations are not eligible)
- Does your project involve community participation?
- Do you have financial systems to account for money?
- Do you have all permits, permissions and approvals for this project? Please attach with application.

If you answer 'yes' to any of the following questions your project is ineligible.

- Is the proposed project one which is the funding responsibility of the state or federal government?
- Is your organisation in debt to Council e.g. do you have any outstanding community grant acquittals or unpaid invoices?
- Has the project already commenced or already been completed?
- Does your project involve spending money on Council assets?

The following factors will also be taken into consideration in assessing grant applications.

- Whether your organisation has submitted more than one application this round? (You will be asked to prioritise)
- If the grant is intended to fund ongoing operating expenses (in part or in full)?
- Whether your group or organisation received a community or sustainability grant in the last round?

If you are unsure of your eligibility, please contact the responsible officer in advance to discuss your application prior to submission.

Information about the Community, Sustainability, LandCare & ANZAC Centenary Grants Application Form

The application form gives us important information and must be used. The following points will assist you to improve your application outcome:

- All sections must be completed. If you are unable to complete a section please contact the relevant officer to discuss this.
- It should be in MS Word document format however if handwritten the application submitted must be legible.
- Submit your application on time. Late applications will not be considered.
- Applicants are encouraged to submit letters of support, minutes, newspaper articles, drawings, images, quotes or plans with the application.

The application is available online at the Hepburn Shire Council website www.hepburnshire.com.au or by visiting any of the Council offices. **Applications must be submitted as hard copies** including supporting documents to:

Community, Sustainability, LandCare &
ANZAC Centenary Grants,
Community Services Department,
P.O. Box 21,
DAYLESFORD VIC 3460

Or in person to:

Daylesford Town Hall, Duke St Service Centre or
Creswick Service Centre

Applications must be received by Friday 28 March 2014 - 5.00 pm

Schedule for Round 2 2013/14

Opening date	Tuesday 18 February 2014
Closing date	Friday 28 March 2014 – 5.00pm
Assessment process	April 2014
Recommendations to Council	Tuesday 20 May 2014
Notification to all applicants	By Wednesday 27 May 2014
Successful applicants submit forms & sign funding agreement	Friday 6 June 2014
Financial acquittal & evaluation	Wednesday 31 December 2014

Assessment

The assessment process involves five community members appointed by Council and four Council officers. Community members with experience and expertise in community development, sustainability, land management, arts and events will be appointed by Council to the assessment panel for a one year term.

The assessment process involves:

- Confirmation that the application has been received
- Assessment of applications by Council Officers and community representatives
- Assessment panel meet to assess and discuss all applications received
- Points of clarification may be sought by Council Officers about specific areas of the application
- Report of recommendations is presented to Council
- Council reviews recommendations and makes final decision during Council Meeting
- All applicants are notified in writing regarding the outcome of their application
- Successful applicants will be required to complete a Community, Sustainability, LandCare & ANZAC Centenary Grant Funding Agreement

Objectives

Your project must meet at least some of the objectives below:

1. To increase the ability of community members to share and assist one and other in building better and stronger communities
2. To encourage the development of community knowledge and understanding to address current priorities
3. To build and support positive relationships between community and Council
4. To promote new ideas and opportunities
5. To generate and foster relationships between community groups, not for profit organization and other levels of government for support and resources
6. To assist community groups in meeting once-off equipment requirements
7. To promote behavioural change towards increased sustainability across the Shire
8. To promote projects that contribute to sustainable land use and protect the Shire's soil, water and living natural resources
9. To assist and encourage projects that commemorate the service and sacrifice of Australian servicemen and women in the First World War

Grant Types and Program Objectives

Hepburn Shire Council Community, Sustainability, LandCare & ANZAC Centenary Grants program is the process used to fund and support a range of activities undertaken throughout the Shire. Please consider the objectives of each program area that relates to the program you are applying for:

Sustainability

The key objectives of the Sustainability grants are to:

- Promote behavioural change toward increased sustainability across the Shire
- Build knowledge of energy and/or water efficiency measures
- Increase appreciation of the natural environment
- Build the relationship between the community and Council
- Reduce greenhouse gas emissions
- Build community resilience towards climate change
- Shared learning amongst the community

The Sustainability grants are divided into six key areas:

1. Energy Efficiency

Energy use and inefficiencies are a major contributor to the release of greenhouse gases which contribute to climate change. Propose projects that reduce reliance on the energy grid, use energy more efficiently or implement energy saving ideas.

Potential projects may include: Retrofitting, insulation, solar PV or solar hot water installations, energy assessments or energy usage monitoring of a community building.

2. Water Efficiency

Despite the increase of annual rainfall this year, consumption of potable water needs to be reduced as supplies are still in short supply. Propose projects that reduce reliance on water reserves, use water more efficiently and implement water saving ideas.

Potential projects may include: Rain-garden developments, grey-water systems or water tank initiatives on community buildings.

3. Waste Reduction

Over consumption and the inefficient use of materials has resulted in the abundance of waste in landfills. Propose projects that divert waste from landfill and reduce the use of virgin materials.

Potential projects may include: Developing a worm-farm or green waste system for a community building, hosting a recycle event or developing a program to reduce plastic bag usage, disposable water bottles or take-away coffee cups.

4. Behaviour Change

Improve what you are already doing and assist others! Propose projects that promote a change in community lifestyle and encourage others to reduce their environmental footprint.

Potential projects may include: The hosting of sustainability workshops and seminars for the community, supporting knowledge exchange forums and events or campaigns to support local sustainability champions and promote positive change.

5. Biodiversity

The preserving of our natural environment is essential to maintain our high quality of life in the Hepburn Shire. Propose projects that ensure Hepburn's biodiversity is valued and celebrated.

Potential projects may include: The development of a habitat haven at a school or community building, support a forest kinder/playgroup or local bird watching/monitoring group.

6. Innovation

Have another idea? Propose projects that are cutting edge pilot projects to lead the Hepburn Shire towards a more sustainable future.

Potential projects may include: Sustainable transportation, ethical eating, edible and smart garden for demonstration or transition town's initiatives to equip communities with the dual challenge of climate change and peak oil.

For further information about Sustainability Grants, contact **John van Rooden on 5321 6456**. John works Tuesday - Thursday.

LandCare

The key objectives of the LandCare Grants are to:

- Contribute to sustainable land use and protecting the Shire's soil, water and living natural resources.

Detailed information about LandCare Grant objectives has been provided to eligible groups. To further discuss these objectives or your group's proposal contact **Dale Tonkinson on 5321 6433**.

Community Strengthening

The key objectives of the Community Strengthening Grants are to:

- Support community capacity building leading to sustainable communities
- Respond to community needs through innovative community solutions
- Have significant community participation in their implementation
- Demonstrate response to an identified opportunity
- Demonstrate community engagement in the development of the proposal
- Encourage partnerships between community groups and Council
- Foster innovation
- Encourage linkages with or contributions from other forms of community or government support (financial or otherwise)

For further information about Community Strengthening Grants, contact **Dianne VanDerVeer on 5321 6461**.

Community Events

The key objectives of Community Event grants are to promote:

- Events that add to and enhance the quality of life for Hepburn Shire residents and visitors
- Events that provide opportunities to foster a spirit of togetherness within the community, build relationships, promote tolerance and understanding and encourage broad participation of the local community
- Events that promote and benefit local products, businesses, groups and communities
- Events that provide opportunities to promote cultural exchange, activity and innovation
- Events capable of promoting of the town, village, community or precinct and/or capable of raising the profile, status or awareness through the media generated
- Events capable of building the Hepburn Shire's reputation either broadly or in a specific sector and/or highlight the Shire's capability and leadership within a particular discipline or function
- Events need to demonstrate they are well managed, have appropriate risk management strategies in place and have minimal negative impacts on the community
- Events implementing best practice principles include being inclusive and accessible, implementing environmentally, social and financially sustainable practices

Please note that projects successful under this category will be required to participate in the Council Events Planning process. For further information about Council's Events Grants and Events Planning Process, contact Council's Events Coordinator **Rebecca Pedretti on 5321 6105 or 0488 604 902**. Rebecca works Monday to Friday from 2.00pm to 5.00pm.

Arts and Culture

The key objectives of Arts and Culture grants are to support arts and culture activities throughout Hepburn Shire.

These activities may be expressed through craft, the visual or performing arts, music, literature and local traditions. Council will support arts and culture activities that assist the growth of strong, healthy, creative communities.

Hepburn Shire is committed to:

- Enhancing local community identity
- Facilitating the community's capacity to develop and express creativity
- Encourage partnerships between community groups and Council
- Encourage linkages with or contributions from other forms of community or government support (financial or otherwise)

For further information about Arts and Culture Grants, **contact Kate Gerritsen on 5321 6428**.

Defibrillator

The key objectives of the Defibrillator Grants program are to assist with the purchase of defibrillators for at need community groups. Applications will need to:

- Explain why a defibrillator is required
- Increase safety for community groups and members involved
- Encourage and support the involvement of volunteers in community groups
- Take into account training required for the equipment
- Applications for defibrillators that will be used by a number of community groups will be more strongly considered

For further information about Defibrillator Grants, **contact Dianne VanDerVeer on 5321 6461.**

Small Equipment

The key objectives of the Small Equipment Grants program are to purchase equipment that will:

- Enhance or increase participation in community groups and projects
- Assist community groups to operate more effectively
- Encourage and support the involvement of volunteers
- Improve occupational health and safety

For further information about Small Equipment Grants, **contact Dianne VanDerVeer on 5321 6461.**

Anzac Centenary Celebrations

The key objectives of the Anzac Centenary Celebration grants program are:

- To assist and encourage projects that commemorate the service and sacrifice of Australian servicemen and women in the First World War
- To support projects that have significant community involvement in their implementation
- To support projects that enable the local community to commemorate the centenary of the First World War
- Proposed projects and events must be directly commemorative of the involvement, service and sacrifice of Australia's servicemen and women in the First World War

For further information about the Anzac Centenary Celebration grants program, **contact Dianne VanDerVeer on 5321 6461.**

➔ Applicants are welcome to discuss their application prior to submission and Council staff are happy to meet to discuss your project. Please contact Dianne VanDerVeer on 5321 6461 or dvanderveer@hepburn.vic.gov.au for any additional information.

Assessment Criteria

Applications will be assessed on the following criteria. Each criterion has been given an approximate word limit and a percentage value to indicate its importance. These criteria are reflected and have a corresponding numbering system. By following the dot points provided on the application form you will be able to address the assessment criteria. If you require clarification on any of these points please contact the responsible officer.

1. **Description of Project. 10% (approx 100 words)**
2. **Why is the project needed? 25% (approx 400 words)**
3. **What will the project achieve? 25% (approx 400 words)**
4. **How will the project be implemented, managed and who will be doing it? 20%**
5. **How will risk and safety issues associated with the project be assessed? 10%**

Assessing the risk of your project is a vital requirement for your project. This will vary depending on your type of project or equipment request. Everyone conducts risk assessment automatically in daily living and this process simply helps highlight the risks and strategies you will use to avoid harm or injury. For example ensuring you have appropriate first aid equipment and qualified individuals when planning an event is good risk management.

To assist you with this process a basic risk assessment table is provided in the application form which must be completed.

If you are running an event or activity it is your responsibility to ensure that you have adequate public liability insurance coverage. If you have any questions about risk, please contact Council Officers.

6. **Completed budget with balancing income and expenditure - 10%**

When calculating your expenditure, items in the following list may assist you to identify project costs that you might need to complete your project. Use the list as a guide only. You may add other income and expenditure as needed for your project, e.g.

- Hire fees
- Administration – Postage, Photocopying, Equipment hire, Venues, Special facilities, Equipment purchase
- Project materials
- Marketing and Promotions - Advertising costs, Printed material, Publications, Educational handouts
- Insurance
- Project catering

It is important to complete a budget that accurately reflects your project. Your income may include cash contributions, in-kind support, sponsorship and the amount requested for the community grant.

In-kind support includes volunteer hours, resources gifted to your group or other materials provided free of charge. Volunteer hours should be calculated at \$15 per hour per person.

Project Income and Expenditure columns must be the same (balance).

Evaluation and Acquittal – your responsibilities

All funded projects will be required to complete an evaluation and acquittal, including evidence of expenditure for their project. The evaluation form is a simple document that you will receive with your funding agreement. This will help measure the impact of community projects and may be considered as a part of any future community grant applications you make to council.

Your acquittal involves matching your planned expenses with your actual expenses and demonstrates the use of the community grant.

Council staff are happy to assist you to complete your application or provide advice. Please refer any questions to the contact person listed in this document on pages 4-6.

