

Hepburn

SHIRE COUNCIL

HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC MINUTES

TUESDAY 17 APRIL 2018

TRENTHAM NEIGHBOURHOOD CENTRE
HIGH STREET

TRENTHAM

6:00PM

Confirmed at the Ordinary Meeting of Council
held on 15 May 2018


Chair, Mayor Cr John Cottrell

MINUTES

TUESDAY 17 APRIL 2018

Trentham Neighbourhood Centre

High Street

Commencing 6:00PM

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AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
17 APRIL 2018

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: Cr John Cottrell, Cr Kate Redwood AM, Cr Neil Newitt, Cr Fiona Robson, Cr Greg May, Cr Don Henderson, Cr Sebastian Klein

IN ATTENDANCE: Mr Aaron van Egmond Chief Executive Officer, Mr Grant Schuster General Manager Community and Corporate Services, Mr Bruce Lucas General Manager Infrastructure, Mr Trafford Thompson Manager Finance and IT, Ms Katherine Toom Coordinator Governance and Information

STATEMENT OF COMMITMENT

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

3. APOLOGIES

Nil

4. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Klein declared an indirect interest – impact on residential amenity regarding the Notice of Motion submitted by Cr Redwood at item 9.1

5. CONFIRMATION OF MINUTES

RECOMMENDATION

5.1.1. That the Minutes of the Ordinary Meeting of Council held on 20 March 2018 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

MOTION

5.1.1. *That the Minutes of the Ordinary Meeting of Council held on 20 March 2018 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Cr Don Henderson

Seconded: Cr Sebastian Klein

Carried

6. ITEMS OF URGENT BUSINESS

Nil

7. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor John Cottrell, Holcombe Ward

No written report has been provided.

COUNCILLOR REPORTS

Councillor Neil Newitt, Cameron Ward

Councillors my report starts off with the open day held at the former Clunes Free Library on March 24. The aim of the day was to raise awareness of the restorations currently underway at the historic building. Around 80 attended on the day to see the work to date, and to hear of the plans to return the Free Library to its former glory.

I was told the visitors were very supportive with many reminiscing of their involvement (e.g. as scouts). Together with DEPWP the volunteers have now completed the weatherproofing of the building. Weed removal and landscaping has commenced. Interior painting has been undertaken. There has also been Interest from external funding bodies including from some philanthropic associations.

Later that day, I attended the 24th annual Anderson's mill festival in Smeaton. The event is a Celebration of local foods, wine and music, and Although the day was the false start to winter - being a particularly cold windy day, those that attended enjoyed the various family activities and were entertained by a variety of music and demonstrations along with tours of the former mill building.

The Clunes museum have been very active in promoting the local Clunes history through its own social media channels and through the Clunes Facebook page.

An update with ahi stoic photo of the Clunes town hall showing patrons at a ball early last century town hall goes on to reference a conservation management plan to that will commence after Booktown.

Following a meeting with a number of users of the facility including museum, creative Clunes, local artists and others, it was outlined the works will concentrate on restoring the interior of the town hall and former court house. Works scheduled will include restoration of the brick archways, repainting the interior in heritage colours, electrical works. All leading up to the 150th anniversary of the town hall and securing its future for the next 150 years.

I'd like to conclude tonight by telling you about a relatively new business in Clunes. Danni Jones, age 22 started Danni's dog grooming business just over a year ago. As a young person in the community, Danni trod the much worn path of starting out locally as a baby sitter before moving onto employment in Ballarat. Danni had the idea of starting a dog grooming business back in Clunes and has seen that as Clunes grows, so does her business. Danni now has happy customers from not only Clunes but also around the state. Danni was recognised being awarded the Ripon Youth Award, which is part of Victorian youth week which is being celebrated this week. Victorian Youth Week is a celebration of the positive contributions young people are making to their communities. Congratulations Danni and best wishes for your business.

Councillor Kate Redwood AM, Birch Ward

I was pleased to MC the 13th Girl Guide's Mentors Breakfast held on 21 March at 6.45 am at the Bellinzona Hotel Hepburn Springs, which Cr Robson also attended. This is a great event that matches young women from Daylesford Secondary College with a woman in the profession of their choice. The organiser of this event, Glenda Fleisher, is also a member of the IWD Committee and drew on that group to assist with mentoring. The IWD Committee is keen to continue to support this event.

The Hepburn Solar Bulk Buy launch was held later that day, and is another example of collaboration between community groups – in this case Hepburn Wind, Hepburn Shire Council, and the Mount Alexander Sustainability Group. The Daylesford promotion of the solar electricity deal is being held this Thursday at the Senior Citizens Centre.

The Mineral Springs Advisory Committee met (as it does every second month). Among the issues discussed was the urgent need to resolve the future replacement for the Central Springs Pavilion. Mr Lucas is writing to a long list of stakeholders to invite them to a meeting to share ideas about the best way of providing upgraded facilities at Central Springs.

The Advisory Committee also discussed the longstanding unresolved issue of the Caretakers Cottage, Hepburn Springs Reserve. Once again arrangements that meet the restricted use permitted under DELWP guidelines are being considered.

The Mineral Springs Advisory Committee is keen to meet with the Daylesford Macedon Ranges Tourist Board to gain an understanding of the approach that organisation is taking with regard to its Mineral Springs project.

The launch of the Level 1 Hepburn Reconciliation Action Plan for public consideration and comment was held at the Senior Citizens Centre on 12 April. It is an important step for this Shire and I look forward to the response. The Reference

Group for the RAP were strongly represented at the launch and it was an opportunity to thank them for their valuable input to the RAP.

A first public consultation regarding the possible location of the Daylesford Indoor Aquatic Centre was held – also at the Senior Citizens Centre. This was well attended, and included people who were involved in the community campaign against the Hepburn Bath House a decade or so ago, when the rebuild failed to provide for local users, and in particular failed to provide facilities that were suitable for folk needing hydrotherapy. There is a strong wish for all year aquatic facilities in the Daylesford community, and the planning committee for DIAC recognise this, but also are aware that financial support from Council is unlikely.

Over the last month I have attended the Council's budget briefings for the 2018/19 budget, and the workshop regarding the review of the Hepburn Planning Scheme, and have participated in the sub-committee of Councillors established to oversight the process of election of a new CEO for Hepburn Shire Council.

Councillor Sebastian Klein, Coliban Ward

In the past month I have attended all briefings up to today, particularly an additional one on the upcoming budget which is one of the most important decisions that Council will make through the year.

I was happy to attend the new Daylesford Farmers market which is the first accredited weekly farmers market in the region, which provides the convenience that community members need to regularly buy groceries and essential items, and the consistency needed for farmers to access in any sort of reasonable way and for local agriculture to transform, meeting the challenges of the day and make the most of the favourable local conditions. Accreditation means that you can be sure that it is the local farmers who benefit and are able to access buyers directly – receiving the sort of margins that justify the hours and effort they expend to bring fresh quality local produce to our doors.

I was glad to attend the Cosmopolitan Hotel cellar door re-opening and to join with many in the community to celebrate the re-opening of this much used local business, one I would add that takes effort to stock local drops and support local vigneron.

I was pleased to open and present awards at Trentham Easter Art and craft fair which once again excelled itself and I was impressed with the rest of the community by the quality and particularly the category winners, including one somewhat left of centre entrant who took out one of the major prizes. The detail and quality was exceptional and the event was aptly compared by David Bryant.

I attended the state-wide Waste Resource Recovery Group Chairs and Executive Officers meeting and took the opportunity to meet with one of my colleagues from Hobsons Bay who was enthused about their recruitment of a new CEO. I did take the opportunity, tongue in cheek, to chastise her for poaching and head-hunting of star officers from other Councils.

I attended a Grampians Central West Waste Resource Recovery Group Audit committee meeting.

As well as a consultation with the State Government Recycling Industry task force – the message from recycling facility operators, resource recovery businesses, local government and state government agencies was clearly that this so-called crisis is an opportunity to get it right – to set our resource recovery system up economically and environmentally for the medium and long-term.

It was excellent to be a part of the Cookers Growers Eaters Dinner again which was the smoothest yet, now resembling a well-oiled and finely tuned machine. Once again it was fantastic to support a team who set such a clear vision for a diverse local economy with a place for our local food and primary producers.

It was great to see the construction of a new gravel path from the primary school to Gunyah Bend estate. While the path has been met with a wet and woolly weekend on its commission resulting in some apprehension around the material, I am sure that as it settles in and firms, it will be as well utilised as the gravel path here on Market Street.

I note also the new surface on the tennis courts.

While I wasn't in attendance, I was glad to hear of the packed house for the ZNET/ solar bulk-buy here at the Trentham Neighbourhood Centre, it is reassuring to see the community taking and interest in the diverse economic activity and benefit to the residents and traders of the Shire. I hope to see the results from these sessions across the shire.

Lastly, sadly, I must note the passing of Tom Walsh Snr. early this morning. Tom was a true leader of the community. He was a musician, a man of the land, of culture and diversity. He was an exemplar of welcome – to people from all over the world, of civility, and of how to live in a small town together. His warmth, his genteelness, his vitality will all be sorely missed. His music, his commitment to community will live on through his family and those he touched with his life.

Councillor Don Henderson, Creswick Ward

I would like to thank our CEO and Mayor Cottrell for attending the Creswick New Residents Welcome session. Some local businesses donated food so that people

could sample their wares. Local real estate agents and a gift shop donated door prizes. One young woman braved the wet and windy conditions to travel from Melbourne with her daughter to attend as she will be moving here soon.

I had the pleasure delivering a working scale model of the Berry No 1 pump house donated by Mr Rex Bridges of Buninyong. The ruins of the pump house are one of the most photographed structures in the shire and may be seen at Ullina on the Daylesford to Clunes Road. I was accompanied by Bob Wilson who is the owner of the property at Ullina and also a Creswick Museum volunteer.

I must also congratulate the Creswick Brass Band on their success in winning the national competition in their class. I see on the agenda that they have applied for a grant in order to transport their instruments far beyond our boundaries. This band can be seen at functions in the community at events such as Australia Day and over at the Christmas Parade at Clunes. They always play around ANZAC Day as well.

Tonight we will be putting out the budget for consultation and I note that for the past five years the spend of actual council funds is second from the bottom. Aside from government grants this is surprising given that Creswick is the most populated area in the Shire. Still I hope to see some change in my lifetime and the budget will deliver good projects across the board.