**ATTACHMENT 6 - COMMUNITY, SUSTAINABILITY, LANDCARE AND
ANZAC CENTENARY GRANTS PROGRAM – ROUND TWO – 2013/14
RECOMMENDATIONS**

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Recommended - Community Grants					
Hepburn Libraries, Daylesford Outside School Hours Care, ARC, Daylesford N/Hood Centre & Spa Country Events Group Inc.	Daylesford Winterfest for Kids	Community Events	Joint application by Libraries, Outside School Hours Care, ARC, Daylesford N/Hood Centre & Spa Country Events' Groups. 2 week festival offering families a selection of creative, fun indoor & outdoor activities during the winter school holidays. Collaboration of organisations to design comprehensive 2 week program to maximise resources & opportunities.	83.2	\$ 2,000.00
Hepburn Health Service	The Absolutely Fabulous Food Festival (TAFFF)	Community Strengthening	Designed to reduce obesity through implementation to enhance knowledge & skills regarding healthy food choices & address food security. Trentham & Clunes Primary Schools hosting Melb Fresh Markets School Program & Community Expo's to be held at Creswick & Daylesford Town Halls. Cooking classes to be conducted also.	83	\$ 2,000.00
Spa Country Events Group Inc. (Trading as Words in Winter)	Words in Winter	Arts & Culture	Festival of stories, literature, poetry, talks, songs, plays & words in all forms. Runs all of August with all HSC towns involved. Opportunity for local community to gather, celebrate & share rich creative experience.	74.4	\$ 2,000.00
Daylesford Macedon Ranges Open Studios Inc.	DMROS 2014	Arts & Culture/Event	DMROS program brings together local artists & public. In November artists invite public into studios for 'behind the scenes' event to discuss & demonstrate skills & processes. Event aims to increase awareness of existing rich culture of region.	73	\$ 2,000.00
Trentham District Primary School	Trentham Primary School's Storybook Mural	Arts & Culture	To build a mosaic mural telling rich story of our district. Aim to implement collaborative process involving school & wider community. Plan to work with artist, Mr E DiPilla. Engaging students, parents, historical society & residents Trentham Hostel in story telling of mosaic.	71	\$ 2,000.00
Daylesford Girl Guides	Replace & Upgrade Old Broken Kitchen Items	Small Equipment	Kitchen equipment is very old & some is damaged. Also not enough equipment for kitchen activities for guides.	70.8	\$ 500.00
Bullarto Primary School	Installation Drip Irrigation System for Kitchen Garden	Small Equipment	Install drip irrigation watering system for established kitchen garden. Existing watering system is inefficient. Need to water during school holiday periods.	70.6	\$ 500.00
5000 Club	5000 Club	Community Strengthening	5000 Club commenced Aug 2011. 3 course hot meals are provided free to attendees. Council grant will help ensure this community resource continues.	68	\$ 2,000.00
Kingston Agricultural Society Inc.	2014 Kingston Agricultural Show	Community Events	Annual Event - 147th year - Sunday 30 Nov 2014. Show is community strengthening & tourism event. Provides opportunity for broad range of community members to participate in range of competitions. Entertainment & education activities will also occur.	65.8	\$ 2,000.00

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Clunes Market auspiced Clunes Tourist & Development Assoc.	Clunes Farmers Market	Community Strengthening	Monthly produce & farmers market held in Clunes. Market to involve whole local community.	65.5	\$ 2,000.00
Daylesford Climbing Club	Daylesford Climbing Wall	Community Strengthening	Revitalise rock climbing wall in Daylesford Secondary College hall. Would like 4 ropes on wall with all correct safety equipment in place.	65.4	\$ 2,000.00
Pavilion Arts Project	Pavilion Arts - Lantern Festival October 2014	Community Events	Creswick's 2nd Lantern Festival. Theme being renewal & light following darkness of winter. Event 2 facets - 1. W/shops lantern makers & 2. The spectacular Lantern Parade.	64.2	\$ 2,000.00
Spa Country Sculptors Association	Essential Equipment for Spa Country Sculptors Association	Small Equipment	Promotes sculptors & their work in Hepburn Shire region. 30 current members. Actively involved with community events. Hosted exhibition - Aust Day w/end in collaboration with local retailers. Require small printing & laminating equipment essential to inform community & promote events.	64	\$ 350.00
Glenlyon Progress Association	Glenlyon Community Events 2014	Community Events	Two events planned for 2014. Before I Die - global art project in public space -and- Glenlyon Handmade Christmas Fair, both to be held in/around Glenlyon Hall.	62.8	\$ 2,000.00
Clunes Men's Shed	Safety Equipment	Small Equipment	Members are using hand tools, power tools etc. We need to purchase safety equipment to protect eyes, lungs, hands & hearing. Require safe environment.	60	\$ 500.00
Creswick Neighbourhood Centre	A Happy Small Town Market: Marketing Materials	Small Equipment	As Monthly Creswick Market has expanded significantly in last 6 months. Further Marketing Materials are required.	58.5	\$ 500.00
Wattle Flat-Pootilla Landcare Group	First Aid Training Wattle Flat-Pootilla LandCare Group	Community Strengthening	To provide First Aid Training for 6 Wattle Flat - Pootilla LandCare members.	58.2	\$ 1,320.00
ClaySpace	Three Rooms Three Stories	Arts & Culture	Commitment to ongoing engagement with community with limited / no prior experience in arts practice. Members to work with community to create 3 unique spaces to invite reflection on broad theme of 'local produce'.	57.8	\$ 2,000.00
Total Recommended - Community Grants					\$ 27,670.00

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Recommended - Sustainability Grants					
Clunes Landcare & Waterways Group	Connecting Community with the Creek - Fantastic Frogtober	Sustainability	Event & w/shop series - Celebration of local Creswick Creek & its wildlife eg., endangered Growling Grass Frog. Project: community art exhibition, workshops, info sessions, school talks & BBQ in Clunes to connect local & wider community with environment & wildlife.	92	\$ 1,500.00
Creswick Primary School	Native Fauna Awareness	Sustainability	With support from community partner, students will build & place habitat boxes in trees in school grounds to increase nesting for local fauna. Bird Feeder also. Use Circuit TV cameras to monitor use of boxes & feeder.	84	\$ 2,000.00
Hepburn Kindergarten	Installation Solar System - Hepburn Kindergarten	Sustainability	Purchase & install 3-4kw solar system on/in Hepburn Kindergarten building. Would improve running costs & alleviate pressure of fundraising. Also improving quality of kinder environment & carbon neutral footprint.	84	\$ 5,000.00
Friends of Creswick's Park Lake Botanical Reserve	Complete Preparation for Planting Victorian Section Tolhurst Plan at Park Lake	Sustainability	Complete preparation of previously undeveloped area within Reserve. Project entails removal tree stumps, rip planting lines, path & extend water supply into area in accordance with the Tolhurst's Plan.	78.5	\$ 1,500.00
Total Recommended - Sustainability Grants					\$ 10,000.00
Recommended - Landcare Grants					
Malmsbury District LandCare	Drummond North Pattersons Curse Control	LandCare	Provide partial refund for spraying Pattersons Curse on properties with ultimate aim of eradication. Largest outbreak in our district . 2 landholders keen to control their weeds.	87.5	\$ 3,000.00
Blampied-Kooroocheang Landcare Group Inc	South Central Cairn Curran Water Catchment Conservation Project	LandCare	2 streams. 1-Reduce invasive weeds threatening local indigenous species. 2-Planting of 3000 threatened local tree species.	84.5	\$ 5,000.00
Friends of Cornish Hill Inc	Cornish Hill Community Bird Song	LandCare	Will restore habitat for small birds by removing woody weeds from wattles on western side of Stanhope Street Track & replace with indigenous prickly plants. Need to undertake spraying & brushcutting by qualified contractors & replacement plants to be planted by Friends with assistance Daylesford students.	83	\$ 3,000.00
Mt Bolton & Mt Beckworth LandCare Group	Hepburn Shire Gorse Proposal 2014	LandCare	Mission: To Kill Gorse. Preventing gorse from flowering & treating seedlings before flowering, costs can be kept to minimum. Require funding to eliminate emerging re-growth - Heath Street & extend eradication program along Learmond Road to shire boundary. * Application involves use of contractor already part of Hepburn Shire Council system with JSA and traffic management plan arrangements.	81	\$ 3,000.00

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Shephard's Flat Landcare Group	Restoration Jim Crowe Creek - Muller's Lane Bridge to Shrives Bridge	LandCare	Improve water quality & surrounding environment of Jim Crowe Creek b/t Muller's Lane Bidge & Shrives Bridge through removal of intense infestation of willows etc.	80	\$ 1,240.00
Ullina Landcare Group	Birch Creek Willow Control	LandCare	Involves 7 kms Willow Infestation along Birches Creek. 5 landholders & members of Ullina LandCare Group to form working party - 1 day a month to cut & paint willows along creek.	79	\$ 560.00
RockyLead LandCare Group	Rocklyn - Roadside Spraying	LandCare	Major works - Gorse & blackberries on Dean-Barkstead Rd., Rocklyn. Follow up work Long Swamp Road after successful spraying 2 years ago.	71.5	\$ 1,200.00
Total Recommended - Landcare Grants					\$ 17,000.00
Recommended - Anzac Centenary Grants					
Daylesford & District Historical Society Inc.	Letters From The Front. A book	ANZAC	Consists of research, planning, prep, design & editing of small book reproducing letters sent home from the front by WW1 soldiers from Daylesford area.	79.8	\$ 500.00
Creswick Museum	Sisters of Lemnos	ANZAC	Anzac Centenary Remembrance - August 2014. Exhibition featuring effect war had on women in Creswick & district. Would like to produce video of photos from Sister E Redman, Smeaton taken in Egypt, Lemnos & Europe during the war.	79.75	\$ 500.00
Hepburn Primary School	Re-instatement of the WW1 Honor Rolls at the School	ANZAC	Hepburn PS Honor Rolls are housed at Daylesford RSL. Extensive renovations to Hepburn Primary occurred & PS would like to honor past students in 150th year of education at Hepburn with those who served in great war, by returning honor boards to Hepburn PS new atrium.	78.5	\$ 500.00
Creswick-Smeaton RSL	New Flagpole for Cenotaph	ANZAC	Would like to replace current flagpole plus purchase 2nd flagpole to fly New Zealand flag on special occasions.	68.8	\$ 500.00
Total Recommended - Anzac Centenary Grants					\$ 2,000.00

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Not Recommended - Community Grants					
Daylesford Folk & Blues Festival	Daylesford Folk & Blues Festival 2014	Arts & Culture	Provides quality entertainment, workshops to residents. Opportunity to attend w/shops & perform in concerts alongside professional musicians. Reason: This was originally recommended for funding by the assessment panel, however the event has been funded a number of times previously and as such should be sustainable without continued grant funding.		\$ -
Daylesford Secondary College	Stage 1: Pop Up (Platypus) Garden	Arts & Culture	Yrs 11 & 12 VCAL students engage with community to redesign outdoor Arts & Culture learning space & garden. Space to be used for community gatherings eg., small concerts, talks & choirs. Reason: Solid application, assessment panel unsure about on-going community access.		\$ -
Kingston Agricultural Society Inc.	Safety Equipment for Kingston Agricultural Society Inc	Small Equipment	Reviewing of OHS/Risk Management procedures show we need to purchase equipment to ensure safety of organisations using the showgrounds. We require battery megaphone, 1st aid kit, horn (signal emergency), laminating machine & rubbish bins. Reason: Recommended funding Kingston Agricultural Society event application.		\$ -
Mainteater (auspiced: Multicultural Arts Victoria)	Urat Jagat (Veins of the Universe)	Arts & Culture	Presentation In Hepburn of Indonesian/Australian performance installation 'Urat Jagat' (veins of the Universe) alongside workshops created by Mainteater - collaboration of Vic & Indonesian artists, present by Multicultural Arts Victoria & featuring Daylesford artist Morgan Williams. Reason: Grant application failed to clearly identify project objectives and benefits.		\$ -
Daylesford Highland Gathering Comm. Inc	Promotion and Advertising of the Daylesford Highland Gathering	Community Events	Seeking funding to further promote the Daylesford Highland Gathering to increase attendance. Reason: Poor application with limited budget detail.		\$ -
Dean Hall & Mechanics Institute Inc	Dean Hall Burlesque Show	Community Event	Dinner & Performance Evening. Troupe 6 performers - event tailored to suit audience. Burlesque is theatrical, musical work of art. Reason: Assessment panel felt that event should be funded out of ticket prices.		\$ -

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Creswick Primary Parents Club	Creswick Fair	Community Events	State School is host to Parent Club Fundraiser in Autumn. Fete has grown into a Fair. Will become grass root event for Autumn Festival next year. Reason: Creswick Primary School recommended to receive a sustainability grant in this round. Potential to fund this event through Creswick Four Seasons.		\$ -
Creswick Neighbourhood Centre	A Happy Small Town Market	Community Strengthening	Monthly Creswick Market has expanded significantly in last 6 months. Market is managed by volunteers & now believe Project Worker is required for continuing success. Reason: Small equipment application recommended for funding. Application didn't adequately meet community strengthening criteria.		\$ -
ClaySpace	Purchase Slab Roller	Small Equipment	Require Slab Roller which enables creation of range of ceramic objects - functional & sculptural. Reason: Unclear on cost of equipment.		\$ -
Jim Crow Planning Group	Connecting Along The Creek	Community Strengthening	To strengthen communities in Yandoit, Franklinford & Clydesdale & those living near Jim Crow Creek. Project in line with community plan priorities & focuses on 'where to go to get it' - register of local skills, knowledge etc. To celebrate "Connecting along the creek" community fair in Sept/Oct 2014. Reason: Current outstanding grant acquittal		\$ -
Franklinford Community Purposes Reserve	Reclaiming Franklinford's Reserve(0512685) for Community Purposes	Community Strengthening	To collaboratively develop Master Plan. Represents 1st step in multi-stage endeavour to reconnect Franklinford community to its history. Envisage innovative garden of 'plant tales'. Reason: Application lacked sufficient detail to be confident of a clear direction. Unsure about auspice arrangements.		\$ -
Daylesford Wheel Suckers-Murray to Moyne Cycle Team	Community Crockery	Community Strengthening	Purchase crockery, glassware, cutlery for community group use - 200 people. Available for hire. Reason: On-going management and storage of the equipment hasn't been clarified.		\$ -
Clunes Neighbourhood House	Grasslands	Arts & Culture	Outdoor site responsive visual theatre performance. Ecological & social dig through time. Explored through dance, puppetry, photography & film. Hillside of native grasses as canvas for live performance. Reason: Application lacked detail to allow adequate assessment.		\$ -
Daylesford Community Brass Band Inc., auspice for Neil Adam, 76 Newlyn Reservoir Rd., Newlyn	The Kingston Avenue of Honour Song - Recording Project	Arts & Culture	Neil Adam established song writer with history of writing songs to celebrate Aust country life. Has received national recognition. We plan to record this song for public release. Reason: Project outcomes questioned by assessment panel, also seeking more funding than is allowed.		\$ -