Councillor Greg May, Creswick Ward

When we here in Australia are commemorating ANZAC day later this month there will also be commemorations on the other side of the world in the small French Village of Villers- Bretonneux. April 25th marks 100 years since this small village was liberated from the Germans during the First World War. It is also the date for the opening of the Sir John Monash Centre at the military cemetery in Villers-Bretonneux. Thanks to a scholarship from Hepburn Shire Council and the Daylesford RSL Branch, Daylesford Secondary College student Lilli Bowyer will be attending these events. Lilli, who is being accompanied by one of her teachers, Penny Ellis will lay a wreath on behalf of the shire.

Lilli is planning to report on her overseas trip via social media so I'm looking forward to hearing about her travels and experiences. I recently attended an assembly at the Daylesford Secondary College where Lilli spoke briefly to her fellow students about her upcoming trip. The assembly was also addressed by Peter Rickard who has compiled the book – Sentinels of Service, which details the records of all the service personnel

commemorated in the Kingston Avenue of Honour.

I have also recently attended a meeting of the Shire's White Ribbon Committee where discussions were held on future initiatives within the shire to promote the White Ribbon cause. One of those initiatives is a possible White Ribbon Football Netball round involving clubs within the shire.

In late March the Anderson's Mill Festival was again held in Smeaton. Again the festival provided patrons with a variety of food and craft stalls, great music and plenty of fun, family activities. Unfortunately weather conditions impacted on attendance at the event.

Last Thursday I was invited to attend a small celebration in Creswick for the Creswick Brass Band. The reason for the celebration was the winning of a National Championship by the band and the winning of second place in the National Championships by the Creswick Junior Band. The many band members and their families present were justifiably proud of their achievements and are looking forward to competing in a higher division next year.

And while speaking of achievements, I expect that most people are unaware of the achievements of some of the bowling clubs in our shire recently. Hepburn Shire bowling clubs won 3 Ballarat District Bowls Division Weekend premierships this season. I was very pleased to be part of the winning Smeaton Division 2 premiership, Clunes took out the Division 3 flag and Creswick won Division 7. Small country clubs find it difficult to compete against larger Ballarat clubs but this season 14 out of 18 grand final teams were country teams.

Finally, I'd like to briefly mention the departure of our CEO Aaron. I think I will miss his measured and thoughtful approach to issues and hope we can maintain the stability which I believe he has brought to this council. I wish him well in his future career and hope that he keeps in touch with us here in Hepburn Shire.

Councillor Fiona Robson, Birch Ward

I had the honour of attending the "women of note breakfast" with female students from Daylesford Secondary College and organised by the girl guides. This is a great opportunity for young people still learning about themselves and exploring their future to speak with people with experience in the work force and in life. I am very supportive of initiatives that mentor, support & nurture our young people and am pleased to be able to participate.

I was thrilled to present the Hepburn Shire Student Citizenship Award for Hepburn Primary School to Xanthe Dalton at their school assembly. I am pleased that these awards are well regarded and am interested in ways we can build on this to work more

closely with our schools and students to help encourage even more involvement in shaping our community.

I attended the first Daylesford Sunday Farmers Market and was excited to see a range of local producers that were happy with the day and many locals chatting. It provided a welcome village feel. There was a lot of foot traffic across the road to the Sunday market and I hope that both markets continue to thrive. The combination of traffic and extra pedestrians was tricky and we may need to look at options for keeping people safe when crossing the road.

That afternoon I attended the reopening of the Glenlyon Hall. I missed the formalities but was pleased to catch up with a number of people, hear stories and share in the celebrations, including lots of yummy cake.

I was sorry to miss the launch of the Western Bulldogs Leadership program and wish this year's participants well. I am looking forward to meeting with them and hearing their ideas for our Shire. Unfortunately I also missed the consultation regarding the draft rap & am also looking forward to hearing more.

It is great to see the 'welcome to...' sessions being offered across the Shire and I hope they are helping people feel welcome and part of our communities. Many thanks to the people who have made them happen.

A petition supporting the construction of a bike path between Coomoora and Daylesford has been signed by 90 people and emailed to councillors. Support for this initiative is very welcome and I appreciate the effort members of the community to voice the benefits of this project. The draft budget does include funding for this piece of infrastructure so all going well, people will be able to walk/ride to school, shops etc in the near future.

I am pleased to be part of the subcommittee to find a new CEO for our council. We are working well together and believe we have identified a recruitment agency that is best-placed to assist us to employ an excellent candidate for the role.

RECOMMENDATION

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

MOTION

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

Moved: Cr Greg May

Seconded: Cr Kate Redwood

Carried

8. PUBLIC PARTICIPATION TIME

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

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

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

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

8.1. PETITION

Cr Klein declared a conflict on the subject of the petition to be tabled and left the room at 6.36 pm

One petition has been received in accordance with Local Law 1.

It was received by Council on 20 March 2018 and contains 370 signatures.

It states:

In addition to the tens of thousands already spent on an initial design for the High St site, Council is about to spend many more thousands of ratepayers' money on a design for Victoria St.

The decision by Council was made without input from residents and, rather than settling the matter, has deepened divisions. The drawn-out debate and division within the Trentham community has been aggravated by Council's lack of good process.

I believe that the community has been denied a fair and proper process.

It seems clear that if Council proceeds, divisions will only grow and a significant part of the community will have been locked out of the decision-making process. In this context the hub is unlikely to achieve the funding from other levels of government required to build it.

The whole affair remains a source of bitterness for the many people who supported the original proposal and pledged and raised funds towards its construction.

It is time for Council to help heal the community, and the best way to do this is to allow the community to make the decision about where to position a community centre.

I, the undersigned, call on the community, Council and MPs to support:

1. an independent ballot or survey to determine the community's preferred site for a new community centre/hub (based on the options in 2 below);

and

2. a concurrent design process for both Victoria St AND a compromise solution at High St (that preserves the Mechanics Institute Hall together with a new Community Centre with Library, Hall, Info Centre, Seniors Lounge etc)

In the interests of community cohesion, healing and the desire to see such a centre funded and built, I will support the outcome of the ballot.

RECOMMENDATION

That Council:

- 8.1.1. Receives and tables the Petition on the location of the future Trentham Hub.
- 8.1.2. Refers the petition to the Chief Executive Officer to arrange the preparation of a report for the May 2018 ordinary meeting of Council.
- 8.1.3. Notes that in accordance with section 5.10.5 of Local Law No. 1, where a petition relates to an item already on the agenda at the meeting at which the petition is tabled, the matter may be dealt with at the meeting. Parts of the petition may therefore be dealt with by Council at agenda item 9.1 Notice of Motion tonight.
- 8.1.4. Advises the head petitioner of the above process and any resolutions of Council at agenda item 9.1

MOTION

That Council:

- 8.1.1. Receives and tables the Petition on the location of the future Trentham Hub.*
- 8.1.2. Refers the petition to the Chief Executive Officer to arrange the preparation of a report for the May 2018 ordinary meeting of Council.*
- 8.1.3. Notes that in accordance with section 5.10.5 of Local Law No. 1, where a petition relates to an item already on the agenda at the meeting at which the petition is tabled, the matter may be dealt with at the meeting. Parts of the petition may therefore be dealt with by Council at agenda item 9.1 Notice of Motion tonight.*
- 8.1.4. Advises the head petitioner of the above process and any resolutions of Council at agenda item 9.1*

Moved: Cr Kate Redwood AM

Seconded: Cr Fiona Robson

Carried

Cr Klein returned to the room at 6.39 pm

8.2. QUESTIONS

Community members are invited to submit written questions to the Chief Executive Officer by 12 noon on the day of the Council Meeting.

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

Questions 1-4

Four questions were submitted regarding a property on Thomas Mole Lane Glenlyon and Councillors have read and discussed those detailed and complex questions and have expressed empathy with the situation. However, based on preliminary legal advice received by Council, it has been determined to respond in writing to each of the questions rather than deal with the complexity and the detail of those questions at the meeting. There will be responses in writing from Council in due course.

Question 5 - Mr Gary McIntosh

In 2017, a majority of residents in Cypress Lane Bullarto placed several service requests for Council to prune a 4M wide by 4M high minimum access clearance for CFA vehicles and to plan for removal of six large Cypress trees at the southern end in the middle of the carriageway that restricted access.

Council officers refused despite the request being supported by the local Musk CFA Captain, their committee and senior DELWP staff.

In 2018 GM Infrastructure Bruce Lucas stated no works will be undertaken by Council nor are there to be any pruning works undertaken by residents and if same occurs Council would consider undertaking enforcement action.

Cypress Lane, centrally located in Bullarto Township Residential Zone, has extremely restricted CFA access, no passing bay, is a major fire hazard and has limited clearance for all vehicles including removal trucks and horse transports. Cypress Lane is Crown land under Council's control and therefore is Council's responsibility under the CFA Act 1958, Section 43.

The matter is listed with the Victorian Ombudsman's office which has requested a formal response from the CEO. The CEO has failed to respond to any correspondence either emailed or posted to him on this issue.

Will Council request Council Officers immediately arrange pruning of the required 4m wide by 4M high minimum CFA access clearance along Cypress Lane as required to be expedited under the CFA Act? (Estimated cost is less than \$800)?

Answer 5 – Mayor John Cottrell

No we will not request officers to arrange immediate works.

As you are aware Council has been corresponding with you for an extended period on this matter and has also referenced the following documents and stakeholders:

- The Road Management Act
- Councils Local Law 2
- Council Planning Scheme
- The CFA
- The CFA Act
- Council Policy
- Municipal Fire Management Plan
- A number of concerned property owners
- An Independent arborist

Your request has also been discussed at the Municipal Fire Management Planning Committee where Cypress Lane was confirmed as not being a Strategic Fire Break or a fire access road and was not identified for any priority works to create a 4m x 4m access clearance.

Question 6 – Mr Gary McIntosh

Will Council request that Council Officers prepare and budget for removal of the 6 large Cypress trees at the southern end of Cypress Lane that are in the middle of the carriageway restricting access and egress noting that 19 other Cypress trees would remain? (Estimated cost is less than \$4,000), and, will Council request the CEO prepare a formal response regarding Cypress Lane as requested by the Victorian Ombudsman's office asap?

Answer 6 – Mayor John Cottrell

No we will not request officers to prepare a budget for the requested tree removal for the same reasons outlined above in the previous question.

We are not aware of any outstanding request from the Victorian Ombudsman to Council in relation to this matter.

Supplementary Question – Mr Gary McIntosh

I've been in touch with the Ombudsman's office, the Ombudsman asked me to get a response from the CEO. The request to the CEO has come from me, and it's been in writing to the CEO and the CEO has not responded at all. When is the CEO going to respond to me?