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Daylesford Football Netball Club	DFNC Netball Grant	Small Equipment	Known as family club, importance of maintaining enthusiasm of newest members to hone skills. Require up-to-date equipment. Reason: Funding sought for equipment that assessment panel felt was a core component normally funded by membership.		\$ -
H.E.L.P.A.R. (auspice Daylesford N/Hood Centre)	Hepburn Environment Local People Action Relief	Community Strengthening	Project to renew walking track between Cains Bridge & Fourth St, Hepburn Springs. Enabling walking access & future landcare along Spring Creek Gully. Reason: Unrealistic costings, no permissions in place and inadequate supervision arrangements for project workers.		\$ -
Bullarto Community Planning Group	Bullarto Community Development Plan	Community Strengthening	Purchasing portable BBQs, 1st aid kit, portable fire extinguisher. Relocation community noticeboard, Printing costs & Hall Hire. Reason: No approvals in place re land use.		\$ -
St Augustine's Primary	Community Garden	Community Strengthening	To build two elevated garden beds to grow vegetables & flowers. Process supported by teaches & parent volunteers. Vegetable harvesting will enable school to forge new relationships with Creswick edlerly citizens & community kitchen attached to Creswick Railway Station. Reason: Project budget lacks detail with income and expenditure not matching. Costs inconsistent with recent garden developments at the School.		\$ -
Creswick Museum	Video: Making the State School Honour Board	Arts & Culture	Converting tape made by Jack Lambert (dec) on his school day memories of constructing honour board at Creswick State School to present day media. DVD can then be used in Museum, website during centenary. Reason: Other application recommended for funding through Anzac grants and cost of project questioned by assessment panel.		\$ -
Daylesford Community Breakfast Club	Daylesford Community Breakfast Club	Community Strengthening	Community breakfast one day per week and monthly breakfast at Daylesford Primary School. Reason: Late application - not assessed		\$ -
Not Recommended - Sustainability Grants					
Bald Hills-Creswick Landcare Group	Park Lake Botanical Reserve "An Indigenous Walkabout"	Sustainability	Development "Indigenous "Walkabout" path. Path to link up with existing "Pioneer Walk" path providing additional safe walking path for visitors. Excavate, base preparation, drainage & topping the path with granulated material. Reason: Current outstanding acquittal and limited budget detail.		\$ -

Name of Organisation / Club / Group	Project Name	Grant Type: Youth, Arts, Small Equipment or Community Strengthening	Project Description	Score	Recommended Funding
Daylesford & Hepburn United Soccer Club	Replacement High Pressure Irrigation Hose: Vic Park Oval 2	Sustainability - Water Efficiency	Oval 2 has limited irrigation via mobile sprinkler. The 40mm heavy duty 'lay flat' hose has many holes in it which loses large amount of water during use. Reason: Council asset that should be funded out of recurrent budget.		\$ -
Not Recommended - Landcare Grants					
Bald Hills-Creswick Landcare Group	Control of Gorse & Blackberries - Road Reserves	LandCare	Spraying by approved, qualified spray contractor. Part of Wrigleys Rd, Graham Rd., & Allendale-Reservoir Road. Reason: Poor submission that didn't fully detail the project and no budget detail.		\$ -
Porcupine Ridge Daylesford LandCare	Eco Blade Documented Trial	LandCare	5 property document trial of Eco Blade system. 10 day hire. Weeds manually counted & pictures taken - before & after. Diverse sites chosen to cover range & capabilities of environmental machine. Reason: Very limited value as it is already commercially available. Has been evaluated previously by industry professionals as an expensive technique in many situations.		\$ -
Wombat Forestcare Inc.	Nest Structures for Native Fauna	LandCare	Build nest structures for fauna eg., possums for Cornish Hill. Miran Porter, artist to run workshops with students from Dharma School to construct nests from wire baskets & natural materials. Event to be held - community & Dharma school re installation & education re habitat. Reason: Application withdrawn and submitted for non-competitive landcare funding.		\$ -
Trentham District Landcare Group	Willow Removal at Enders Bridge	LandCare	Willow removal around the "Enders Bridge" on the Coliban River at Trentham. Reason: Late application - not assessed		\$ -

11.6. HEPBURN COMMUNITY AND COUNCIL SERVICES HUB CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is to recommend that Council endorses progressing to concept design and detailed feasibility for development of the Hepburn Community and Council Services Hub at the Daylesford Town Hall site.

BACKGROUND

In July 2013, Council was successful in gaining \$150,000 in grant funding from the Victorian State Government for the planning and design phase for the Hepburn Community and Council Services Hub ('the Hepburn Hub') project. The project was approved as part of the 2013/14 Council Budget with a Council contribution of \$100,000, resulting in a total budget of \$250,000. The project seeks to improve services shire wide and integrate Council services to achieve cost savings. Council awarded Contract H441-2013 Planning and Design Services - Hepburn Community and Council Services Hub to ClarkeHopkinsClarke Architects at its October 2013 meeting.

ISSUE / DISCUSSION

The aims of the Hepburn Hub project are to:

- improve library, visitor information, early years and customer services and address unmet needs in Daylesford;
- improve library and customer services in Creswick;
- achieve compliance and better amenity of its community spaces in Creswick and Daylesford;
- improve the environmental performance and efficiency of its buildings to deliver these services; and
- reduce its ongoing operational costs through integrating these services together with Council office operations.

The first stage of the project involved needs analysis and site investigation.

A broad range of sites were identified and assessed against the above aims.

Following initial examination, a short list of eight sites was further investigated.

These were:

- The Lost Children's Reserve
- Daylesford Lawn Tennis Club (part)
- Old Hepburn Depot
- Daylesford Town Hall
- The Rex Arcade
- Daylesford Historical precinct
- Council's Duke Street offices
- Daylesford Depot.

The Sites and Spaces consultation aimed to inform the community about the Hepburn Hub concept, get their views about the preferred site and what should be included.

Key findings from the Sites and Spaces consultation were that:

- the Daylesford Town Hall was the preferred site, without early years services due to both financial and amenity issues. There was an interest in incorporating the outdoor pool area with the Hepburn Hub.
- Proximity and accessibility were the most important considerations for location of Hepburn Hub.

The operators of the Daylesford Museum Reserve and the Daylesford and District Historical Society have advised that they do not support development of the Hub at the historical precinct.

The Daylesford Town Hall site, without early years services, will deliver improved services and enhance community spaces in the centre of town. It is in a central location and is an opportunity to revitalise an existing historic asset.

The Sites and Spaces consultation process has reconfirmed that there is a demonstrated unmet need for childcare in Daylesford. Although the Hepburn Hub at the Daylesford Town Hall will not address this, it remains an important issue for this project to consider. A more detailed needs analysis is required and consideration of the impact of any new service on the Daylesford Community Childcare Centre business model. It is proposed to investigate options and feasibility for addressing early years needs in Daylesford, separate to the Hepburn Hub at the Daylesford Town Hall.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council Plan 2013-2017:

Strategic Objective – High Performing Organisation

Key Strategic Activity:

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

FINANCIAL IMPLICATIONS

The planning, concept and detailed design phases of this project are funded in the 2013/14 budget by a combination of State Government funding – \$150,000, and Council's contribution – \$100,000.

RISK IMPLICATIONS

This project is significant and complex. Consequently, a detailed risk management plan has been prepared. This plan is continually monitored and is used to inform the actions taken throughout the process.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The project seeks to achieve benefits across environmental, social and economic areas. The Hepburn Community and Council Services Hub will deliver improved Council services and community outcomes, will be more cost efficient for Council, will be accessible to all and will demonstrate the highest levels of environmental sustainability.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Sites and Spaces consultation included a variety of community engagement processes:

- Key stakeholder consultation – current facility issues and needs
- Hepburn Hub website – project information and comment
- Sites and Spaces Community Event and Workshops – project information, displays and workshop sessions and seeking input about preferred site
- OurSay Forum - community ideas, comments and voting
- Hard copy feedback forms with drop boxes at the Daylesford Town Hall and Daylesford Library.

CONCLUSION

Based on community feedback, site and financial analysis, it is considered that the Hepburn Hub Planning and Design project should proceed to concept

design and detailed feasibility of the Daylesford Town Hall site. This will involve further investigation into:

- site layout and functionality;
- planning and heritage;
- traffic and parking;
- integration with pool site; and
- indoor heated pool costings and feasibility.

OFFICER'S RECOMMENDATION

11.6.1 That Council endorses proceeding to concept design and detailed feasibility for the Hepburn Community and Council Services Hub at the Daylesford Town Hall site.

MOTION

11.6.1. That Council endorses proceeding to concept design and detailed feasibility for the Hepburn Community and Council Services Hub at the Daylesford Town Hall site.

Moved: Councillor Kate Redwood

Seconded: Councillor Pierre Niclas

Lost.

MOTION

11.6.2. That Council revisits the location of the Hepburn Hub at the Daylesford Town Hall site, reconsiders other sites and obtains some additional details and costings for further workshopping the matter.

Moved: Councillor Bill McClenaghan

Seconded: Councillor Greg May

Carried.

Councillor Sebastian Klein called for a division.

Councillors that voted in favour of the motion: Councillor Don Henderson, Councillor Sebastian Klein, Councillor Greg May, Councillor Bill McClenaghan.

Councillors that voted against the motion: Councillor Neil Newitt, Councillor Pierre Niclas, Councillor Kate Redwood.

Mayor Councillor Don Henderson left the meeting at 9:03 pm due to a direct Conflict of Interest and returned to the meeting at 9:13 pm.

During Councillor Henderson's absence, Deputy Mayor Councillor Kate Redwood assumed the Chair.

**11.7. LEASE RENEWAL - CRESWICK TOWN HALL CARETAKER'S COTTAGE TO CRESWICK RAILWAY WORKSHOPS ASSOCIATION INC
GENERAL MANAGER INFRASTRUCTURE**

In providing this advice to Council as the Property Officer, I Karen Ratcliffe have no interests to disclose in this report.

PURPOSE

The purpose of this report is to consider a request from the Creswick Railway Workshops Association (CRWA) as current lessee of the Caretaker's Cottage (Community Op Shop) at Creswick Town Hall, to exercise its final option to renew its lease for a further three years.

BACKGROUND

In February 2011, Council resolved to enter into a lease with the CRWA for three years with one option to renew for a further three years.

The CRWA uses the premises known as the Creswick Town Hall Caretaker's Cottage for use as a shop for raising revenue for their association through the sale of recycled and second hand goods. The lease began 1 March 2011 and ended on 28 February 2014, and the provisions of the lease currently apply whilst they exercise their option to renew for a final three years. All requirements such as insurance certificates, their program of maintenance works and emergency management plan are current. A review of Council records has not revealed any breach of the lease terms and conditions.

ISSUE / DISCUSSION

It is proposed to renew the lease for the final three years from 1 March 2014 to 28 February 2017 for the CRWA to continue to use the Creswick Town Hall Caretaker's Cottage. The following information is provided in relation to this:

- A standard Council lease is used.
- Rent is \$104pa (ex GST) based on not-for-profit groups fees.
- The tenant must have Public Liability Insurance for \$10 M, and insure the plate glass, furniture and fittings.

- The tenant must submit an emergency management plan and program of maintenance works.
- The tenant is responsible for repairs and maintenance.
- Council undertakes inspections of the property, and reports any works required to the tenant.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act (1989)

Council Policy 9: Council owned & controlled property requires that appropriate written occupancy arrangements be in place which supports good governance objectives and principles.

FINANCIAL IMPLICATIONS

There are no significant financial implications regarding the renewal of this lease. The CRWA pays the annual fee of \$104 + GST, based on the annual fee for not-for profit groups.

RISK IMPLICATIONS

Renewing this lease will formalise the arrangements for the next three years at the Creswick Town Hall Caretaker's Cottage.

The Lease requires the CRWA to hold public liability insurance of \$10m and evidence of this is to be provided. The lease also stipulates a requirement of the CRWA to submit an annual emergency management plan which covers such issues as personal injury, fires and other emergencies at the property.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

There are no implications as this is a lease renewal on the same terms and conditions as the previous lease.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The request to renew the lease originated from the CRWA.

CONCLUSION

The renewal of this Lease for a final three years issued under the *Local Government Act (1989)* is presented for Council's approval.

OFFICER'S RECOMMENDATION

That Council:

- 11.7.1 Approves the renewal of the Creswick Railway Workshops Association Inc lease at the Creswick Town Hall Caretaker's Cottage for a final term of three years ending 28 February 2017.
- 11.7.2 Authorises the Chief Executive Officer and the Deputy Mayor to sign and seal the attached Deed of Renewal of Lease.

MOTION

That Council:

- 11.7.1. Approves the renewal of the Creswick Railway Workshops Association Inc lease at the Creswick Town Hall Caretaker's Cottage for a final term of three years ending 28 February 2017.*
- 11.7.2. Authorises the Chief Executive Officer and the Deputy Mayor to sign and seal the attached Deed of Renewal of Lease.*

Moved: Councillor Sebastian Klein
Seconded: Councillor Bill McClenaghan
Carried.

Mayor Councillor Don Henderson returned to the meeting at 9:13 pm

**ATTACHMENT 7 - CURRENT LEASE – CRESWICK TOWN HALL
CARETAKER'S COTTAGE TO CRESWICK RAILWAY WORKSHOPS INC**

LEASE

1 The Parties

- (1) This lease is granted by the Hepburn Shire Council which owns or has the right to lease the property.
- (2) The Hepburn Shire Council leases the property to Creswick Railway Workshops Association Incorporated Certificate of Incorporation A0054961L PO Box 119, Creswick Vic 3463 for the term of the lease subject to the agreements and conditions (including the essential terms) contained in the lease.

2 The Property

The property subject of this Lease is the land delineated on the Plan Appendix "A" annexed to this lease situated at 2 Water Street Creswick and known Crown allotment 11 Section 10 Township of Creswick.

3 The Term

This lease commences on 1 March 2011 and continues subject to the obligations and terms herein for 3 years until 28 February 2014.

THE MEANING OF WORDS USED

4 (1) In this lease:

- | | |
|--------------------------------|--|
| "you", "your" means: | Creswick Railway Workshops Association Incorporated and its successors and permitted assigns |
| "us", "we" or "our" means: | Hepburn Shire Council and includes any person authorised by the Hepburn Shire Council |
| "Hepburn Shire Council" means: | Hepburn Shire Council and its successors and assigns |
| "default" means: | As set out in clause 12 |
| "essential term" means: | The agreements set out in clauses (sub-clauses) 5, 6, 8, 9, 10(7) and 13(1) of this lease |
| "GST Act" means: | <i>A New System (Goods and Services Tax) Act 1999</i> |
| "GST Law" means: | the A New Tax System (Goods and Services Tax Act 1999) (as amended) and regulations made under that Act |
| "GST" means: | any consumption, goods and services or value added tax, by whatever name called, imposed, levied or collected by any Federal or State Government which operates at any time or times |

during the Term or any renewal or overholding of the Lease including, without limitation, GST as defined in the GST Act and any replacement tax

"property" means:

The land leased and any structure on that land

"structures" include:

Any things erected on the property such as buildings, fences, gates, drains, water and sewerage pipes and fittings, tanks, courts, gas and electrical services

"permitted use" means:

The permitted use of the property set out in Clause 8

"person" includes:

An individual and a corporation

"receiver" includes:

A receiver, a manager or a receiver and manager

- (2) A word or expression in the singular includes the plural and the other way around.
- (3) Headings have been inserted for guidance only and do not form part of any of the provisions of this lease.

YOUR OBLIGATIONS - PAYMENTS WHICH YOU MUST MAKE

5 Rent

- (1) You must pay the rent to us.
- (2) The base rent for the first year of the term is \$104 plus GST.
- (3) On each anniversary of the commencement of the lease the base rent for the following year will be reviewed taking into account the Department of Sustainability and Environment requirements for lease fees for the community use of land.
- (4) You must pay the rent to us yearly in advance.

6 Rates, Taxes and Services

- (1) You must pay all rates, taxes and service charges which are assessed on the property or its owner or occupier including any rates and charges assessed on the property by us.
- (2) If we pay any rates, taxes or service charges then you must reimburse us.
- (3) You must pay for all services to the property such as water supplied by measure, sewerage, electricity, gas and telephone. Where any service is not separately metered an estimated amount must be contributed based on an agreed formula.

7 Costs and Expenses Incurred by Us

You must pay to us any:

- (1) costs or expenses which we incur concerning this lease such as legal costs and stamp duty;
- (2) costs or losses which we incur as a result of your default;
- (3) costs or losses which we incur if we exercise our rights or powers under this lease;
- (4) costs or losses which we incur if we exercise our rights or powers on default;
- (5) amount for which you must indemnify us;
- (6) GST calculated as follows:
 - (a) **Amounts otherwise payable do not include GST**
Except where express provision is made to the contrary, and subject to this clause 7(6) the *consideration* payable by any party under this lease represents the *value* of any *taxable supply* for which payment is to be made.
 - (b) **Liability to pay any GST**
Subject to clause 7(6)(d) if a party makes a *taxable supply* in connection with this lease for a *consideration*, which, under clause 7(6)(a) and clause 7(6)(c) represents its *value*, then the party liable to pay for the *taxable supply* must also pay, at the same time and in the same manner as the *value* is otherwise payable, the amount of any GST payable in respect of the *taxable supply*.
 - (c) **Reimbursements**
If this lease requires the leasee to pay, reimburse or contribute to an amount paid or payable by the landlord in respect of an *acquisition* from a third party for which the landlord is entitled to claim an *input tax credit* the amount required to be paid, reimbursed or contributed by the tenant will be the *value of the acquisition* by the landlord plus, if the landlord's recovery from the licensee is a *taxable supply*, any GST payable under clause 7(6)(b).
 - (d) **Tax invoice**
A party's right to payment under clause 7(6)(b) is subject to a valid *tax invoice* being delivered to the party liable to pay for the *taxable supply*.

YOUR OBLIGATIONS - USE OF THE PROPERTY

8 Permitted Use

- (1) You can use the property for the following purposes:

Recycle and sale of secondhand goods including but not limited to:

- (a) bric-a-brac, including paintings, tapestries, prints
clothing, including footwear
household items including kitchenware - pots, pans and crockery but
not electrical appliances
cutlery and glassware
books and magazines;
- (b) subject to sub-clauses (2) and (4) major fundraising; and
- (c) storage of items in connection with the permitted use.

You must actively and continuously use the property for these purposes during the term.

Licences and Permits

- (2) (a) Unless exempt from the Second-Hand Dealers and Pawnbrokers Act 1989 you must apply for and hold at all times a current registration under this Act.
- (b) You may hold or apply for and obtain licences or permits to conduct other activities at the premises, but only after you have sought and been given our consent. (An example might be major fund raising activities.)
- (c) You can use the property in accordance with the terms and conditions of any licences or permits granted.
- (d) You must not apply to alter or vary the terms or conditions of licences or permits without our consent.

Prohibited Activities

- (3) You must not use the property or permit any person to use the property:
- (a) for any purpose which is not permitted without our consent;
 - (b) for any illegal activity;
 - (c) in a way which causes a public or private nuisance;
 - (d) in a way which causes disturbance to us or any other tenant of ours or any other person using the property;
 - (e) for any activity or in any way which has been prohibited by us by notice to you;
 - (f) to store inflammable, explosive or dangerous articles in the property;
 - (g) for sale or consumption of liquor or for any gaming or gambling activities unless these are permitted by licences or permits granted under sub-clause 8(2); and
 - (h) for smoking.

Compliance with Laws

- (4) You must comply with all laws relating to the property or the use of the property. The laws which you must comply with include (but are not limited to):
- (a) our Local Laws;
 - (b) the Liquor Control Reform Act 1998 and any other law relating to the sale or consumption of liquor;
 - (c) the Fundraising Appeals Act 1998 (if applicable);
 - (d) the Gambling Regulation Act 2003 and any other law relating to gambling;
 - (e) the Building Act 1993;
 - (f) the Planning and Environment Act 1987;
 - (g) the Heritage Act 1994
 - (h) the Local Government Act 1989;
 - (i) the Food Act 1984; and
 - (j) the Second-Hand Dealers and Pawn Brokers Act 1989

(Laws include any amending legislation or Regulations made under or in accordance with an Act.)

Notices and Orders

- (5) You must comply with any lawful notice, order or requirement with respect to the property or the use of the property.

Retail Sales

- (6) You must not use the property for the retail sale or hire of goods or the retail provision of services other than as provided in this lease or which are ancillary to the use which you can make of the property.

Use by Others

(Sub-clause 7 deleted as not applicable)

Use by Us

(Sub-clause 8 deleted as not applicable)

YOUR OBLIGATIONS - THE PROPERTY

9 Cleaning

- (1) You must keep the property clean and free from all vermin, rubbish and debris

Repair

- (2) (a) You must keep the property in good repair and condition; and
- (b) You must prepare each year a program for your maintenance works (together with estimates of cost) proposed to be undertaken during the next year beginning 1 July and submit a copy of this program to us by the previous 30 January each year.

Damage

- (3) You must immediately report to us any damage to the property and you must make good any damage caused to the property by you or your members or by any person you invite on to the property or permit to use the property.

Security

- (4) You must keep the property locked and secure against unauthorised entry. You must allow us access to your key register. You should note that in due course the keying system for the property may be brought under our 'master key' system.

Alterations

- (5) You must not make any alterations or additions to the property including the buildings without our consent. Any alterations or additions may also require Heritage Vic approval.

Fixtures

- (6) You must not attach any fixtures, plant, equipment or signs to the property without our consent.

Structures

- (7) You must not develop, erect or build any structures on the property without our consent.

Inspection

- (8) You must permit us to enter the property by appointment to inspect it.

Notice to Do Works

- (9) If we require you to do anything to the property by notice then you must do this within the time required by the notice and if you do not then we can enter the property and undertake the work required by the notice and recover from you any cost or expense which we incur.

Entry to Do Works

- (10) If we consider that any works need to be done to the property which you are not obliged to do then you must permit us to enter the property to do this work.

YOUR OBLIGATIONS - GENERAL

10 Assign

- (1) You must not assign, mortgage or charge this lease or permit any other person to take possession of the property or enter the property except in accordance with the lease.

Your Financial Position

- (2) If we ask, you must provide to us a statement of your income and expenditure for any period and of your assets and liabilities.

Audit

- (3) If we ask, you must have your accounting records audited by a registered company auditor.

Statements and Returns

- (4) If we ask you must deliver to us copies of the audited financial statements which you provide to any statutory body, other corporation or person and copies of any annual returns which you submit to any other statutory body.

Your Objectives

- (5) You must not alter the objects or purposes set out in your constitution without our consent.

Your Rules

- (6) You must not alter your rules to permit distribution of your assets (or profits) to your members without our consent.

Insurance

- (7) You must maintain during the term the following policies of insurance with an insurance company licensed to carry insurance in Australia. The insurance policies must be in your name and also note the interest of the Hepburn Shire Council as owner of the property:
- (a) public liability insurance for the property (inclusive of access rights to the Reserve and car parking) for \$10,000,000.00 or any higher amount which we may require;
 - (b) all plate glass windows and windows on the property for the replacement value thereof; and
 - (c) all fixtures, fittings, furnishings, plant and equipment and other contents of the property for the replacement value thereof.

Proof of Insurance

- (8) You must deliver to us certificates of currency of any insurance which you are required to maintain before the commencement of this lease and before each anniversary of the commencement date and if we ask you must produce the insurance policy documents, receipts for premiums and/or other evidence of this insurance.

Indemnity for Damage or Injury

- (9) You must and hereby indemnify us in respect of any liability for damage or personal injury arising on the property or as a result of any use of the property.

Notice, Orders or Requirements

- (10) You must advise us immediately of any notice, order or requirement issued to you or any employee, committee member or officer of your Association pursuant to any legislation, except if the notice is issued by us.

Offences

- (10) You must notify us immediately of any charge or conviction against you or any employee, committee member or officer of your Association pursuant to any legislation that directly affects your use of the property.

OUR OBLIGATIONS

- 11 (1) We must permit you to occupy the property during the term without interruption while you are not in default.
- (2) We will for the purposes of our maintenance responsibilities and cyclical maintenance programs undertake regular inspections of the property.
- (3) We may for the purposes of our risk management programs undertake inspections of the property, provide you with a report and give notice of any works you are required to complete as a result of the inspections to enable you to maintain the premises to appropriate standards.
- (4) We will insure the property for full replacement value, and may determine to seek from you a reimbursement of a proportionate amount of the premium we pay.

DEFAULT

12 When You Are In Default

- (1) You are in default if, in our opinion, any one of the following occurs:
- (a) you do not pay the rent when it falls due; (Cl 5 essential term)
 - (b) you do not make any payment which you have agreed to make under this lease; (Cl 6 essential term)
 - (c) you do not do something you have agreed to do under this lease; (Cl 8, 9 10(7) and 13(1) essential terms)
 - (d) you do something which you must not do under this lease;
 - (e) a Court order is made against any of your assets;
 - (f) a receiver or similar person is appointed over any of your assets;
 - (g) the property is by law taken out of your management or control;
 - (h) an application or order is made or resolution is passed for your winding up;
 - (i) an inspector is appointed to investigate your affairs pursuant to any law relating to your operation of the property for the permitted use;
 - (j) you no longer actively and continuously use the property for the purposes which are permitted by clause 8(1); (essential term)
 - (k) you distribute any assets to your members or alter your constitution to permit you to distribute assets to your members;
 - (l) you fail to pursue the objectives and purposes set out in your constitution or you pursue other objectives or purposes;

- (m) if demand is made on us pursuant to any guarantee or if we are required to make any payment of money or incur any loss pursuant to any guarantee;
- (n) if you commit an offence or any employee, committee member or officer of your Association commits an offence which is liable to cause any licence or permit which you hold to be suspended or cancelled.

What We May Do If you Default

- (2) If you default we may do any one or more of the following:
 - (a) exercise our rights or powers under the lease;
 - (b) exercise any rights or powers available to us under the law;
 - (c) charge you interest on any money you owe to us at the rate fixed pursuant to the Penalty Interest Rates Act 1983;
 - (d) sue you for any money you owe us;
 - (e) terminate this lease, re-enter the property and remove and eject all persons and things in the property after giving to you 14 days notice;
 - (f) recover compensation from you for any loss or damage suffered by us as a result of your default if you are in breach of an essential term of this lease.

Period of Notice

- (3) The period of notice within which you may remedy any default if it is capable of remedy and make reasonable compensation in money to our satisfaction for the default, pursuant to Section 146 of the Property Law Act 1958, is fourteen (14) days.

WHAT HAPPENS AT THE END OF THIS LEASE

13 Vacate Property

- (1) At the end of the term or if the lease is terminated earlier, on termination of the lease if required by us or if you choose you must vacate the property and deliver it to us in good order and condition kept as required by this lease.
- (2) If we require, you must remove at your cost your improvements in a proper workman like manner and in compliance with any directions from all Authorities. If we do not require you to remove your improvements, those improvements that have not vested in us by operation of law will revert to us and become our absolute property without any payment or compensation your trade fixtures, fittings and chattels excepted.

If you Continue in Possession

- (3) If we do not require you to vacate the property and you choose to remain then you will be a tenant from month to month and the provisions of this lease will continue to apply.

RENEWAL OF THIS LEASE

- 14 (1) You may renew this lease for a further term of 3 years.

- (2) To renew this lease you must make a request to us in writing not more than 6 months and at least 3 months before the end of the term of this lease – i.e. between 1 September and 31 November 2013.
- (3) The lease may not be renewed if you are in default at the time when you give notice or at the end of this lease or if we are not satisfied with your use of the property or performance of the lease.
- (4) If we grant your request for a new lease then the new lease will be at a rental and upon such terms and conditions as we require having regard to the circumstances existing at the time.

OTHER MATTERS

15 Notices

- (1) Any notice required by this lease must be in writing.
- (2) A notice to you may be served on you personally or by leaving it at or posting it to the property.
- (3) A notice to us must be given to us by leaving it at or posting it to our premises at the Town Hall, 76 Vincent Street, Daylesford, 3460.

16 Consent

If our consent is required then it must be in writing.

17 Severability

If a paragraph in this lease is unenforceable it does not affect whether any other paragraph is enforceable.

18 Property Law Act

Section 144 of the Property Law Act 1958 does not apply to this lease.