Supplementary Answer – Mayor John Cottrell

We're not aware of an outstanding request but I'll seek qualification by officers and respond further to you in writing once that has been qualified.

Cr Klein declared an indirect interest – impact on residential amenity due to living next to one of the sites regarding the subject of the next two questions and left the meeting at 6.45 pm

Question 7 - Ms Susie Spence

Having been so involved with my role as the Chair of the Community Reference Group for the Trentham Community Hub project, I am very pleased to see this matter coming to what I hope will be a positive outcome for our community and Council.

During the time we were gathering support for the 386-signature Petition we encountered a lot of optimism that a vote would help draw the whole community together around a vision backed by the majority of the community.

I believe that the wording and conduct of the survey is critically important. People need to be able to choose between two clear and objective options. The Petition called for an independent survey.

Cr Redwood's Notice of Motion refers to a total cost of \$2M for the project which is just over half of the estimated cost of the original design for High St.

The community was subsequently assured that the full Hub would be designed for Victoria St.

We want Council to join with the Trentham community to achieve this vision by designing and building a facility that meets the needs, purpose and style of the community now and for the future.

Will Council budget for the full Hub as proposed originally for High St and later for Victoria St?

Answer 7 - Mayor John Cottrell

Council's current planning for the 14A Victoria Street site includes the same scope of works as was considered at the High St site.

Council has maintained its commitment of \$800,000 towards the construction of the Trentham Hub irrespective of site. The remainder of the costs for the Hub will need to be met from other sources, as was previously spelled out.

Question 8 - Ms Susie Spence

Will Council engage with the community in designing the process for the site Survey to ensure community acceptance?

Answer 8 – Mayor John Cottrell

The matter of a potential survey and how it is delivered is being considered at item 9.1 on tonight's agenda.

Cr Klein returned to the meeting at 6.49 pm

Question 9 - Mr Bryan Johns

Are Council employees all treated the same?

Answer 9 – Mayor John Cottrell

The question submitted in advance by Mr Johns, in accordance with Local Law 1, was not asked on the evening. Mr Johns attempted to ask other unsubmitted questions. In accordance with Local Law 1, no response was given to the alternate and unsubmitted questions.

The question submitted was taken on notice.

Point of Order – Cr Don Henderson

This session doesn't have provision for back and forth.

Mayor John Cottrell determined in favour of the Point of Order raised.

Question 10 - Mr Bryan Johns

Why did Council renege on their motion passed January 2018?

Answer 10 – Mayor John Cottrell

We assume this question is in relation Item 11.1- Response to petition - Proposed tree plantings along main road, between Fifteenth and eighteenth streets, Hepburn.

After considering this item Council determined to plant 8 trees along Main Road, Hepburn Springs and that Council officers liaise with residents to only plant trees where residents are agreeable.

Council has written to property owners/residents where tree planting was proposed. At this stage three (3) residents have requested trees to be planted and this will occur during autumn where the adjacent property owners were supportive of the proposed planting.

Council has clearly not reneged on the decision made at the January Council meeting.

Supplementary Question – Mr Bryans Johns

How come the planter box is still there?

Supplementary Answer – Mayor John Cottrell

There will be plantings taking place as requested by residents.

Question 11 – Mr Rod Kirby

Given the recent growth of the “tree change” phenomenon, in other words, a massive influx of people from Melbourne to rural areas. How many of the Councillors and officers who sit on Hepburn Shire Council, and staff for that matter, are actually recently arrived residents from Melbourne or further afield?

Answer 11 – Mayor John Cottrell

We do not collect data on the background of staff or Councillors so we’re not able to respond to that question. We simply don’t seek that level of information from anyone.

Point of order – Cr Kate Redwood AM

This is not an exchange

Mayor John Cottrell determined in favour of the Point of Order raised.

Question 12 – Mr Rod Kirby

Does Council expect genuine long-term country locals of Hepburn Shire to recognise or have any respect for any supposed "AUTHORITY" that "tree-changers" from Melbourne or further afield may claim to have over country people (at Council level) especially given that "Local Government" is not recognized under the Federal Constitution?

Answer 12 – Mayor John Cottrell

Council is established under an Act of the State Government of Victoria.

When Council and its officers apply the laws of the Commonwealth, State and our Local Laws in our democratic society, then we do expect all members of the public to respect that authority, as with any other regulatory body.

Point of order – Cr Sebastian Klein

Local Law No 1 - no discussion.

Mayor John Cottrell determined in favour of the Point of Order called.

Question 13 – Mr Bill McClenaghan

With reference to Item 11.7 in today's Council Agenda, Council is proposing to lease Vic Track land on the former Daylesford to Karlsruhe rail line for the purposes of creating a rail trail. One such parcel of land is identified as Lot 6 Bullarto. Attachment 4 shows the location of Lot 6 Bullarto and identifies land shaded in pink as "Leased".

The Central Highlands Tourist Railway already leases Vic Track Land east of Bullarto as far as the Kangaroo Creek, which is not shown on the attached map. A local farmer may also lease land further to the east beyond that creek. According to the scale of the map, it appears that land already leased to CHTR is involved in this proposal to Council today.

Please clarify exactly where Lot 6 is, that Council is proposing to lease from Vic Track in terms of the Kangaroo Creek location and whether there are existing leases on any or all of it.

Answer 13 – Mayor John Cottrell

Council has worked closely with VicTrack and we understand that we have been offered leases over land that is not currently leased. It's certainly not our intention to take over any land of the Central Highlands Tourist Railway. A meeting has been arranged to take place shortly with the Central Highlands Tourist Railway to discuss those issues and the leasing of land required for the Rail Trail. So, I can't go in to any more detail than that. It is confusing, as I understand, in terms of the location of those adjoining lots.

Questions from Ms Liz Burns

Five questions were submitted with a preamble well in excess of 200 words. Therefore, as the request did not comply with the requirements of Local Law 1, officers sought confirmation from Ms Burns as to which two questions she wanted to ask at the meeting. No response was provided by Ms Burns in a reasonable timeframe. Therefore, we propose to respond to all questions in writing.

8.3. REQUESTS TO ADDRESS COUNCIL

If you wish to address Council you must provide a brief synopsis of your address in writing to the Chief Executive Officer by 12 noon on the day of the Council Meeting.

Cr Klein declared an indirect interest – impact on residential amenity due to living next door to one of the proposed sites regarding the subject of the upcoming address and the Notice of Motion next on the agenda and left the meeting at 7.01 pm

Mr Robert Kingston addressed the Council regarding the Trentham Save Our Institute Campaign.

9. NOTICES OF MOTION

9.1. TRENTHAM COMMUNITY HUB

DATE: 13 MARCH 2018

The following Notice of Motion was deferred at the March 2018 Council Meeting and has been resubmitted by Cr Kate Redwood AM for consideration.

NOTICE OF MOTION

- 9.1.1. *That Council, on completion of the first hold point in the contract for the concept design for 14A Victoria Street Trentham by Antarctica Architects, undertake no further planning or construction work on any site until the local community decides a preference for the site for their community hub.*
- 9.1.2. *That the preferred site for the Trentham Community Hub be determined by a non-compulsory postal survey of people on the Coliban voters roll as at a set date to be fixed and publicly advertised.*
- 9.1.3. *That the outcome of the postal survey be 50% plus one of returned votes.*
- 9.1.4. *That the two options to be included in the postal survey be:*
- *Mechanics Institute High Street Trentham - main hall kept and renovated and a new extension built to it on that site;*
 - *14A Victoria Street proceed as the site for the Trentham Community Hub;*
- 9.1.5. *That the results of the postal survey be finalised by 30 July 2018.*
- 9.1.6. *That Council proceed with the Trentham Community Hub project in line with the community voice expressed through the postal survey, subject to obtaining sufficient external funding.*

Moved: Cr Kate Redwood AM

Seconded: Cr Fiona Robson

Carried

BACKGROUND

Council has been committed to the provision of the Trentham Community Hub for many years. In 2014, it undertook the Trentham Community Facilities Review which determined the need for a community hub and assessed a number of sites in Trentham. This study also assessed the condition and fitness for purpose of existing facilities.

The preferred site reported in the Review was the Mechanics Institute, owned by DELWP (crown land), but the community was and continues to be divided as to the way that a community hub should be developed, if at all, on the Mechanics Institute site. Despite extended community consultation, the divisions in the community regarding site remained unresolved.

In August 2016, Council passed a motion to build the Trentham Community Hub on Council owned land at 14A Victoria Street Trentham.

In August 2017, Council confirmed that this site (14A Victoria St) would be utilised for the Trentham Community Hub and resolved to appoint architects to undertake planning and design work.

Issues:

The Trentham/Coliban community remain divided with regard to the location of the Trentham Community Hub and the ongoing arrangements for the Mechanics Institute. The level of disunity in the community is apparent to other funding bodies who have made it clear that funding will not be forthcoming until the community expresses a strong support for a designated site. Council has allocated \$800,000 over three years for the development of the hub but the total cost is anticipated to be around \$2 million.

This motion is intended to provide a way forward that would indicate a clear preference for a site, and therefore the possibility of seeing the project proceed.

Councillor Name: Kate Redwood AM



Councillor Signature:

Chief Executive Officer Signature:



Aaron van Egmond

Cr Klein returned to the meeting at 7.22 pm

10. STATUTORY PLANNING REPORTS

Nil

11. OFFICERS' REPORTS

11.1. CHIEF EXECUTIVE OFFICERS REPORT

The past month has gone by very quickly. I was fortunate to take some leave over Easter and spend time with my family, camping.

The majority of time since the last meeting has been spent progressing a range of projects and initiatives within the organisation.

Some of these include:

- Waste Management and Recycling
- The development of the Hepburn Hub at the Rex
- The Hepburn Shire waste to energy project
- I attended a special briefing with Councillors and the Executive team relating to the finalisation of the Proposed Hepburn Shire Council Budget 2018/19.
- I attended the Creswick New residents welcome.
- I attended the opening of the Glenlyon Hall refurbishment.