19 Retail Leases Act 2003

For the avoidance of doubt this lease does not constitute the lease of a retail premises within the meaning of the Retail Leases Act 2003 being specifically exempted from the Act by a Determination of the Minister for Small Business effective from 1 August 2008 relying on the fact that you are an incorporated body existing for the purposes of providing or promoting community facilities or activities or objectives and that profits are applied in promoting your objects and the payment of any dividend or amount to your members is prohibited.

20 Emergency Management

- (1) The Hepburn Shire Council "Code Red Fire Warning Procedure" (Appendix "B") applies to and is to be read in conjunction with this lease;
- (2) You must ensure and it is your responsibility to comply with all emergency management and occupational health and safety requirements applicable to the property prior to occupancy; and

- (3) You must prepare and have in place prior to occupancy an emergency management plan which must describe the emergency risks associated with the permitted use, the measures to be taken to reduce emergency risks so far as is reasonably practicable, response measures in the event of an emergency and evacuation procedure

21 Disputes

The parties to this lease must endeavour to resolve any disputes through negotiation. If a dispute cannot be resolved by negotiation after 90 days, the matter will be referred to an appropriate person for mediation and that person's written determination must be made within a further 60 days and will bind the parties.

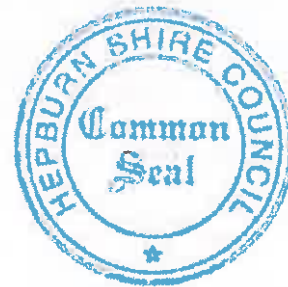
22 Execution of Documents

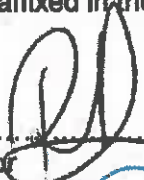
Documents may be signed by us or by any person authorised by us.

EXECUTED as a DEED by the parties on.....22 MARCH 2011.....
(Date)

In Witness hereto:

THE COMMON SEAL
of the **HEPBURN SHIRE COUNCIL**
was affixed in the presence of:




.....
Mayor


.....
Chief Executive Officer

THE COMMON SEAL of
Creswick Railway Workshops Association Incorporated
was hereunto affixed subject to its Constitution
and Rules in the presence of:




.....
COMMITTEE MEMBER/PRESIDENT


.....
COMMITTEE MEMBER/PUBLIC OFFICER/SECETARY

APPENDIX "A" - PLAN



Code Red Fire Warning Procedure



Purpose

This procedure is designed to assist in maintaining the health and safety of Hepburn Shire Council employees during the bush fire season and to minimise the risks to staff either at work or travelling to and from work when weather conditions are such that a fire danger rating of Code Red is issued by the Bureau of Meteorology.

This procedure will also form part of Council's Business Continuity Plan.

Scope

This procedure is enacted when a *Code Red* warning is issued for the Central District only and then applies to all Hepburn Shire staff, contractors and volunteers.

Definitions

Hepburn Shire Council – refers to all Council depots, offices and any other work locations.

Code Red warnings are based on the information provided by the Bureau of Meteorology via the CFA website at www.cfa.vic.gov.au

Procedure

When a Code Red warning is issued for the Central District, all Hepburn Shire Council work locations will close and all services will be suspended in the designated "high risk" townships of Daylesford, Creswick, Trentham and Hepburn Springs from 12 midnight to 12 midnight.

On Code Red days, non-emergency management employees will not attend work in these towns, except staff trained in appropriate emergency management operations; all staff will be paid as normal. Due to travel requirements, all Aged and Disability Care Services will be suspended beyond these towns to all clients across the Shire.

Staff involved in Emergency Management will undertake their roles and responsibilities in accordance with the Emergency Management procedures. On declared Code Red days, Hepburn Shire Council emergency management personnel will be stationed in the Municipal Emergency Coordination Centre (MECC) in readiness for any incidents. Emergency staff will also be able take calls from community members whilst on standby status.

Staff should take the necessary personal precautions and preparations during the fire season.

On days other than those declared as Code Red for the Central District, staff who due to fire conditions are unable to attend work or who decide to stay and defend their property must advise their manager as soon as practicable. The normal range of leave provisions will apply in these circumstances.

This procedure must be read in conjunction with the Municipal Emergency Management Plan (MEMP).

Code Red Fire Warning Procedure



Responsibilities

The Chief Executive Officer will determine when Hepburn Shire Council will close.

General Managers / Managers / Supervisors will:

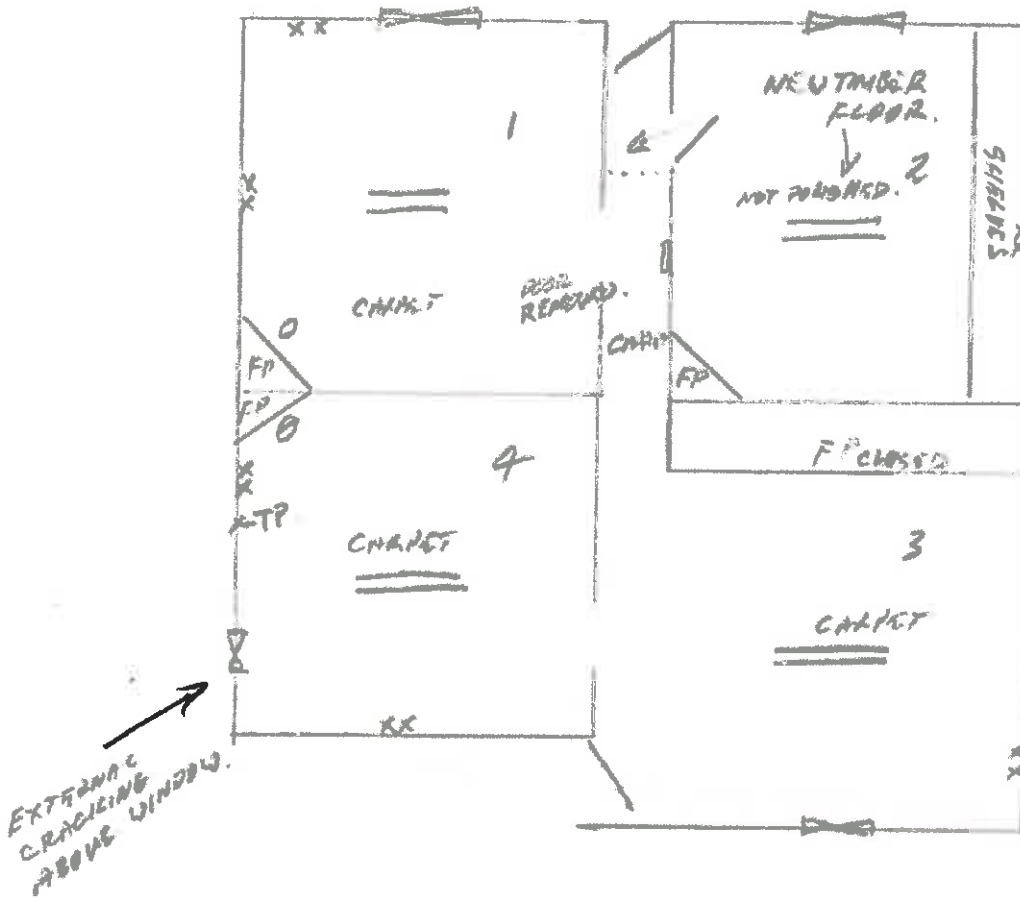
- advise staff when Hepburn Shire Council will close as a result of a Code Red warning being issued for the Central District.
- ensure all employees are aware of and adhere to fire ban restrictions
- ensure that all employees are aware of and trained in the fire evacuation procedures
- ensure staff who are working at non office or depot locations have a suitable plan to protect themselves on days of fire risk.

All Staff will

- ensure they do not take undue risk to travel to or from work
- maintain regular checks on emergency radio broadcasts relevant to their area on (ABC radio AM 774 or FM 107.9)
- regularly check the Bureau of Meteorology website <http://www.bom.gov.au> and the CFA website <http://www.cfa.gov.au/index.htm>, especially if there are fires in their area.
- inform their supervisor of any fire risk in their area and if they are unable to travel
- Maintain hydration

**CRESWICK TOWN HALL
CARETAKERS COTTAGE
CRWA - RECYCLE PROJECT**

NOT TO SCALE



FRONT DOOR - NOT VERY SECURE GLASS HIGHLIGHT OVER.

- 1 REASONABLE CONDITION.
- 2 WALLS - EVIDENCE OF DAMP + BADLY NEEDS PAINTING.
- 3 REASONABLE CONDITION BUT SEVERAL SMALL HOLETS IN WALLS. EXTERNAL DOOR LOCK - BAD
- 4 REASONABLE CONDITION

OVERALL - ALL ROOMS REQUIRE PAINTING* WHICH CRWA WILL DO. ALTHOUGH CEILINGS OIL.
* INCLUDES MINOR PATCHING.

CARPETS - LIGHT GREY PATTERNED - AVERAGE CONDITION - NO BAD WEAR AREAS OR OBVIOUS LIFTING

== HANGING DOUBLE FLUID

TP TELEPHONE POINT

XX POWER POINTS.

FP FIRE PLACES (ALL CLOSED).

⌋ FUSES + MAIN ELECTRICAL SWITCH.

○ SCOOP/WEIGHT BELONGING TO MUSEUM TO BE REMOVED.

⊗ GRATE - MUSEUM T.B.R.

R PKIV J HENDERSON
D HENDERSON SANDRA?

EXISTING CONDITIONS.

4 APRIL 2011

**ATTACHMENT 8 - DEED OF RENEWAL OF LEASE –
CRESWICK TOWN HALL CARETAKER'S COTTAGE TO CRESWICK
RAILWAY WORKSHOPS INC**



DEED OF RENEWAL OF LEASE

FOL/13/363
Prop # 12080R

This **Deed** is executed on the date below.

PARTIES

1. **HEPBURN SHIRE COUNCIL** ABN 76 845 763 535 (Landlord)
76 Vincent Street, Daylesford, Vic 3460
2. **CRESWICK RAILWAY WORKSHOPS ASSOCIATION INC A0054961** (Tenant)
PO Box 119, Creswick Vic 3463

RECITALS

1. The Landlord is the owner of the land and improvements known as 'Creswick Town Hall Caretakers Cottage', 2 Water Street, Creswick (the Premises) and pursuant to the Local Government Act (1989) has the right to lease the Premises.
2. The Tenant is the tenant of the Premises pursuant to a 3 year Lease from 1 March 2011 and executed on 22 March 2011 (original lease) – a copy of the original lease is annexed to this Deed.
3. The Tenant has exercised the option to renew referred to in the original lease and the Parties have agreed to evidence the renewal of the term of the original lease by this Deed.
4. The Parties have agreed on the terms of renewal as set out below in the Operative Part of this Deed.

OPERATIVE PART

1. The Lease is renewed for a term of 3 years commencing on 1 March 2014 upon the same terms and conditions as contained in the original lease except for this right of renewal.
2. In all other respects the original lease remains in full force and effect

EXECUTED by the PARTIES as a DEED on _____
(Date)



The Common Seal of the Creswick Railway Workshops Inc
was affixed in accordance with its Constitution in the presence of
the following authorised persons:

.....
Don Henderson – President

.....
Judith Henderson – Secretary/Public Officer

.....
(Address)

.....
(Address)

Hepburn Shire Council consents to this Deed
and in Witness:

THE COMMON SEAL of the **HEPBURN SHIRE COUNCIL**
ABN 76 845 763 535 was affixed on authority
of the Council pursuant to Local Law No. 1
in the presence of:

.....
Aaron van Egmond – Chief Executive Officer

.....
Kate Redwood – Deputy Mayor

.....
Witness

.....
Witness

.....
Print Name

.....
Print Name

ANNEXURE - Original Lease follows:-

Mayor Councillor Don Henderson resumed the Chair.

**11.8. REVIEW OF POLICY 33 (C) - RESPECTFUL BEHAVIOURS POLICY
GENERAL MANAGER CORPORATE SERVICES**

In providing this advice to Council as the Manager Human Resources, I Marietta Thompson, have no interests to disclose in this report.

PURPOSE

The purpose of this report is to recommend that Council adopts the updated Policy 33 - Respectful Behaviours Policy.

BACKGROUND

Council Policy 33 – Respectful Behaviours Policy has been in place since January 2003 and was last reviewed in February 2012. The policy is currently due for review.

Under Commonwealth and Victorian legislation, Hepburn Shire Council has a vicarious liability for the actions of its employees and contractors engaged by the organisation. In the event a person in the course of their employment or engagement discriminates, harasses or displays other prohibited conduct, that person and the employer may be taken to have contravened the Act.

Hepburn Shire Council has a responsibility to ensure that reasonable precautions are taken and implemented to prevent such prohibited behaviours. Ensuring a comprehensive and up to date policy is reviewed and implemented across the organisation is one of the measures that can be taken to minimise the risk of vicarious liability.

ISSUE / DISCUSSION

In reviewing the current policy, a revised Policy has been developed titled '*Respectful Behaviours Policy*' (refer Attachment 9).

The following changes or inclusions have been incorporated into the draft Respectful Behaviours Policy:

1. Inclusion of “Anti-Bullying Measure” in the Fair Work Amendment Act 2013

The Fair Work Amendment Act 2013 has recently been amended to include an 'anti-bullying measure', and the draft Respectful Behaviours Policy has been updated to reference this legislation that came into effect on 1 January 2014.

2. Expected Workplace Behaviours

The draft Policy has been updated to include a new section called ‘Expected Workplace Behaviours’ which clearly outlines expectations for employees, Councillors, contractors and volunteers to adhere to in their day to day interactions with others.

3. Definition of ‘bullying’

WorkSafe Victoria has also recently changed the definition of ‘bullying’ from ‘persistent and repeated unreasonable behaviour’ to ‘persistent and repeated negative behaviour’ and the draft Policy has been updated to reflect this change.

4. Responsibilities

The policy has been updated to clearly state the responsibilities that Supervisors/Managers, Councillors and Occupational Health & Safety Representatives hold in addressing inappropriate behaviours or abiding by the Respectful Behaviours Policy.

5. Reasonable Management Action

A new addition to the Fair Work Amendment Act 2013 also refers to ‘Reasonable Management Action’ where such activities as counselling or disciplining a worker, appraising a worker’s performance or setting performance goals or standards are not defined as workplace bullying. The draft Policy has been updated to include reference to ‘Reasonable Management Action’ and providing specific examples of these activities.

6. Victimisation

A description of what victimisation is, as well as a clear statement that victimisation is against the law has also been included in the new draft Respectful Behaviours Policy.

7. Complaints Resolution Process

Given the new jurisdiction that the Fair Work Commission now holds in relation to workplace bullying, the draft Policy has been updated to reference new procedures that support the draft Respectful Behaviours Policy. The current policy included a generic “Issue Resolution Procedure” however this has been removed and replaced by procedures that are now applicable to bullying in the workplace.

8. Breaches of the Policy

The draft Policy now includes a new section that outlines how breaches of the Respectful Behaviours Policy will be dealt with at Hepburn Shire Council.

9. Implementation & Review

The draft Policy also now includes how the Policy will be implemented and communicated across the organisation upon adoption by Council.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The draft policy now complies with all relevant legislation and provides the organisation with clear and concise guidance on behaviour in the workplace.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the adoption of this policy.

RISK IMPLICATIONS

Clear concise policies that are communicated and understood reduce the risk of unacceptable behaviour occurring in the workplace.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

No Environmental/Social/Economic Implications to note

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The policy has been reviewed by the Executive Team, Leadership Team and the Staff Consultative Committee.

CONCLUSION

Through a process of consultation and legislative compliance the Respectful Behaviours Policy has been revised. The draft policy now complies with all relevant legislation and provides clear and concise guidance to the organisation on what is unacceptable behaviour.

OFFICER'S RECOMMENDATION

That Council:

- 11.8.1 Adopts revised Policy 33 (C) - Respectful Behaviours Policy – May 2014; and
- 11.8.2. Makes the revised policy available for public inspection on Council's website.

MOTION

That Council:

11.8.1. Adopts revised Policy 33 (C) - Respectful Behaviours Policy – May 2014; and

11.8.2. Makes the revised policy available for public inspection on Council's website.

Moved: Councillor Sebastian Klein

Seconded: Councillor Neil Newitt

Carried.

**ATTACHMENT 9 - REVISED POLICY 33 (C) - RESPECTFUL
BEHAVIOURS POLICY**



POLICY NUMBER 33 (C)

RESPECTFUL BEHAVIOURS POLICY

DATE AMENDED: 20 May 2014
DATE OF NEXT REVIEW: 20 May 2018
DATE ADOPTED: January 2003
RESPONSIBLE OFFICER: Manager Human Resources

REFERENCES:

- Policy 57: Employee Code of Conduct
- Policy 37: Councillor / Staff Relationships
- Policy 4: Communication and Consultation
- Policy 47: Councillor Code of Conduct
- DOC 33.1: Staff Grievance Resolution Procedure
- DOC 33.2: Responding to Bullying in the Workplace Procedure
- OHS-142: Workplace Bullying & Violence

RELEVANT LEGISLATION

Victorian

- Disability Act 2006
- Equal Opportunity Act 2010
- Occupational Health and Safety Act 2004
- Racial and Religious Tolerance Act 2001

Commonwealth

- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Human Rights and Equal Opportunity Commission Act 1986
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Fair Work Act 2009 (2013 Amendment)

Best Value Principles

Hepburn Shire Council has the responsibility to provide its ratepayers with best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting best value principles in their normal day to day actions to ensure services are recognised by the community as delivering best value.

Introduction

Hepburn Shire Council aims to provide a vibrant and diverse work environment where employees are able to develop both professionally and personally. Hepburn Shire Council is committed to providing a workplace free of all forms of discrimination, bullying and harassment.

Inappropriate behaviour such as discrimination, harassment, sexual harassment, bullying, victimisation and vilification is misconduct and will not be tolerated by Hepburn Shire Council. Staff found to have either committed or condoned such behaviour in the workplace will be subject to disciplinary action which may include the termination of employment.

Scope

This policy applies to all employees of Hepburn Shire Council (permanent, casual and temporary).

This policy equally applies to Councillors, volunteers, contractors and members of Special Committees of Hepburn Shire Council as well as community members interacting with Council.

Purpose

The Respectful Behaviours Policy is a commitment that all individuals receive fair and consistent treatment in a workplace that is free from harassment, discrimination, bullying and unfair treatment.

We are also committed to providing a safe and pleasant working environment for all employees and encouraging good working relationships between employees, contractors, volunteers, Councillors and the community. This commitment will further assist us in becoming a high performing organisation with a positive organisational culture.

This commitment is based, in part, on the need to ensure that our organisation complies with equal opportunity and occupational health and safety laws. At all times we will work in accordance with our statutory requirements under the Victorian and Commonwealth legislation:

- Occupational Health and Safety Act 2004.
- Equal Opportunity Act 2010
- Human Rights and Equal Opportunity Commission Act 1986
- Sex Discrimination Act 1984
- Racial Discrimination Act 1975
- Disability Discrimination Act 1992
- Age Discrimination Act 2004
- Fair Work Act 2009 (2013 Amendment)

Policy

Hepburn Shire Council is committed to Equal Opportunity and diversity in its workplace and providing a workplace for staff which is free of all forms of discrimination, bullying and harassment. Our aim is to ensure fairness and equity in our organisation where the rights of individuals are upheld and everyone is treated with respect, fairness, equity and dignity.

Hepburn Shire Council's Values are:

- Accountability
- Respect
- Excellence
- Trust
- Fun

On the foundation of these shared values we provide services to our community, a sustainable organisation and work to achieve excellent outcomes. Our ultimate goal is to respect each other in all aspects of employment, training and service.

Expected Workplace Behaviours

Hepburn Shire Council expects employees, Councillors, contractors and volunteers to:

- Behave in a responsible and professional manner
- Treat others in the workplace with courtesy and respect
- Listen and respond appropriately to the views and concerns of others
- Be fair and honest in their dealings with others

This policy applies to behaviours that occur:

- In connection with work, even if it occurs outside of normal working hours
- During work activities, for example when dealing with customers and members of the public
- At work-related events for example at conferences and work related social functions
- Through communications such as email, text messaging and social media where workers interact with colleagues or customers and their actions may affect them either directly or indirectly

Workplace bullying, discrimination, harassment and victimisation are unacceptable and illegal. Any complaint of discrimination, bullying or harassment will be treated with the utmost seriousness. Appropriate training and procedures will be put in place to ensure the workplace culture reflects Hepburn Shire Council's commitment to upholding the rights of individuals to be treated with respect, fairness, equity and dignity.

Selection of individuals for employment, promotion or advancement, training and staff development will be on the basis of professional merit, in fair and open competition according to the selection criteria, relevant/appropriate qualifications and knowledge relevant to the position.

Practices will be adopted to ensure a workplace free of bullying, harassment and discrimination, where each person has reasonable opportunity to progress to the extent of their ability. These practices will be supported by training to raise awareness for staff in general, but particularly for staff with supervisory responsibilities.

PART 1. BULLYING

WorkSafe Victoria defines bullying as *'persistent and repeated negative behavior directed at an employee that creates a risk to health and safety'*.

In particular, it may involve behavior that a reasonable person, having regard for the circumstances, would see as unreasonable because it is victimising, humiliating, intimidating or threatening.

Bullying does not have to be deliberate for conduct to constitute bullying behaviour.

Bullying does not include reasonable management action conducted in a reasonable manner.

According to the definition, a single incident of bullying-style behaviour does not constitute workplace bullying, however Hepburn Shire Council has a general duty of care to provide a safe workplace and safe systems of work and therefore single incidents will not be ignored or condoned.

Examples of bullying may include:

- Verbal abuse
- Practical jokes
- Being sworn at
- Being excessively supervised
- Your personal effects or work equipment being damaged
- Intimidation
- Excluding or isolating employees
- Psychological harassment
- Assigning meaningless tasks unrelated to a job
- Giving employees impossible assignments
- Deliberately withholding information that is vital for effective work performance
- Deliberately changing work rosters to inconvenience particular employees
- Being threatened with dismissal

The above list is not exhaustive. Other types of behaviour may constitute bullying.

What is not workplace bullying?

It is reasonable for managers and supervisors to allocate work and give fair and reasonable feedback on an employee's performance. Reasonable management actions are not considered to be workplace bullying if they are carried out lawfully and in a reasonable manner, taking the particular circumstances into account.

Examples of reasonable management actions can include but are not limited to:

- Setting reasonable performance goals, standards and deadlines
- Rostering and allocating working hours where the requirements are reasonable
- Transferring an employee for operational reasons
- Deciding not to select an employee for promotion where a reasonable process is followed
- Informing an employee of their unsatisfactory work performance
- Informing an employee of their unreasonable or inappropriate behavior in an objective and confidential way
- Implementing organisational changes or restructuring
- Taking disciplinary action including suspension or termination of employment

Workplace conflict

Differences of opinion and disagreements are generally not considered to be workplace bullying. People can have disagreements in the workplace without engaging in repeated negative behavior that creates a risk to health and safety. However in some cases, conflict that is not managed may escalate to the point where it meets the definition of workplace bullying.

How can workplace bullying occur?

Workplace bullying can be carried out in a variety of ways including in person, through email, text messages, internet chat rooms, instant messaging or other social media channels. In some cases workplace bullying may escalate beyond the workplace and normal working hours.

Workplace bullying can be directed at a single employee or a group of employees and be carried out by one or more people. It can also be directed at or perpetrated by other people at the workplace, for example customers and members of the public.

PART 2. EQUAL OPPORTUNITY

The Equal Opportunity Act, Victoria's anti discrimination law, protects people from discrimination and harassment in a wide variety of settings, including workplaces, schools and goods and services provision. Equal opportunity is about giving and getting a fair go. It does not assume everyone is the same and it does not mean treating everyone the same.

DISCRIMINATION

Discrimination is unfavourable treatment of a person in an area of public life (for example, at work) due to one of their personal characteristics. The Equal Opportunity Act 2010 details two types of discrimination:

- Direct discrimination
- Indirect discrimination

Direct Discrimination is when a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably, because of that personal characteristic. Direct discrimination often happens because people make unfair

assumptions about what people with certain personal characteristics can and cannot do. Direct discrimination can be intentional and unintentional.

Indirect discrimination is also against the law and refers to situations where treating everyone the same is unfair. This occurs when an unreasonable requirement, condition or practice that purports to treat everyone the same ends up either actually, or potentially, disadvantaging someone with a personal characteristic protected by the law.

UNFAVOURABLE TREATMENT

For discrimination to be against the law, there needs to have been (or proposed to be) some unfavourable treatment. In the area of employment, unfavourable treatment may include:

- bullying or harassment
- being denied or refused a benefit that is made available to others
- unfair allocation of tasks
- unfair rostering
- exclusion from essential communications

AREA OF PUBLIC LIFE

Victorian Equal Opportunity Law applies to eight areas of public life, including:

- employment (and all work-related matters)
- provision of goods or services (whether paid or free)
- education
- accommodation
- sport
- disposal of land (selling land by auction or public sale)
- clubs and club membership
- local government

PERSONAL CHARACTERISTICS PROTECTED BY LAW

In the areas of public life listed above, it is against the law in Victoria to treat someone unfavourably because they have, or are assumed to have, a personal characteristic protected by the law.

It is also against the law to treat someone unfavourably because they do not have, or are assumed not to have, a personal characteristic protected by the law:

- | | | |
|--------------------------------|-----------------------------|------------------------|
| • Disability | • Sex | • Sexual orientation |
| • Lawful sexual activity | • Pregnancy & breastfeeding | • Marital status |
| • Parental and Carer status | • Race | • Religious belief |
| • Political belief or activity | • Industrial activity | • Employment activity |
| • Age | • Physical features | • Personal association |

PART 3. HARASSMENT

Harassment is any form of inappropriate or improper behaviour which is perceived by the affected person(s) to be personally offensive, and is not wanted, not asked for and not returned or is likely to cause a hostile or uncomfortable workplace by:

- Intimidation, abuse or assault
- Any form of bullying
- Seriously embarrassing or offending someone
- Offensive jokes, posters, e-mails, suggestions or derogatory comments about physical appearance or culture
- Unsubstantiated allegations

Harassment may occur from an individual or a group. It may occur at work or outside the workplace at functions connected with work.

SEXUAL HARASSMENT

The Human Rights Equal Opportunity Commission and various Equal Opportunity Tribunals have constituted that sexual harassment includes the following:

- Sexual jokes, offensive telephone calls, e-mails, displays of obscene or pornographic photographs, pictures, posters, audio or video tapes, reading matter or subjects;
- Sexual propositions or persistent requests for dates;
- Unwelcome physical contact such as patting, pinching or touching in a sexual way;
- Intrusive remarks, questions or insinuation about a person's sexual or private life;
- Comments about a person's appearance or body;
- Indecent exposure, unfastening of clothing;
- Sexual assault and rape (sexual assault and rape are criminal offences and the victim should report the offence to police);
- Demands that certain sexually suggestive clothing be worn;
- Sexual intercourse under threat of loss of employment.

Harassment may occur from an individual or a group. It may occur at work or outside the workplace at functions connected with work.

Responsibilities

All employees, contractors, Councillors and volunteers have a legal responsibility to care for their own health and safety and that of others in the workplace, and therefore must not engage in acts which constitute bullying or discriminatory behaviour. In addition, employees are required to follow instructions given by their supervisor/manager relating to the prevention of workplace injuries and illnesses. This applies to measures to prevent workplace bullying, harassment and discrimination which includes monitoring the work environment to ensure acceptable standards of conduct are observed at all times.

Therefore, all staff, Councillors, contractors and volunteers are responsible for promoting this policy by ensuring they:

- Comply with, and demonstrate a commitment to, the Respectful Behaviours Policy.
- Treat others with respect and courtesy.
- Discuss any issues or concerns you may have about equal treatment with your manager/supervisor.
- Understand how our behaviour and attitudes can impact on others.

- Report incidences of bullying, harassment or discrimination to the appropriate manager or supervisor.
- Fully participate in any investigation into an incident of bullying, discrimination or harassment and maintain strict levels of confidentiality.

If you observe an incident in which another employee is being bullied, discriminated against or harassed, you have a responsibility to bring it to the attention of your Manager/Supervisor.