OFFICERS RECOMMENDATION

11.1.1. That the Council receives the Chief Executive Officer's Report for April 2018.

MOTION

11.1.1. *That the Council receives the Chief Executive Officer's Report for April 2018.*

Moved: Cr Kate Redwood

Seconded: Cr Fiona Robson

Carried

11.2. PROPOSED BUDGET 2018-19

GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

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

PURPOSE

The purpose of this report is for Council to consider the Proposed Budget 2018-19

BACKGROUND

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

Budget Process

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

Budget process	Timing
1. Officers update Council's current year forecast	Dec
2. Minister of Local Government announces maximum rate increase	Dec
3. Officers prepare operating and capital budgets	Jan/Mar
4. Councillors consider draft budget items at informal briefings	Mar/Apr
5. Proposed budget submitted to Council for approval	17-Apr
6. Public notice advising intention to adopt budget	25-Apr
7. Proposed budget available for public inspection and submissions	25-Apr
8. Public submission process commences	25-Apr
9. Community Budget information sessions commence	1-May
10. Community Budget information sessions conclude	11-May
11. Submissions period closes (28 days)	25-May
12. Submissions considered by Council	5-Jun
13. Budget presented to Council for adoption	19-Jun
14. Copy of adopted budget submitted to the Minister	30-Jun

ISSUE/DISCUSSION

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

A copy of the Proposed Budget 2018-19 is included as an attachment provided under separate cover.

Budget Summary

The 2018-19 Proposed Budget has rates income increasing by a 2.25% or \$373,000 plus a 1.4% or \$232,000 increase in revenue from 2017-18 supplementary rates. The

1.4% increase in revenue from supplementary valuations, which arises predominantly from the rating of new buildings for the first time in 2017-18, represents the growth in Council's rate base. In addition, \$180,000 is forecast for supplementary rates to be charged in 2018-19. This results in total revenue from rates of \$17.37 million. A further \$2.95 million will be raised from the waste management charge and kerbside collection charges.

The budgeted operating result for the 2018-19 year is a surplus of \$3.60 million, compared to a forecast surplus of \$2.44 million in 2017-18.

The adjusted underlying result for the 2018-19 year is a surplus of \$2.36 million which is an increase of \$1.54 million from the 2017-18 year. The adjusted underlying result is a measure of financial sustainability and Council's ability to achieve its service delivery objectives as it is not impacted by once off capital income items which can often mask the operating result.

Total cash and cash equivalents are forecast to increase by \$0.86 million to \$7.10 million as at 30 June 2019. Budgeted movements affecting Council's cash and cash equivalents are included in more detail within the Statement of Cash Flows.

The Proposed Budget 2018-19 includes a significant number of operational and capital projects to implement key Council strategies and plans, including:

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

Total capital works included in 2018-19 is \$10.47 million. The 2017-18 forecast capital works is \$15.58 million. This includes \$2.86 million of carry forward expenditure from the previous year.

Differential Rates

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

The proposed rate differentials are:

Type or class of land	2017-18		2018-19		Change
	\$/ \$ CIV	Differential	\$/ \$ CIV	Differential	
General Rate	0.0040575	100%	0.003666	100%	-9.65%
Farm Rate	0.002637	65%	0.002383	65%	-9.63%
Commercial Rate	0.004707	116%	0.004253	116%	-9.65%
Industrial Rate	0.004707	116%	0.004253	116%	-9.65%
Mixed Use Rate	0.004707	116%	0.004253	116%	-9.65%
Vacant Land Rate - Township	0.005072	125%	0.004583	125%	-9.64%
Vacant Land Rate - Other	0.004058	100%	0.003666	100%	-9.66%
Trust for Nature Rate	0.002029	50%	0.001833	50%	-9.66%
Recreational Rate	0.002029	50%	0.001833	50%	-9.66%

Each class of land has increased in line with the cap imposed by the Minister for Local Government. The decrease change shown in the table above is reflective of a higher capital improved value ('CIV') of properties following the 2018 general revaluation.

Charges

The proposed annual service charges are:

Type of Charge	Per Rateable Property	Per Rateable Property	Change
	2017-18	2018-19	
	\$	\$	
Kerbside collection (Garbage) Existing Weekly	128.00	130.00	1.6%
Kerbside collection (Garbage) New Fortnightly	108.00	110.00	1.9%
Kerbside collection (Recycling) Fortnightly	46.00	79.00	71.7%
Commercial Garbage Charge	290.00	300.00	3.4%
Waste management improved charge	118.00	130.00	10.2%
Waste management Unimproved Charge	118.00	130.00	10.2%

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

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

The 71.7% increase in the kerbside recycling collection and 10.2% increase in the waste management charge are due to additional expenses being incurred by Council to dispose of recyclable materials. This additional expense is due to the impacts

flowing through the recycling industry from the ban on imports of contaminated recyclable materials imposed by China.

Capital Works Program

Council's proposed capital works program for 2018-19 is \$10.47 million. Highlights of the capital works program are listed below. Some of these projects are subject to receiving funding from other Government sources.

- Asset Renewal Programs comprising building and structures, road resealing and resheeting, road reconstruction, road safety improvements, bridge, footpath, and kerb and channel renewals \$4.48 million
- Towards Zero sustainability strategy implementation, council facilities \$258,000
- Hepburn netball changerooms \$390,350
- Newlyn netball court upgrade \$150,000
- Clunes turf wicket replacement \$81,000
- Outdoor exercise equipment in Creswick \$40,000
- Jubilee Lake remedial works \$190,000
- Walking and cycling footpath and trail implementation \$414,700
- Upgrade of Houston, Fraser and Grenville Streets Daylesford \$200,000
- Fleet, plant and equipment acquisitions \$2.12 million
- Glenlyon Market Shelter \$70,000
- Daylesford Town Hall Community Hub works \$250,000
- The Rex social enterprise café \$65,000
- Library collection renewal \$57,400

Non-capital Initiatives

Operational initiatives total \$2.73 million and include the following projects. Some of these projects are subject to receiving funding from other Government sources.

- Creswick Trails Master Plan implementation \$1.7 million
- Daylesford – Hanging Rock Rail Trail \$100,000 (first year contribution)
- Implementation of youth strategy \$55,500
- Towards Zero sustainability strategy implementation, community facilities \$40,000
- Community planning implementation fund \$50,000
- Tree works at Newlyn recreation reserve \$50,000
- Programs for 8-12-year-old children \$18,000
- Implement biodiversity strategy actions \$60,000
- Play space strategy development \$35,000
- Reconciliation action plan delivery \$14,500

- White ribbon actions \$6,000

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

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

The attached report has been prepared in accordance with the Local Government Model Budget and contains the necessary statutory information required under the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

The recommendations below are the formal resolutions to be passed by Council to finalise the Proposed Budget 2018-19, which will be placed on public display until 5pm Friday 25 May 2018.

FINANCIAL IMPLICATIONS

A financial summary of the Proposed Budget is detailed above.

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

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

RISK IMPLICATIONS

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

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

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

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Proposed Budget 2018-19 has been prepared by considering all the strategies and plans that Council has previously developed in consultation with the community. In addition, the budget has been prepared in conjunction with the Council Plan 2017-2021. Community consultation has resulted in prioritised programs that are implemented progressively.

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

The Proposed Budget and prescribed information will be available for inspection for 28 days at Council offices in Daylesford, Creswick and Clunes, at all Hepburn libraries and from Council's website at www.hepburn.vic.gov.au. Community information evenings will be advertised and held in each ward of the shire.

Any person may make a submission to Council on any proposal contained in the budget. Submissions received by the Council before 5pm Friday 25 May 2018 will be considered when Council adopts the budget on Tuesday 19 June 2018.

CONCLUSION

The Proposed Budget 2018-19 has been developed through a rigorous process that is aligned with the Council Plan 2017-21 and the initiatives in Council's other adopted strategies and plans. The Proposed Budget 2018-19 as tabled outlines how Council intends to deliver its strategic objectives over the next year.

OFFICER'S RECOMMENDATION

That Council, having complied with the requirements in the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014 regarding the preparation and content of the Budget for the 2018-19 financial year:

- 11.2.1. Determines that the Budget for 2018-19, as presented to the meeting, be proposed for the purpose of Section 127 of the Local Government Act 1989.
- 11.2.2. Makes the following declarations in relation to the Proposed Budget 2018-19, which commences 1 July 2018:
 - Additional funds of \$1.22 million are proposed to be borrowed during the 2018-19 financial year.
 - The total amount of borrowings as at 30 June 2019 is projected to be \$5.56 million, which is \$568,100 greater than the amount at 30 June 2018.
 - It be recorded that Council considers that differential rates will contribute to the equitable and efficient carrying out of Council functions. The respective types or classes of land which are subject to each differential rate are those defined in the schedule to this recommendation.
 - Council proposes the following rate in the dollar for each type of rate to be levied for the period 1 July 2018 to 30 June 2019:

Type or class of land	2017-18 \$/\$ CIV	2018-19 \$/\$ CIV	Change
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General Rate	0.0040575	0.003666	-9.65%
Farm Rate	0.002637	0.002383	-9.63%
Commercial Rate	0.004707	0.004253	-9.65%
Industrial Rate	0.004707	0.004253	-9.65%
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Vacant Land Rate - Township	0.005072	0.004583	-9.64%
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Trust for Nature Rate	0.002029	0.001833	-9.66%
Recreational Rate	0.002029	0.001833	-9.66%

- Council proposes to levy a Waste Management Charge of \$130 for the period 1 July 2018 to 30 June 2019 on all properties. Owners of farm rated properties will only pay one charge per 'single farm enterprise'.
- Council proposes to levy a Kerbside Collection (Garbage) Weekly Service charge of \$130 on those residential, farm, mixed use and trust for nature properties included in the service areas for the period 1 July 2018 to 30 June 2019.
- Council proposes to levy a Kerbside Collection (Garbage) Fortnightly Service charge of \$110 on those properties receiving the service for the period 1 July 2018 to 30 June 2019.
- Council proposes to levy a Commercial Garbage Collection Service charge of \$300 on those properties receiving the service for the period 1 July 2018 to 30 June 2019.
- Council proposes to levy a Kerbside Collection (Recycling) Fortnightly Service charge of \$79 on those residential, farm, mixed use and trust for nature properties included in the service areas and those other properties receiving a service for the period 1 July 2018 to 30 June 2019.

11.2.3. Gives Public Notice of the preparation of a Proposed Budget 2018-19.

11.2.4. Makes the Proposed Budget 2018-19 available for public inspection for 28 days at Council offices in Daylesford, Creswick and Clunes; at Libraries in Daylesford and Trentham and on Council's website.

11.2.5. Invites any person to make a written submission up until 5pm on Friday 25 May 2018, addressed to the Chief Executive Officer.

11.2.6. Intends to meet on Tuesday 5 June 2018 at 6pm in the Daylesford Senior Citizens Room to hear and consider submissions received.