If a complaint of bullying, discrimination or harassment has been made about you, you are responsible for ensuring that you:

- Cooperate with the investigation and resolution processes.
- Provide a written or verbal response to the complaint which has been made.
- Provide all relevant facts to the person conducting the investigation.

Supervisor/Management responsibility

Managers/supervisors have a responsibility to address inappropriate or unfavourable behaviours in the workplace even if a complaint has not been made. The manager/supervisor should always be alert to any practices, attitudes or behaviour/s that disadvantage others or create an atmosphere where inequality, harassment or bullying can occur. Your manager/supervisor should address inappropriate behaviour or comments by:

- Having an informal discussion about values, rules and behaviour directly with the person or indirectly at a staff meeting.
- Reminding staff about Council's 'Respectful Behaviours' policy.

Councillor Responsibility

In addition to this policy, Councillors also have a responsibility to abide by the Hepburn Shire Council Councillor Code of Conduct and the Councillor Staff Relationships Policy.

The Role of Occupational Health & Safety (OH&S) Representatives

OH&S Representatives can raise issues on behalf of other employees in the workplace. They can also give advice to other staff on how to approach an issue. The OH&S Representative is not responsible for resolving the matter.

The Role of Equal Opportunity (EO) Contact Officers

Our EO Contact Officers are available in different locations to provide support and information to employees on matters relating to discrimination, harassment and/or bullying. Staff may find these people preferable to speak to, at least initially, with any concerns they may have regarding inappropriate workplace behaviours. A Contact Officer can give you confidential information about the best way to tackle your problem and where you can go if you need more help. It is not the role of the Contact Officer to investigate or resolve your complaint but to provide advice.

The role of the Contact Officer is defined in detail in the Equal Opportunity Contact Officer Information document available on Council's intranet. The names of Contact Officers are also listed in that document.

Victimisation

Victimisation is subjecting, or threatening to subject, someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation.

Victimisation is against the law. An example of victimisation is where an employer terminates a person's employment after they complain of sexual harassment.

Confidentiality

Anyone involved in a complaint of bullying, discrimination or harassment, or its investigation, must ensure that the circumstances and facts of the complaint are disclosed only to those people who are directly involved in progressing its investigation and resolution, or have a 'need to know'. In particular, it is important that staff who either make a complaint, or may be witnesses to the circumstances giving rise to the complaint, do not discuss the matter outside the investigation and resolution processes.

Complaints Resolution Process

If you feel you are being bullied, harassed or discriminated against and are not comfortable dealing with the problem yourself, or your attempts to do so have not been successful you should raise the issue with your supervisor, EO Contact Officer, OH&S Representative or another manager at Council. If you are a member of a Union, you may also raise any issues with your delegate.

To find out more information, including how to make a complaint, please see the:

- *Responding to Bullying in the Workplace Procedure* for complaints related to bullying in the workplace; or the
- *Staff Grievance Resolution Procedure* for all other complaints.
- Councillors may refer to the *Councillor Code of Conduct: Clause 10 – Dispute Resolution Procedure*

How Council will respond to a complaint

At Hepburn Shire Council, discrimination, harassment or bullying of any kind is unacceptable and complaints in relation to bullying, discrimination or harassment will be treated and dealt with seriously, confidentially and as quickly as possible.

Responses to such complaints however will vary depending on such factors as the situation, the number of parties involved and the nature of the people involved in the complaint.

It is important to note however that Hepburn Shire Council may not assist you to deal with a complaint where:

- The complaint has been satisfactorily dealt with or resolved previously (unless another bullying/discriminating/harassing incident has occurred since).
- The complaint is made anonymously without sufficient detail being provided so as to allow investigation or resolution of the matter.
- The complaint is frivolous, vexatious or malicious, for example where false or misleading information is provided, relevant information is withheld, facts are

distorted or there is no demonstrated commitment to resolution. (Note: Depending on the circumstances, these types of complaints could lead to disciplinary action including dismissal action being taken against the person making the complaint).

- The complaint does not constitute bullying, discrimination or harassment as defined by the policy.

Breaches of this Policy:

Appropriate disciplinary action will be taken against an employee or contractor who is found to have breached this policy in line with the relevant provisions of Council's Enterprise Agreement, employment and other relevant legislation and Council policies and procedures. These measures will depend on the nature and circumstances of each breach and could include:

- A verbal or written apology
- One or more parties agreeing to participate in counselling or training
- A verbal or written warning
- Dismissal of the person engaging in inappropriate behaviour

Councillors found to have breached this policy will be treated in accordance with the Councillor Code of Conduct, Councillor Staff Relationship Policy and other relevant Acts and legislation.

Implementation & Review

Following adoption by Council, all existing staff will receive a briefing of the Respectful Behaviours Policy. New staff will receive a briefing on the Respectful Behaviours Policy as part of their induction.

It is the responsibility of the engaging Council officer to ensure Volunteers and Contractors engaged by Council are briefed on the Respectful Behaviours Policy.

A copy of the Respectful Behaviours Policy will be placed on the Hepburn Shire Council website and will be available to all staff in electronic form. A review of this policy shall occur at least once every four years or more frequently as determined by the Chief Executive Officer.

11.9. REVIEW OF POLICY 49 (C) - HUMAN RIGHTS CHARTER 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 to recommend that Council adopts the reviewed Council Policy 49 – *Our Commitment to the Human Rights Charter*.

BACKGROUND

Since 1 January 2008, Public Authorities, including local Councils, have been required to act compatibly with the Charter of Human Rights legislation.

The Charter of Human Rights and Responsibilities places a specific responsibility on local councils in Victoria to respect human rights in the way they go about their work and how they deliver their services.

As a public authority, local councils have an obligation to ensure that:

- all council decisions give proper consideration to human rights;
- all actions, policies and services are compatible with human rights;
- local laws are interpreted and applied consistently with human rights;
- people who work on their behalf do so in a way that respects human rights.

Under the four basic principles of Freedom, Respect, Dignity and Equality, the Charter gives legal protection to 20 fundamental human rights, such as the right for people to have a fair trial, the right to say what they think, the right to join groups and meet freely, and the right to enjoy their culture.

Essentially, in applying the legislation Hepburn Shire Council must give proper consideration to each of these rights in our decision making and Council must act compatibly with the rights when providing services to our community.

Council Policy No 49 titled '*Our Commitment to the Human Rights Charter*' has been in place since November 2008 and the policy is currently due for review.

On 12 June 2012, Councillors and the Executive Management Team received a briefing from the Victorian Equal Opportunity and Human Rights Commission introducing the Charter of Human Rights and Responsibilities and obligations under the Act.

ISSUE / DISCUSSION

The commitment that Hepburn Shire Council currently makes is stated in the current Council Policy titled '*Our Commitment to the Human Rights Charter*' (refer Attachment).

Since this Council Policy was reviewed and adopted in July 2012, there have been no changes to the legislation.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Since 1 January 2008, Public Authorities, including local Councils, are required to act compatibly with the Charter of Human Rights legislation.

FINANCIAL IMPLICATIONS

No financial implications noted

RISK IMPLICATIONS

The adoption of a Human Rights Policy will provide the organisation with guidance around individuals' human rights and mitigate against breaches of these rights

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

The Human Rights Policy demonstrates to the community Hepburn Shire Council's commitment to Human Rights in everything Council does.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As per the Hepburn Shire Community Engagement Framework, Level 1 Community engagement will be undertaken. This information will be made available to the public via the minutes published on the Council's website. Further, the Policy once approved will be available for inspection on the Council's website.

CONCLUSION

In accordance with the Hepburn Shire Council Policy Framework the *Our Commitment to the Human Rights Charter* has been reviewed to ensure consistency with the Charter of Human Rights and Responsibilities and is recommended for adoption.

OFFICER'S RECOMMENDATION

That Council:

- 11.9.1 Adopts Policy 49 (C) – Our Commitment to the Human Rights Charter – May 2014.
- 11.9.2. Makes the revised policy available for public inspection on Council's website.

MOTION

That Council:

- 11.9.1. Adopts Policy 49 (C) – Our Commitment to the Human Rights Charter – May 2014.*
- 11.9.2. Makes the revised policy available for public inspection on Council's website.*

Moved: Councillor Kate Redwood
Seconded: Councillor Sebastian Klein
Carried.

**ATTACHMENT 10 - REVISED POLICY 49 (C) - OUR COMMITMENT TO
THE HUMAN RIGHTS CHARTER**

DATE AMENDED:	20 MAY 2014
DATE OF NEXT REVIEW:	20 MAY 2018
DATE ADOPTED:	JULY 2012
RESPONSIBLE OFFICER:	MANAGER HUMAN RESOURCES
REFERENCES:	Policy 33: Respectful Behaviours Policy 37: Councillor / Staff Relationships Policy 4: Communication and Consultation Policy 24: Risk Management Policy 57: Employee Code of Conduct Policy 64: Complaints Handling

RELEVANT LEGISLATION:

Victorian

- Children, Youth and Families Act 2005
- Crimes Act 1958
- Disability Act 2006
- Equal Opportunity Act 2010
- Freedom of Information Act 1982
- Information Privacy Act 2000
- Mental Health Act 2014
- Occupational Health and Safety Act 2004
- Racial and Religious Tolerance Act 2001

Commonwealth

- Age Discrimination Act 2004
- Crimes Act 1914
- Disability Discrimination Act 1992
- Human Rights and Equal Opportunity Commission Act 1986
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Charter of Human Rights & Responsibilities Act 2006

Best Value Principles

Hepburn Shire Council has the responsibility to provide its ratepayers with best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting best value principles in their normal day to day actions to ensure services are recognised by the community as delivering best value.

Introduction

The *Victorian Charter of Human Rights and Responsibilities Act 2006* is a law that protects the human rights of all people in Victoria.

From January 1, 2008 the Charter became fully operational and from this date Council is required to comply and have regard for human rights in its day to day operations.

Hepburn Shire Council has a responsibility to act compatibly with the Charter and give proper consideration to human rights when making decisions. This responsibility is set out in the Charter and the Public Administration Act 2004.

Scope

The Charter requires all public authorities and their employees to act compatibly with human rights in the delivery of services and when making decisions.

This policy therefore applies to Hepburn Shire Council in its entirety; Councillors, employees, contractors, volunteers and other third parties who provide a Council service.

Purpose

The purpose of this Policy is to ensure Council acts compatibly with human rights by having regard to the principles of Freedom, Respect, Equality and Dignity and the 20 basic rights when making laws and decisions. These rights will also be considered when providing services and programs to the community.

Council will provide human rights in so far as is reasonably possible and ensure any limitations are lawful. Council will establish a balance between protecting the rights of its citizens and other competing public interests and create a human rights culture.

Policy

Hepburn Shire Council is committed to the principles within the Charter of Human Rights and Responsibilities and will ensure these are taken into consideration when making laws, setting policies and providing services and programs to the community.

Hepburn Shire Council upholds that every citizen of Hepburn Shire is free and equal in dignity and rights and is entitled to a quality of life that allows them to reach their potential. Through this commitment to the Human Rights Charter, Hepburn Shire Council affirms its commitment to respecting, protecting and promoting human rights in all its spheres of influence and will avoid complicity in abuses of human rights.

Council will have regard for human rights in its day to day operations by ensuring that it considers the 20 rights and 4 basic principles of:

Freedom

- Freedom from forced work
- Freedom of movement
- Freedom of thought, conscience, religion and belief
- Freedom of expression
- Right to peaceful assembly and freedom of association
- Property rights
- Right to liberty and security of person
- Fair hearing
- Rights to criminal proceedings
- Right not to be tried or punished more than once
- Protection from retrospective criminal laws

Respect

- Right of life
- Protection of families and children
- Cultural rights, including recognition of the distinct cultural rights of the Aboriginal people of Victoria

Equality

- Recognition and equality before the law
- Entitlement to participate in public life

Dignity

- Protection from torture and cruel, inhuman or degrading treatment
- Protection of privacy and reputation
- Humane treatment when deprived of liberty
- Appropriate treatment of children in the criminal process

Hepburn Shire Council is committed to the principles of Human Rights and building a Shire that supports communities and individuals to fulfill their aspirations. In its efforts towards achieving positive outcomes for all citizens Hepburn Shire will:

- Treat all citizens with respect and without discrimination and provide an environment which is free from all forms of discrimination and harassment.
- Model social justice and respect for human rights within our activities and our dealings with all.
- Promote and integrate principles of human rights and equity into all policies, local laws, procedures and plans including access in the provision of services, programs and opportunities, and facilitate public participation in decision-making.
- Proactively support community initiatives that promote equity and participation in community life and provide support for those that are socially and economically disadvantaged

- Foster a climate of mutual respect through demonstrating a commitment to harmony and diversity
- Work in partnership with key stakeholders and organisations that seek to address disadvantage and promote the commitment to human rights within our communities
- Respond to all concerns raised by members of the community in relation to Human Rights in accordance with Council's Complaints Handling Policy.

Review

This policy will be reviewed within the first 12 months of a General Election in accordance with the Policy Framework or sooner if required by legislative change. The management of this policy is the responsibility of the Manager Human Resources.

11.10. RECORD OF ASSEMBLIES OF COUNCILLORS – APRIL 2014
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 receive and note Assemblies of Councillors.

BACKGROUND

The Local Government Act 1989 defines Assembly of Councillors as

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

(a) the subject of a decision of the Council; or

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

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

Assemblies of Councillors		
Date	Location	Committee Name
1 April 2014	Council Chamber, Daylesford	Councillor Briefing
8 April 2014	Council Chamber, Daylesford	Councillor Briefing – Proposed Budget 2014/15
15 April 2014	Creswick Senior Citizens' Centre	Councillor/CEO Meeting
15 April 2014	Creswick Senior Citizens' Centre	Pre Council Meeting Briefing

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.

MOTION

- 11.10.1 That Council receives and notes the Records of Assemblies of Councillors for the month of April 2014.

MOTION

11.10.1. That Council receives and notes the Records of Assemblies of Councillors for the month of April 2014.

Moved: Councillor Neil Newitt

Seconded: Councillor Greg May

Carried.