11.2.7. Intends to meet on Tuesday 19 June 2018 at 6pm at The Warehouse Clunes to consider and determine the adoption of the Budget 2018-19.

MOTION

That Council, having complied with the requirements in the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014 regarding the preparation and content of the Budget for the 2018-19 financial year:

11.2.1. Determines that the Budget for 2018-19, as presented to the meeting, be proposed for the purpose of Section 127 of the Local Government Act 1989.

11.2.2. Makes the following declarations in relation to the Proposed Budget 2018-19, which commences 1 July 2018:

- Additional funds of \$1.22 million are proposed to be borrowed during the 2018-19 financial year.*
- The total amount of borrowings as at 30 June 2019 is projected to be \$5.56 million, which is \$568,100 greater than the amount at 30 June 2018.*
- It be recorded that Council considers that differential rates will contribute to the equitable and efficient carrying out of Council functions. The respective types or classes of land which are subject to each differential rate are those defined in the schedule to this recommendation.*
- Council proposes the following rate in the dollar for each type of rate to be levied for the period 1 July 2018 to 30 June 2019:*

<i>Type or class of land</i>	<i>2017-18 \$/\$ CIV</i>	<i>2018-19 \$/\$ CIV</i>	<i>Change</i>
<i>General Rate</i>	<i>0.0040575</i>	<i>0.003666</i>	<i>-9.65%</i>
<i>Farm Rate</i>	<i>0.002637</i>	<i>0.002383</i>	<i>-9.63%</i>
<i>Commercial Rate</i>	<i>0.004707</i>	<i>0.004253</i>	<i>-9.65%</i>
<i>Industrial Rate</i>	<i>0.004707</i>	<i>0.004253</i>	<i>-9.65%</i>
<i>Mixed Use Rate</i>	<i>0.004707</i>	<i>0.004253</i>	<i>-9.65%</i>
<i>Vacant Land Rate - Township</i>	<i>0.005072</i>	<i>0.004583</i>	<i>-9.64%</i>
<i>Vacant Land Rate - Other</i>	<i>0.004058</i>	<i>0.003666</i>	<i>-9.66%</i>
<i>Trust for Nature Rate</i>	<i>0.002029</i>	<i>0.001833</i>	<i>-9.66%</i>
<i>Recreational Rate</i>	<i>0.002029</i>	<i>0.001833</i>	<i>-9.66%</i>

- Council proposes to levy a Waste Management Charge of \$130 for the period 1 July 2018 to 30 June 2019 on all properties. Owners of farm rated properties will only pay one charge per 'single farm enterprise'.
- Council proposes to levy a Kerbside Collection (Garbage) Weekly Service charge of \$130 on those residential, farm, mixed use and trust for nature properties included in the service areas for the period 1 July 2018 to 30 June 2019.
- Council proposes to levy a Kerbside Collection (Garbage) Fortnightly Service charge of \$110 on those properties receiving the service for the period 1 July 2018 to 30 June 2019.
- Council proposes to levy a Commercial Garbage Collection Service charge of \$300 on those properties receiving the service for the period 1 July 2018 to 30 June 2019.
- Council proposes to levy a Kerbside Collection (Recycling) Fortnightly Service charge of \$79 on those residential, farm, mixed use and trust for nature properties included in the service areas and those other properties receiving a service for the period 1 July 2018 to 30 June 2019.

11.2.3. Gives Public Notice of the preparation of a Proposed Budget 2018-19.

11.2.4. Makes the Proposed Budget 2018-19 available for public inspection for 28 days at Council offices in Daylesford, Creswick and Clunes; at Libraries in Daylesford and Trentham and on Council's website.

11.2.5. Invites any person to make a written submission up until 5pm on Friday 25 May 2018, addressed to the Chief Executive Officer.

11.2.6. Intends to meet on Tuesday 5 June 2018 at 6pm in the Daylesford Senior Citizens Room to hear and consider submissions received.

11.2.7. Intends to meet on Tuesday 19 June 2018 at 6pm at The Warehouse Clunes to consider and determine the adoption of the Budget 2018-19.

Moved: Cr Don Henderson

Seconded: Cr Kate Redwood AM

Carried

ATTACHMENT 1 - PROPOSED BUDGET 2018-19 (ISSUED UNDER SEPARATE COVER)

11.3. RECRUITMENT OF CHIEF EXECUTIVE OFFICER – APPOINTMENT OF RECRUITMENT FIRM
CEO RECRUITMENT COMMITTEE

PURPOSE

The purpose of this report is for Council to appoint a recruitment firm to assist it with the task of recruiting a new Chief Executive Officer.

BACKGROUND

At the 20th March 2018 Hepburn Shire Ordinary Meeting of Council the following motion was carried:

That Council:

- 7.2.1 *Establishes a CEO Recruitment Committee comprising four councillors to provide recommendations to Council on the relevant stages of the CEO recruitment process, including recommendations for:*
- *the proposed contract for a recruitment consultant,*
 - *appointment of a recruitment consultant,*
 - *setting key selection criteria for the new CEO,*
 - *appointing a successful applicant and*
 - *developing the contract, including performance criteria, for the new CEO.*
- 7.2.2 *Appoints the following councillors to the CEO Recruitment Committee: Mayor John Cottrell, Deputy Mayor Don Henderson, Cr Kate Redwood AM and Cr Fiona Robson.*
- 7.2.3 *Requests the CEO Recruitment Committee to undertake necessary steps to progress the recruitment in a timely manner, while keeping all councillors informed of progress and considerations, and bringing recommendations to Council for decision.*

ISSUE/DISCUSSION

The CEO Recruitment Committee ('the Committee') subsequently compiled a list of suitable search firms and the terms of an "Invitation to Submit Proposal for CEO Recruitment". Invitations were extended to the following nine search firms on 26 March 2018 with responses required by close of business on 4 April 2018.

- Carrington King
- Davidson Executive

- Derwent Executive
- Fisher Leadership
- Hunt & Hunt
- Kathleen Townsend
- McArthur
- Omera Partners
- SAL Corporation

Eight responses were received by the close-off, with one firm declining to submit due to workload. All submissions were forwarded to Committee members for evaluation on 5 April 2018.

The Committee met on 9 April 2018 to compare evaluations and discuss relevant aspects of each submission. The Committee agreed to short-list the following four firms. The unsuccessful firms were accordingly advised.

- Davidson Executive
- Fisher Leadership
- McArthur
- Omera Partners

Each of the four firms were advised of being short-listed on 9 April 2018, and requested to attend an interview with the Committee in Melbourne on 11 April 2018 to enable Committee members to question aspects of their submission.

CEO RECRUITMENT COMMITTEE'S RECOMMENDATION

11.3.1. That Council appoints _____ as the consultant to undertake the CEO recruitment process as outlined in the "Invitation to Submit Proposal for CEO Recruitment", and authorises the Mayor and Deputy Mayor to sign the contract of appointment.

MOTION

11.3.1. That Council appoints McArthur as the consultant to undertake the CEO recruitment process as outlined in the "Invitation to Submit Proposal for CEO Recruitment", and authorises the Mayor and Deputy Mayor to sign the contract of appointment.

Moved: Cr Don Henderson

Seconded: Cr Kate Redwood AM

Carried

11.4. FINANCIAL REPORT AS AT 31 MARCH 2018

GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Financial Accountant, I Kathie Attwood have no interests to disclose in this report.

PURPOSE

The purpose of this report is to present a summary of Council's financial performance for the 2017/18 financial year up to 31 March 2018.

BACKGROUND

This report provides information on Council's operating performance for the period 1 July 2017 to 31 March 2018 and compares the Income Statement to the budget adopted by Council in June 2017, and the Balance Sheet and Statement of Cash Flows to the corresponding period last year.

ISSUE/DISCUSSION

Income Statement - Income

Total income year to date is \$26.26 million, which is \$1.3 million less than budget.

The greatest variance appears against Grants – operating which is \$1.11 million behind year to date budget due to budget phasing of Creswick Trails Mecca (\$1.3M) offset by receipt of an unbudgeted flood recovery reimbursement of \$254K.

Grants - capital is \$400K less than budget due to \$100K advance payment for Roads to Recovery, less final 10% (\$115K) of grant for Victoria Park Daylesford not yet received and receipt of final 10% (\$35K) for Creswick Streetscape received but not budgeted. \$200K East Street railway underpass and \$150K Dairy Flat Road grants not yet received.

Contributions – monetary are \$128K behind budget as the community contributions for Victoria Park multipurpose facility (\$125K) have not been received. Contributions non-monetary are \$93K above budget following the recognition of gifted roads from developers. In addition, Rates and charges are up \$100K, including \$47K from supplementary rates and \$30K from interest. Statutory fees and fines are up \$90K while other income is up \$24K due to \$54K additional interest on investments and \$21K lower in reimbursements.

Income Statement - Expenses

Total expenses year to date is \$20.73 million, which is \$1.77 million less than budget.

The main contributors are:

- Materials and services where we have spent \$1.65 million less than budget; and
- Other expenses which are \$167K less than budget.

Under expenditure in materials and services is predominantly a timing variance of operational projects (\$1.33M), particularly Cameron Court Units (\$375K) and Trentham netball facility (\$191K). Other expenses reflect timing variances for community grants \$157K and audit expenses \$29K.

Income Statement - Overall

The year to date operating result provides a \$5.53 million surplus, which is \$435K greater than budget.

Please refer to the Income Statement attached for further details.

Balance Sheet

Total Cash as at 31 March 2018 is \$15.8 million including \$10.7 million classified as other financial assets (March 2017 by comparison was \$11.7 million and \$1.53 million). Other financial assets are term deposits with an initial term greater than 90 days.

Total debtors are \$7.6 million (March 2017: \$7.2 million), comprising rate debtors of \$6.5 million (March 2017; \$5.9 million) and \$1.1 million (March 2017; \$1.3 million) in non-rate debtors.

Council's loan balances are at a total of \$5.04 million (March 2017; \$5.76 million).

Please refer to the Balance Sheet attached for further details.

Statement of Cash Flows

Net decrease in cash and cash equivalents as at 31 March 2018 is \$0.79 million (March 2017; \$7.76 million increase). This is comprised of \$10.57 million provided by operations (March 2017; \$7.27 million), \$10.6 million being spent on investing activities (March 2017; \$2.48 million) and \$0.75 million used in financing activities (March 2017; \$2.98 million provided by financing activities). The greatest operating variance is reflected in Grants – operating which represents receipt of flood restoration financial assistance funding accrued last financial year. The significant year on year change in cash flow from financing activities is due to additional borrowings of \$3.4 million being drawn down last year.

Statement of Capital Works

To date, \$4.02 million of the \$15.6 million capital works forecast for 2017/18 has been spent. In addition, \$2.95 million has been committed to be spent through purchase orders. The forecast budget includes unexpended funds carried forward from 2016/17 for completion in 2017/18.

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

These financial reports assist in decision making and oversight to confirm that departments and the organisation follows its budget.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

None noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

The report on the financial performance of Council for the nine months from 1 July 2017 to 31 March 2018 is presented for Council's review and noting.

OFFICER'S RECOMMENDATION

That Council:

- 11.4.1. Receives and notes the Financial Report for the nine months from 1 July 2017 to 31 March 2018.

MOTION

That Council:

11.4.1. *Receives and notes the Financial Report for the nine months from 1 July 2017 to 31 March 2018.*

Moved: Cr Kate Redwood AM

Seconded: Cr Sebastian Klein

Carried

ATTACHMENT 2 - YEAR TO DATE FINANCIAL REPORT AS AT 31 MARCH
2018

Hepburn Shire Council

Comprehensive Income Statement

For the Period Ended 31 March 2018

	YTD Budget 2017/18 \$'000	YTD Actual 2017/18 \$'000	YTD Variance		
			\$'000	%	
Income					
Rates and charges	19,283	19,382	100	1%	1
Statutory fees and fines	530	620	90	17%	2
User fees	718	746	28	4%	
Grants - operating	4,042	2,929	(1,113)	-28%	3
Grants - capital	1,539	1,139	(400)	-26%	4
Contributions - monetary	259	130	(128)	-50%	5
Contributions - non monetary	7	100	93	1329%	6
Net gain/(loss) on disposal of assets	98	75	(23)	-24%	
Other income	1,113	1,137	24	2%	7
Total income	<u>27,589</u>	<u>26,259</u>	<u>(1,330)</u>	<u>-5%</u>	
Expenses					
Employee costs	8,750	8,802	(52)	-1%	
Materials and services	7,918	6,263	1,654	21%	8
Bad and doubtful debts	0	5	(5)	-1138%	
Depreciation and amortisation	5,021	5,021	-	0%	
Borrowing costs	163	162	1	1%	
Other expenses	642	475	167	26%	9
Total expenses	<u>22,494</u>	<u>20,728</u>	<u>1,765</u>	<u>8%</u>	
Surplus/(deficit) for the year	<u>5,095</u>	<u>5,531</u>	<u>435</u>		

- 1 Supplementary rates up by \$47K and interest on rates and charges over budget by \$30K
- 2 Fines up by \$73 due mainly to fire hazard infringements issued
- 3 Budget phasing of Creswick trails mecca \$1.3 million, \$30K Kingston avenue of honour received in advance plus receipt of unbudgeted flood reimbursement of \$254K
- 4 \$100K advance payment from Roads to Recovery less \$115K Vic Park grant not yet received. \$200K LGIF grant not yet received, \$150K Dairy flat road not yet received, plus \$35K final 10% Creswick streetscape received but not budgeted.
- 5 Contributions behind budget as community contributions for Vic park multipurpose facility have not been received \$125K
- 6 \$93K above budget following the recognition of gifted roads from developers
- 7 \$54K additional interest on investments while reimbursements are under by \$21K
- 8 Timing variance of operational projects particularly Cameron court units \$375K and Trentham netball facility \$191K
- 9 Reflects timing variances of community grants \$157K and audit expenses \$29K

Hepburn Shire Council

Balance Sheet

As at 31 March 2018

	<i>Current Year Actual</i>	<i>Prior Year Actual</i>	<i>Variance Year on Year</i>	
	\$'000	\$'000	\$'000	%
Assets				
Current assets				
Cash and cash equivalents	5,071	11,693	(6,621)	-131%
Trade and other receivables	7,600	7,159	441	6%
Other financial assets	10,733	1,527	9,206	86%
Inventories	82	22	60	73%
Non-current assets classified as held for sale	545	-	545	100%
Other assets	148	25	123	83%
Total current assets	24,180	20,426	3,754	16%
Non-current assets				
Property, infrastructure, plant and equipment	233,490	228,869	4,621	2%
Intangible assets	497	559	(62)	-12%
Total non-current assets	233,987	229,428	4,559	2%
Total assets	258,166	249,854	8,312	3%
Liabilities				
Current liabilities				
Trade and other payables	947	1,115	168	18%
Trust funds and deposits	1,627	1,472	(155)	-10%
Provisions	2,618	1,694	(924)	-35%
Interest-bearing loans and borrowings	580	56	(525)	-90%
Other Liabilities	18	18	-	0%
Total current liabilities	5,790	4,355	(1,436)	-25%
Non-current liabilities				
Provisions	457	549	92	20%
Interest-bearing loans and borrowings	4,461	5,705	1,245	28%
Other Liabilities	98	116	18	18%
Total non-current liabilities	5,016	6,371	1,354	27%
Total liabilities	10,807	10,725	(81)	-1%
Net assets	247,360	239,128	8,231	3%
Equity				
Accumulated surplus	151,757	148,311	3,446	2%
Reserves	95,602	90,818	4,785	5%
Total Equity	247,360	239,128	8,231	3%

Hepburn Shire Council

Statement of Cash Flows

For the Period Ended 31 March 2018

	<i>Current Year</i> <i>Actual</i>	<i>Prior Year</i> <i>Actual</i>		
	Inflows/ (Outflows) \$'000	Inflows/ (Outflows) \$'000		
Cash flows from operating activities				
Rates and charges	14,492	14,166	(326)	-2%
Statutory fees and fines	609	451	(157)	-26%
User fees	833	1,462	629	76%
Grants - operating	8,671	4,668	(4,003)	-46%
Grants - capital	1,139	3,022	1,882	165%
Contributions - monetary	130	135	5	4%
Interest received	264	294	30	11%
Rent received	678	774	96	14%
Trust funds and deposits taken	(35)	(20)	15	-44%
Other receipts	127	299	172	136%
Net GST refund/payment	273	(126)	(399)	-146%
Employee costs	(8,726)	(8,486)	240	-3%
Materials and services	(7,411)	(8,838)	(1,427)	19%
Other payments	(475)	(536)	(61)	13%
Net cash provided by/(used in) operating activities	<u>10,570</u>	<u>7,266</u>	<u>(3,304)</u>	-31%
Cash flows from investing activities				
Payments for property, infrastructure, plant and equipment	(4,107)	(10,391)	-	0%
Proceeds from sale of property, infrastructure, plant and equipment	75	109	34	46%
Payments for investments	(6,579)	7,800	14,379	-219%
Net cash provided by/(used in) investing activities	<u>(10,611)</u>	<u>(2,482)</u>	<u>9,635</u>	-91%
Cash flows from financing activities				
Finance costs	(162)	(67)	95	-58%
Proceeds from borrowings	-	3,405	3,405	100%
Repayment of borrowings	(589)	(359)	230	-39%
Net cash provided by/(used in) financing activities	<u>(751)</u>	<u>2,979</u>	<u>3,730</u>	-497%
Net increase (decrease) in cash and cash equivalents	(793)	7,763	8,556	-1080%
Cash and cash equivalents at the beginning of the period	5,864	3,930	(1,934)	-33%
Cash and cash equivalents at the end of the period	<u>5,071</u>	<u>11,693</u>	<u>6,621</u>	131%

Hepburn Shire Council Statement of Capital Works as at 31 March 2018

Project Number	Project Name	New / Renew / Upgrade	Full Year Budget 2017/18 Expenditure	YTD Actual 2017/18 Expenditure	% Spent YTD	YTD Actual + Commit. 2017/18 Expenditure	% Spent YTD Incl Commit. 2017/18 Expenditure	Full Year Budget 2017/18 Income	YTD Actual 2017/18 Income	Progress Comments
PROPERTY										
Land improvements										
	Creswick Landfill PANs Response		450,000	55,110	12%	159,183	35%	-	-	
	Town and Shire Road Signage		43,478	19,242	44%	21,443	49%	-	-	
	Interpretive Signage at Calembreen Park		8,000	-	0%	-	0%	-	-	
	Gateway signage - permanent market sign in each town		9,400	-	0%	-	0%	-	-	
	Activate John Curtin fountain at the Creswick Cenotaph		3,000	600	20%	600	20%	-	-	
	Replace fencing at Dean Rec Reserve		5,500	-	0%	-	0%	-	-	
	Old Hepburn Depot site cleanup for property sale		200,000	163,583	82%	187,082	94%	-	-	
	Total land		719,378	238,536	33%	368,308	51%			
Buildings										
	Multi Purpose Facility - Victoria Park Daylesford		58,265	9,297	16%	58,264	100%	240,000	250	Additional veranda construction cost is forecast to exceed original budget by \$30k. Savings on community services staffing costs will fund additional expenditure.
	Trentham Community Hub		50,000	21,123	42%	73,638	147%	-	-	Commitments not to be fully expended this financial year.
	Hepburn Shire Council Services & Community Hub Construction		1,325,000	375,143	28%	792,737	60%	-	-	Project required significant additional works to restump and replace all flooring to support kitchen, inclusion of appliances and other items required to achieve building code compliance.
	Kitchen - Creswick Town Hall		36,422	81,361	223%	81,361	223%	5,000	7,000	Additional costs will be accommodated within savings to be realised in other infrastructure projects.
Building improvements										
	Capital Building and Structures Renewal Program		1,261,208	150,443	12%	242,753	19%	-	-	
	Basin Reserve Facility Improvements		9,713	5,545	57%	5,545	57%	-	-	
	Bullarto Community Facilities		5,000	4,794	96%	4,939	99%	-	-	
	Sustainability Strategy - Towards Zero - Council Assets		240,642	29,667	12%	29,667	12%	-	2,607	
	Trentham Mechanics Institute upgrades		25,000	-	0%	-	0%	-	-	
	Lyonville Hall storage facility		11,000	6,969	63%	11,580	105%	-	-	
	Daylesford Town Hall Community Hub assoc works		690,079	2,019	0%	22,269	3%	200,000	-	
	Total buildings		4,884,243	692,316	14%	1,328,708	27%	505,000	9,857	
	TOTAL PROPERTY		5,603,621	930,851	17%	1,697,016	30%	505,000	9,857	
PLANT AND EQUIPMENT										
Plant, machinery and equipment										
	Vehicle and Plant Replacement		667,000	353,480	53%	469,275	70%	146,700	74,765	
	National Flagship Bioenergy Facility		410,000	24,143	6%	27,880	7%	400,000	-	
	Replace salt chlorination with Auto Dose Unit		33,572	32,797	98%	32,797	98%	-	-	
	Portable stage - collapsable		7,000	6,880	98%	6,880	98%	-	-	
Computers and telecommunications										
	IT Hardware / Technology Renewal Program		575,079	289,983	50%	315,874	55%	-	-	
Library books										
	Library Collection Renewal		63,417	14,219	22%	53,640	85%	-	-	
	TOTAL PLANT AND EQUIPMENT		1,756,068	721,502	41%	906,347	52%	546,700	74,765	