**ATTACHMENT 11 - RECORDS OF ASSEMBLIES OF COUNCILLORS –
APRIL 2014**

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing
Date: Tuesday 1 April 2014
Time: 10:30 am

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

Councillors present:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Cr Pierre Niclas - 1-39 pm (ARRIVED) | <input checked="" type="checkbox"/> Cr Don Henderson |
| <input checked="" type="checkbox"/> Cr Kate Redwood | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Neil Newitt | <input checked="" type="checkbox"/> Cr Bill McClenaghan |
| <input checked="" type="checkbox"/> Cr Sebastian Klein | |

Members of Council Staff present:

- | | |
|--|---|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | ADAM McSWAIN MARK HOGAN |
| | REBECCA PEDRETTI ALAN TODD |
| | LAUREA CAMPBELL JUSTIN FIDES |
| | GRANT SCHUSTER LOUISE JOHNSON |
| | KAREN RATCLIFFE |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned
Aaron van Egmond - 11m 10	Left 3-44 Returned 4-00

Cr Henderson - Left 3-40 Returned 3-48

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 checked="" type="checkbox"/> GM Corporate Services Evan King | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |

Signature: Evan King

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

Confidential
Councillor Briefing Agenda
Tuesday 1 April 2014



Tuesday 1 April 2014 10:30 am		Council Chamber Daylesford Town Hall	
Chair	Mayor	Cr Don Henderson	
Attendees	Councillors	Cr Pierre Niclas, Cr Kate Redwood AM, Cr Neil Newitt, Cr Sebastian Klein, Cr Greg May, Cr Bill McClenaghan	
	Officers	Chief Executive Officer, General Manager Corporate Services, General Manager Community Services, General Manager Infrastructure, and other officers as required	
Apologies			

Time		Title	Action Officer	
1.	10:30 am	Verbal Presentation Four Seasons Event Funding – Round Two Winter and Spring Events	General Manager Community Services, Manager Community & Economic Development & Events Coordinator	Page 4
2.	11:00 am	Report Proposed Sale of Denbigh Pratt Reserve – Submissions Received Attachment 1	General Manager Infrastructure, Manager Strategic Asset Management & Property Officer	Page 5 Page 8
3.	11:15 am	Verbal Presentation Domestic Animal Management Plan	General Manager Infrastructure & Acting Compliance Co-ordinator	Page 19
4.	11:45 am	Verbal Presentation Doug Lindsay Reserve – Five Year Business Case and Budget	General Manager Community Services Manager Community & Economic Development	Page 20
	12:30 pm	Lunch Break Lunch will be provided		
5.	1:00 pm	Verbal Presentation Sports Ground Equity	Manager Community & Economic Development & Recreation Co-ordinator	Page 21

Confidential
Councillor Briefing Agenda
Tuesday 1 April 2014



Time		Title	Action Officer		
6.	1:30 pm	External Presentation	Daylesford & Macedon Ranges Regional Tourism Board	General Manager Community Services Daylesford & Macedon Ranges Regional Tourism Board Mr Noel Harvey OAM, Chair & Ms Judith Isherwood, General Manager	
	2:30 pm	Informal Discussion	Discussion following external presentation		Page 22
7.	2:45 pm	External Presentation	Central Highlands Agribusiness Forum (CHAF) – Annual Update to Council	Manager Community & Economic Development Mr Andrew Young, Chair & Ms Lisa Kendal, Executive Officer	
	3:15 pm	Informal Discussion	Discussion following external presentation		Page 23
8.	3:30 pm	Verbal Presentation	Planning Update • VCAT Update	Chief Executive Officer & Manager Planning	Page 24
9.	3:45 pm	Verbal Presentation	Motor Car Sales – 39 East Street, Daylesford – PA 0400 Attachment 2	Chief Executive Officer & Manager Planning	Page 25
			Page 27		
10.	4:00 pm	Report	Use and Development of a Medical Centre – 28 Golf Links Road, Hepburn – PA 0101 Attachment 3 Attachment 4	General Manager Corporate Services & Manager Planning	Page 47
					Page 50
					Page 62
11.	4:15 pm	Report	Change of Use – Restaurant for up to 75 Patrons and Reduction in On-Site Car Parking – 6 Railway Crescent, Daylesford – PA 0299 Attachment 5	Chief Executive Officer & Manager Planning	Page 64
					Page 67

Confidential
Councillor Briefing Agenda
Tuesday 1 April 2014



Time		Title	Action Officer	
12.	4.30 pm	Report	Use the Land as a Place of Assembly for a Music Festival on 3 and 4 May 2014 for up to 300 people – 575 James Lane, Trentham East – PA 0386 Attachment 6	Chief Executive Officer & Manager Planning Page 69
				Page 71
13.	5:00 pm	CLOSE OF MEETING		Page 74

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor CEO, Aaron van Egmond hereby disclose
 a conflict of interest in the following matter 10. Use and Development
of a Medical Centre - 28 Golflinks Rd. Hepburn
PA 0101

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on Tuesday 1 April 2014

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

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

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

The nature of the interest is as follows:

I was a resident of 28 Golflinks Rd. up until 24/3/14
→ (tenant)

Print Name: Aaron van Egmond
 Signed: [Signature]
 Date: 1/4/14



RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Councillor Briefing – Proposed Budget 2014-15

Date: Tuesday 8 April 2014

Time: 1:00 pm

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

Councillors present:

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

Members of Council Staff present:

- | | |
|--|--|
| <input checked="" type="checkbox"/> CEO Aaron van Egmond | <input checked="" type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> GM Corporate Services Evan King | Adam McSwain, Manager Community & |
| <input checked="" type="checkbox"/> GM Community Services Kathleen Brannigan | Economic Development |
| <input checked="" type="checkbox"/> GM Infrastructure Bruce Lucas | Rebecca Pedretti, Events Co-ordinator |

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 checked="" type="checkbox"/> GM Corporate Services Evan King | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> GM Community Services Kathleen Brannigan | |

Signature: Evan King

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

Confidential
Councillor Briefing Agenda
Tuesday 8 April 2014



Tuesday 8 April 2014 1:00 pm		Council Chamber Daylesford Town Hall
Chair	Mayor	Cr Don Henderson
Attendees	Councillors	Cr Pierre Niclas, Cr Kate Redwood AM, Cr Neil Newitt, Cr Sebastian Klein, Cr Greg May, Cr Bill McClenaghan
	Officers	Chief Executive Officer, General Manager Corporate Services, General Manager Community Services, General Manager Infrastructure, and other officers as required
Apologies		

Time		Title	Action Officer
1.	1:00 pm	Verbal Presentation Proposed Budget 2014–15	General Manager Corporate Services & Manager Finance & IT
2.		Verbal Presentation 10 Year Financial Plan 2013–2024	General Manager Corporate Services & Manager Finance & IT
3.		Verbal Presentation Review – Council Support for Events	General Manager Community Services Manager Community & Economic Development
4.	5:00 pm	CLOSE OF MEETING	

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 15 April 2014

Time: 2:00 pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – Creswick Senior Citizens' Centre

Councillors present:

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

Members of Council Staff present:

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

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

Signature: 

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

**AGENDA
COUNCILLOR / CEO MEETING**

Tuesday 15 April 2014 Commencing 2:00 pm		Creswick Senior Citizens' Centre Water Street, Creswick	
Chair:	Mayor	Councillor Don Henderson	
Attendees:	Councillors	Kate Redwood, Neil Newitt, Sebastian Klein, Pierre Niclas, Greg May, Bill McClenaghan	
	Officers	CEO, Aaron van Egmond	
Apologies:	Councillors		
	Officers		
COUNCILLOR ONLY TIME			
12:30 pm		Councillors Only	
AGENDA – COUNCILLOR / CEO MEETING			
2:00 pm		CEO & Councillors	
1.	Acknowledgement of traditional land owners on Shire signage	Cr Sebastian Klein	
2.	Garage Sale	Aaron van Egmond	
3.	Simon Ramsay meeting with CEO on 9 May 2014 (TBC) to discuss priority projects.	Aaron van Egmond	
4.	CEO Appraisal - facilitators & dates	Aaron van Egmond	
5.	Daylesford Secondary College Special breakfast	Cr Don Henderson	
6.	Hepburn Health Services - invitation to meeting	Cr Niclas	
7.	Anzac Day - who is going where, which dawn services, wreaths etc	Cr Kate Redwood	
8.	Lobbying State Govt re funding for Vic Park	Cr Kate Redwood	
9.	EPA Issues	Cr Kate Redwood	

10.	Changes in VCAT Hearings relevant to Local Govt	Cr Kate Redwood
11.	Status of the MSS and changes with overall Planning system going forward and what we might expect to be doing	Cr Kate Redwood
12.	Fire prevention notices & infringements	Aaron van Egmond
13.	Amendment to Local Government Act. Voting abstentions at Council Meetings.	Cr Bill McClenaghan
14.	DAMP. (Domestic Animal Management Plan	Cr Bill McClenaghan
3:30pm	Pre-Council Meeting Briefing 15 April 2014	Councillors and Officers
5:00 pm	Meal Break	
6:00 pm	Council Meeting – Creswick	

RECORD OF ASSEMBLY OF COUNCILLORS

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

Title of Meeting: Pre Council Meeting
Date: Tuesday 15 April 2014
Time: 3:30 pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify) – Creswick Senior Citizens' Centre

Councillors present:

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

Members of Council Staff present:

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

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered: Council Meeting Agenda – 15 April 2014

Agenda Attached

Name and title of Officer responsible for this written record:

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

Signature: 

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

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor CEO Aaron van Egmond hereby disclose
 a conflict of interest in the following matter
Item 28 Gdflinks Rd, Hepburn

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 15th April 2014

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

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

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

The nature of the interest is as follows:
Resident (tenant) of 28 Gdflinks Rd, Hepburn

Print Name: Aaron van Egmond
 Signed: [Signature]
 Date: 15/4/14

DISCLOSURE OF CONFLICT OF INTEREST

I, Councillor Kate Redwood hereby disclose
 a conflict of interest in the following matter Item 11.2 Community Facility
 Andy Provan Application - Victoria Park Daylight

This matter is being considered at a meeting of

- Council Meeting
- Councillor Briefing
- Special Committee
- Audit and Risk Advisory Committee
- Assembly of Councillors

on 15/04/2014

The class of the interest is (tick appropriate box)

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

Please select from the following types of indirect interest:

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

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

The nature of the interest is as follows:

I am Secretary of the Daylight Football
 Club

Print Name: KATE REDWOOD
 Signed: Kate Redwood
 Date: 15/04/2014

12. COUNCIL SPECIAL COMMITTEES (SECTION 86)

12.1. MINUTES OF SPECIAL COMMITTEES (SECTION 86) GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the 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 – 31/03/2014.
- Minutes from the Lee Medlyn Home of Bottles Special Committee – 04/04/2014.
- Minutes from the Lyonville Hall Special Committee – 21/01/2014.
- Minutes from the Lyonville Hall Special Committee – 18/02/2014.
- Minutes from the Lyonville Hall Special Committee – 18/03/2014.

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:

11 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

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

MOTION

12.1.1. 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 Kate Redwood

Carried.

13. COUNCIL ADVISORY COMMITTEES

13.1. MINUTES OF ADVISORY COMMITTEES GENERAL MANAGER CORPORATE SERVICES

No Minutes have been received from Advisory Committees for the month of April 2014.

14. CONFIDENTIAL ITEMS

14.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

That pursuant to the provisions of Section 89(2) of the Local Government Act 1989, the meeting be closed to the public in order to consider:

- (d) Contractual matters; and
- (h) Any other matter which the Council or special committee considers would prejudice the Council or any person.

RECOMMENDATION

14.1.1 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:

Clunes Caravan Park – Lease Assignment

Acceptance of Offer to Purchase 53 Fraser Street, Clunes (former Clunes Library)

Contract H446-2014 – Lease to Operate the Boathouse Cafe and Licence to Operate the Boat Hire – Lake Daylesford Reserve

Contract H512-2014 – Plant Replacement Program 2014 – Tipper Truck 10 m³ – Cab Chassis and Tipper Body; and

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

MOTION

14.1.1. *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:*

Clunes Caravan Park – Lease Assignment

Acceptance of Offer to Purchase 53 Fraser Street, Clunes (former Clunes Library)

Contract H446-2014 – Lease to Operate the Boathouse Cafe and Licence to Operate the Boat Hire – Lake Daylesford Reserve

Contract H512-2014 – Plant Replacement Program 2014 – Tipper Truck 10 m³ – Cab Chassis and Tipper Body; and

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

Moved: Councillor Sebastian Klein
Seconded: Councillor Bill McClenaghan
Carried.

The Meeting Closed to Members of the Public at 9:23 pm.

15. RE-OPENING OF MEETING TO PUBLIC

RECOMMENDATION

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

MOTION

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

Moved: Councillor Bill McClenaghan

Seconded: Councillor Sebastian Klein

Carried.

The Meeting re-opened to the Public at 9:55 pm.

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

That Council:

- 14.4.1 Resolves its intention to enter into a lease of the Boathouse Cafe pursuant to Contract H446–2014 – Lease to operate the Boathouse Cafe and/or Licence to operate the Boat Hire – Lake Daylesford', for 15 years with Spa Country Pty Ltd in accordance with the terms of the draft lease.*
- 14.4.2 Authorises the advertising of Council's intention to enter into a lease of the Boathouse Cafe pursuant to section 190 of the Local Government Act 1989.*
- 14.4.3 Awards the licence to operate the boat hire pursuant to 'Contract H446–2014 – Lease to operate the Boathouse Cafe and/or Licence to operate the Boat Hire – Lake Daylesford', for 2 years to Paul Luke (trading as Lukey's Paddle Boat and Canoe Hire in accordance with the terms of the draft licence.*
- 14.5.1 Awards Contract H512-2014 – for the Supply and Delivery of a Isuzu CH series GIGA 455 CXZ truck with a Manual Eaton gearbox and Hercules 10m³ tipper body for the sum of \$178,860 (Ex GST) to Isuzu Australia Ltd – Ballarat.*

16. CLOSE OF MEETING

The Meeting closed at 9:55 pm.