Hepburn Shire Council Statement of Capital Works as at 31 March 2018

Project Number	Project Name	New / Renew / Upgrade	Full Year Budget 2017/18 Expenditure	YTD Actual 2017/18 Expenditure	% Spent YTD	YTD Actual + Commit. 2017/18 Expenditure	% Spent YTD Incl Commit.	Full Year Budget 2017/18 Income	YTD Actual	Progress Comments
INFRASTRUCTURE										
Roads										
000100	Road Reseals Program		800,000	31,637	4%	754,223	94%	-	-	
	Road Reseals Program	Renew	800,000	31,637	4%	754,223	94%	-	-	
	Reseal Preparation Program		85,000	115,276	136%	122,188	144%	-	-	Saving on the 'Road Reseals Program' external contract offsets the overspend in preparation costs.
	Gravel Resheet Program		623,400	319,188	51%	324,230	52%	-	-	
	Pavement Rehabilitation, Formation & Drainage		2,143,539	575,143	27%	1,685,459	79%	1,287,450	571,820	
	Road Safety Improvements Program		110,000	37,681	34%	37,681	34%	400,000	-	
	East St Railway Bridge Underpass		597,270	52,636	9%	66,837	11%	200,000	-	
	Upgrade of Dairy Flat Road Musk		350,000	3,110	1%	3,110	1%	-	-	
	Redesign and construct Jamieson-Raglan St Intersection		6,000	-	0%	-	0%	-	-	
	Road Upgrade Policy & Road Sealing Implementation Fund		60,000	39,161	65%	41,192	69%	-	-	
Bridges										
	Bridge Renewal Program		493,360	164,055	33%	298,903	61%	-	-	
Footpaths and cycleways										
	Footpath Improvement and Renewal Program		210,283	18,713	9%	20,401	10%	-	-	
	Walking and Cycling Footpath and Trail Implementation		317,000	110,070	35%	146,988	46%	-	-	
	Creswick crossing/outstands -		100,000	-	0%	86,279	86%	40,000	-	Additional \$40k funding was received to deliver the project.
Drainage										
	Kerb & Channel Rehabilitation		357,222	197,217	55%	205,215	57%	-	-	
	Drainage condition assessment and renewal/upgrade program		40,000	9,679	24%	15,979	40%	-	-	
Recreational, leisure and community facilities										
	Community Services Non-Capital Projects - Adam		-	125	100%	125	100%	-	-	
	Playground Equipment Replacement Program		44,430	7,190	16%	7,190	16%	-	-	
	Hard-court Annual Renewal Program		57,200	3,598	6%	30,586	53%	-	-	
	Splash Park in Creswick		14,974	13,341	89%	13,341	89%	-	-	
	Creswick Soccer Club lighting		194,480	66,024	34%	195,484	101%	30,000	-	Soil testing resulted in significant cost increase for footings. Over spend balanced with realised operational savings
	Pump Track Creswick		-	-	100%	-	100%	-	-	
	Oval No 2 Change Rooms Vic Pk D'ford		176,100	15,081	9%	20,686	12%	20,000	-	
	Swimming Pool Consultation and Scoping Creswick		27,914	14,012	50%	15,047	54%	-	-	
	Climate Resilient Recreation Facilities		60,000	6,086	10%	6,086	10%	-	-	
	Lee Medlyn - Implement Landscape Plan, and Car Park		12,500	11,293	90%	11,293	90%	-	-	
Parks, open space and streetscapes										
	Implementation of Streetscape Plans Creswick		-	5,643	100%	5,643	100%	-	35,000	Skate park fencing not included in scope of works. Over expenditure to be balanced with other project savings
	Trentham Streetscape Implementation		229,606	1,369	1%	1,369	1%	-	-	
	Daylesford Community Park - Shade and Infrastructure		41,948	47,331	113%	47,331	113%	-	-	Initial scope costing exceeded budget. Revised scope delivered with modest overspend to be balanced with potential hard court renewal savings
	Glenlyon Streetscape Construction		85,387	75,943	89%	81,457	95%	50,000	-	

Hepburn Shire Council Statement of Capital Works as at 31 March 2018

Project Number	Project Name	New / Renew / Upgrade	Full Year Budget 2017/18 Expenditure	YTD Actual 2017/18 Expenditure	% Spent YTD	YTD Actual + Commit. 2017/18 Expenditure	% Spent YTD Incl Commit.	YTD Actual Income 2017/18	Full Year Budget 2017/18	Progress Comments
	Hepburn Streetscape Construction		286,803	8,748	3%	8,748	3%	-	-	
	Lake Daylesford Improvements		185,442	243,092	131%	243,092	131%	-	-	Additional project management costs have been incurred given the duration of the project. Additional funds to be sourced from mineral springs financial reserve.
	Daylesford Cenotaph Upgrade		28,454	2,629	9%	28,214	99%	6,000	6,000	Additional \$6k funding was received to deliver the project.
	Mineral Springs Reserve Improvement Works		243,643	31,668	13%	102,797	42%	-	-	
	Wombat Hill Botanic Garden Works		61,336	-	0%	3,800	6%	-	-	
	Glenlyon Recreation Reserve P/Ground Shade Sail		13,570	13,570	100%	13,570	100%	-	-	
	Drinking fountain at Creswick Splash Park		10,500	4,808	46%	4,808	46%	-	7,000	
	Additional street trees and Parklet prototype		10,000	202	2%	202	2%	-	-	
	Skate Park at Daylesford Community Park		30,000	11,872	40%	23,932	80%	-	-	
	Bouldering wall (rock climbing) in Creswick community park		14,000	1,150	8%	1,150	8%	-	-	
	Fraser St (Service St-Creswick Rd) Clunes Streetscape Works		105,700	33,533	32%	34,133	32%	-	-	
	Other infrastructure									
	Public Art Appropriation & Replacement		72,000	35,037	49%	65,222	91%	-	-	
	TOTAL INFRASTRUCTURE		8,299,061	2,326,912	28%	4,773,991	58%	2,040,450	606,820	
	TOTAL CAPITAL WORKS		15,658,750	3,979,265	25%	7,377,354	47%	3,092,150	691,442	
	Represented by:									
	New asset expenditure	New	3,192,410	721,995	23%	1,397,014	44%	-	437,000	
	Asset renewal expenditure	Renew	8,676,694	2,676,827	31%	5,089,759	59%	656,192	1,459,150	
	Asset upgrade/expansion expenditure	Upgrade	3,789,646	580,443	15%	901,652	24%	35,250	1,196,000	
	Total capital works expenditure		15,658,750	3,979,265	25%	7,388,425	47%	691,442	3,092,150	

11.5. REVIEW OF COUNCIL'S DISABILITY ACCESS AND INCLUSION PLAN
GENERAL MANAGER, COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Manager, Aged & Disability Services, I Melanie Perks, have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider the draft Disability Access & Inclusion Plan 2018-2022 and release it for public comment.

BACKGROUND

There are a range of legislation and standards that protect, affirm and strengthen the rights of people with a disability including the United Nations Convention on the Rights of Persons with Disabilities, the Commonwealth *Disability Discrimination Act 1992* along with *Victorian Equal Opportunity Act 1995* and *Victorian Disability Act 2006*.

In accordance with Section 38 of the *Victorian Disability Act 2006*, councils must develop a disability action plan that addresses the following outcomes:

- Reducing barriers to persons with a disability accessing goods, services and facilities;
- Reducing barriers to persons with a disability obtaining and maintaining employment;
- Promoting inclusion and participation in the community of persons with a disability
- Achieving tangible changes in attitudes and practices which discriminate against persons with a disability.

Council has previously developed and adopted the Disability Access & Inclusion Plan 2014-2016.

ISSUE/DISCUSSION

Council's Disability Access & Inclusion Plan 2014-16 has been reviewed and a revised Plan has been drafted. The review of Council's Disability Access and Inclusion Plan has been led by Council's Rural Access Project Worker over the past 3 months.

The development of a revised Disability Access & Inclusion Plan reflects Council's ongoing commitment to the principles of the *Disability Discrimination Act 1992* and the *Victorian Disability Act 2006* by seeking to provide equitable and dignified access to all Council's activities.

The review of the existing plan was conducted utilising the following:

- Literature Review
- Consultation with staff and Health & Disability Service providers
- Consultation with the community
- Reviewing our existing plan and identifying actions which still needed to be completed.

The key objectives within the draft Disability Access & Inclusion Plan align with the *Disability Discrimination Act 1992* objectives.

Consultation has occurred with relevant staff to review actions from the previous plan and identify further work required to eliminate barriers preventing access and inclusion by people with a disability. This approach works toward achieving a plan which is owned by the relevant teams and provides a 'Whole of Council' approach.

The draft plan is a four year plan (2018-2022) allowing for realistic goals and timeframes to be set and achieved.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

4. Improve community amenity and accessibility in all public places, through effective local laws review and enforcement, implementation of Access & Inclusion Plan actions and monitoring property owner's compliance with the planning and heritage requirements.

Action: Implement Hepburn Shire Disability Access and Inclusion Plan actions.

FINANCIAL IMPLICATIONS

Actions within the Disability Access & Inclusion Plan will have financial implications and whilst many can be achieved within existing resources, future budget allocations will be required, and Responsible Officers will need to consider their obligations when preparing future budgets.

RISK IMPLICATIONS

The implementation of a Disability Access and Inclusion Plan reduces the risk that Council does not act to reduce barriers of access and inclusion to people with a disability from accessing services and facilities or obtaining and maintaining employment.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The overall objective of the plan is to encourage full and equal participation of people with a disability within communities. Inclusion for all members of the community has positive social and economic benefits for our communities.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

A community survey was conducted in the initial steps of reviewing Council's current Disability Access & Inclusion Plan. The survey, targeting both community members and disability and health service providers received 31 submissions and identified areas for improvement across a range of Council functions and services.

Staff were also surveyed in relation to the plan and feedback was received regarding strategies to reduce access barriers within their work areas.

Results from both the community and staff surveys have been incorporated within the draft plan.

It is now proposed to seek public comment on the draft Disability Access & Inclusion Plan.

CONCLUSION

The draft Disability Access & Inclusion Plan represents Council's ongoing commitment to ensuring that Council's services and functions are accessible for all people with a disability and working toward an inclusive community.

OFFICER'S RECOMMENDATION

11.5.1. That Council resolves to advertise the draft Disability Access & Inclusion Plan for public comment.

MOTION

11.5.1. That Council resolves to advertise the draft Disability Access & Inclusion Plan for public comment.

Moved: Cr Fiona Robson

Seconded: Cr Sebastian Klein

Carried

ATTACHMENT 3 - DRAFT DISABILITY ACCESS AND INCLUSION PLAN
(ISSUED UNDER SEPARATE COVER)

11.6. COMMUNITY GRANTS – APRIL 2018

GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

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

PURPOSE

The purpose of this report is for Council to recommend the allocation of the 2017-2018 Community Grants Program for April 2018.

BACKGROUND

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

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

ISSUE/DISCUSSION

A total of four applications were received for April.

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

Grant applications were assessed against the following criteria, contained in the Guidelines:

- Description of the Project.
- What will the Project achieve and how will it be implemented?
- Risk Assessment
- Budget.

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

Three applications were recommended for full funding and one application was recommended for part funding.

Project Name	Community Organisation	Description	Total Project	Amount Requested
In Celebration of the Pudding - Children's Festival	Creswick Museum	A weekend of children's events celebrating Norman Lindsay's 'The Magic Pudding'	\$8,060	\$2,000
Youth Theatre Production	Spa Country Events Group Inc	12-18 year olds will celebrate 'differentness' and explore identity and personal empowerment through a variety of art-forms	\$14,000	\$2,000
The Brackenbury	VOGA Cycle Club	Community cycling event	\$9,500	\$2,000
Creswick Band Trailer Upgrade	Creswick Brass Band	Upgrade of the 'band in a box' trailer for performances at events	\$1,250	\$1,000
Total				\$7,000

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective:

Active & Engaged Communities

Key Strategic Activity:

3. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Arts and Culture, Events and Community Grants. Monitor emerging social issues impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

Action:

3.4 Continue to provide community grants to support community projects, events and initiatives.

FINANCIAL IMPLICATIONS

Council has allocated \$32,000 for Community Grants in the 2017-2018 budget.

Following the March Community Grants allocation there is a funding balance of \$4,347 in the 2017-2018 Program.

The Panel recommends funding three applications as identified below leaving, \$347 to be carried forward into the 2018-2019 Community Grants Program Budget.

The fourth application 'In Celebration of the Pudding - Children's Festival' is recommended for funding from the 2018-2019 budget.

RISK IMPLICATIONS

All applicants are required to identify how project risk and safety issues will be managed, and this formed part of the assessment process. Insurance and not-for-profit status is checked for all applications. All successful applicants are required to sign grant terms and conditions prior to receiving the grant allocation. There is a system in place for Council officers to monitor receipt of acquittals and follow up of any outstanding acquittals.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The request for applications for the Community Grants Program was advertised through Council social media, community networks and on Council's webpage. Officers worked on a one on one basis with applicants.

CONCLUSION

The recommended projects support the objectives of the 2017-18 Community Grants Program.

OFFICER'S RECOMMENDATION

11.6.1. That Council awards the following applications from the 2017-18 Community Grants Program to:

Project Name	Community Organisation	Amount
Youth Theatre Production	Spa Country Events Group Inc	\$2,000
The Brackenbury	VOGA Cycle Club	\$1,000
Creswick Band Trailer Upgrade	Creswick Brass Band	\$1,000

11.6.2. That Council awards the following application from the 2018-19 Community Grants Program to:

Project Name	Community Organisation	Amount
In Celebration of the Pudding - Children's Festival	Creswick Museum	\$2,000

MOTION

11.6.1. That Council awards the following applications from the 2017-18 Community Grants Program to:

<i>Project Name</i>	<i>Community Organisation</i>	<i>Amount</i>
Youth Theatre Production	Spa Country Events Group Inc	\$2,000
The Brackenbury	VOGA Cycle Club	\$1,000
Creswick Band Trailer Upgrade	Creswick Brass Band	\$1,000

11.6.2. That Council awards the following application from the 2018-19 Community Grants Program to:

<i>Project Name</i>	<i>Community Organisation</i>	<i>Amount</i>
In Celebration of the Pudding - Children's Festival	Creswick Museum	\$2,000

Moved: Cr Greg May

Seconded: Cr Don Henderson

Carried

11.7. DAYLESFORD TO HANGING ROCK RAIL TRAIL – VIC TRACK LEASE TO COUNCIL

CHIEF EXECUTIVE OFFICER

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

PURPOSE

The purpose of this report is to recommend that Council enter into a Heads of Agreement and Lease with Vic Track for Railway land – Trentham Lot Trentham Lot 1 and 54, Lyonville Lot 14, 15, 19,20,21, 22, 23 and Bullarto Lot 6.

BACKGROUND

Council adopted the Hepburn Walking and Cycling Strategy, in September 2011. The Strategy identified two iconic trails as top economic prosperity priorities:

1. Creswick Mountain Bikes
2. Daylesford –Woodend Rail Trail

Following adoption of the Waking and Cycling Strategy the *Crossing Borders Tracks and Trails Project* was funded to further develop a number of cross municipality, regional projects. One of the outputs was the *Daylesford to Macedon Ranges Rail Trail Report (Volume Two)*.

<https://www.hepburn.vic.gov.au/portfolio/crossing-boarders-tracks-and-trails-daylesford-to-macedon-ranges-rail-trail/>

This report found a number of competitive strengths to support the progression of the rail trail.

Estimated Tourism Demand and Economic Impact

Findings of the estimated demand and economic impact analysis of the Daylesford Macedon Ranges Rail Trail include:¹

¹ Volume 3: Background Reference Material includes comprehensive details, methodology and assumptions used in estimating *Usage of the Proposed Trails*, and *Economic Impacts of the Proposed Trails*. <https://www.hepburn.vic.gov.au/hepburn/wp-content/uploads/2018/03/Volume-3-Crossing-Borders-Tracks-and-Trails-Background-Reference-Material.pdf>

- 62,580 visitors are expected to use the trail per annum.
- The trail is expected to generate \$4.1 million per annum in direct and indirect expenditure, which would support 51 new jobs in the local economy.

Both Hepburn and Macedon Ranges Shire Councils have allocated funding in their 2017-18 budgets to progress the project to a point that is funding and construction ready.

ISSUE/DISCUSSION

Officers have been working with Vic Track to get approval to construct a granitic sand path between Station Street and Falls Road (Lot 54) to form part of the existing Domino Trail.

TRATA, the previous leaseholder of the railway between Trentham and Lyonville has relinquished all leases except the Trentham Stations lease. This provides Council the opportunity to enter in a lease for Trentham Lot 1 and 54, Lyonville Lot 14, 15, 19, 20, 21, 22, 23 and Bullarto Lot 6. A map of the railway detailing these Lots is attached. (Attachment 4) This will give Council control of the trail between Trentham and Lyonville.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Vibrant Economy

Key Strategic Activity:

10 Contribute to the strength of the economy through the ongoing development of key regional attractions and events that enable marketing of our region, attraction of visitors, business opportunities and underpin a strong community.

Action 10.2: : Develop, build and promote iconic walking and cycling trails including the Creswick Trails "Mountain Bike Mecca" and Daylesford Macedon Rail Trail

FINANCIAL IMPLICATIONS

Vic Track has prepared a Heads of Agreement and draft lease for these lots. (Attached). The proposed lease is for five years at a cost of \$500 per year with a four percent annual increase on every anniversary of the commencement date during the term. This is standard across all VicTrack leases

RISK IMPLICATIONS

Rail land has the potential to be contaminated from historical railway practices including uncontrolled filling. While it is unknown if contamination exists across the site, a copy of Vic Track's Environmental Management Plan (EMP) for tenants and general users of VicTrack land has been provided. Council will use this to manage exposure to potentially contaminated soils during any soil disturbance works and will prepare its own EMP during construction works, to ensure management measures are considered. Consideration will also be given to whether asbestos is present and how that will be managed, including removal.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Biodiversity

Vic Track's Environmental team have highlighted that significant biodiversity is present at various locations in the proposed lease area. Council will need to confirm the existence and extent of significant biodiversity by engaging a suitably qualified consultant to undertake a Flora and Fauna Assessment. Based on the findings of the Flora and Fauna Assessment, management of the biodiversity may need to be undertaken by Council

Aboriginal Cultural Sensitivity

Portions of the site are located within an area of high archaeological potential and within an area of Aboriginal Cultural Sensitivity. Given the works that will be undertaken in construction of the Rail Trail there is potential to impact on cultural heritage items (if any). Council will need to seek advice from a Cultural Advisor to determine if a Cultural Heritage Management Plan (CHMP) is required for the proposed works. If a CHMP is deemed necessary for the proposed works, Council will prepare and implement the CHMP before commencing the works.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Since 2010 /11 there has been significant community interest in 'Daylesford to Woodend' Rail Trail. Bicycle Victoria mounted a state-wide campaign for the Trail which was also supported by Daylesford Spa Country Railway and Trentham residents keen to extend the existing Domino Trail. Supporters were encouraged to participate in the consultation process to develop the Hepburn Walking and Cycling Strategy.

The August 2016 walking and cycling strategy priorities update confirmed community support for the project and some frustration with a lack of progress.

CONCLUSION

Entering into the lease with Vic Track will allow Council to construct a granitic sand path between Station Street and Falls Road (Lot 54) to form part of the existing Domino Trail, which has been partially funded by the Australian Government's Stronger Communities Program. Approval to enter into the rest of the leases is an important step towards delivering the iconic Daylesford – Hanging Rock Rail Trail.

OFFICER'S RECOMMENDATION

That Council:

- 11.7.1. Enters into a Heads of Agreement and Lease with Vic Track for Railway land – Trentham Lot Trentham Lot 1 and 54, Lyonville Lot 14, 15, 19,20,21, 22, 23 and Bullarto Lot 6.
- 11.7.2. Authorises the Chief Executive Officer to sign the Heads of Agreement and Lease.

MOTION

That Council:

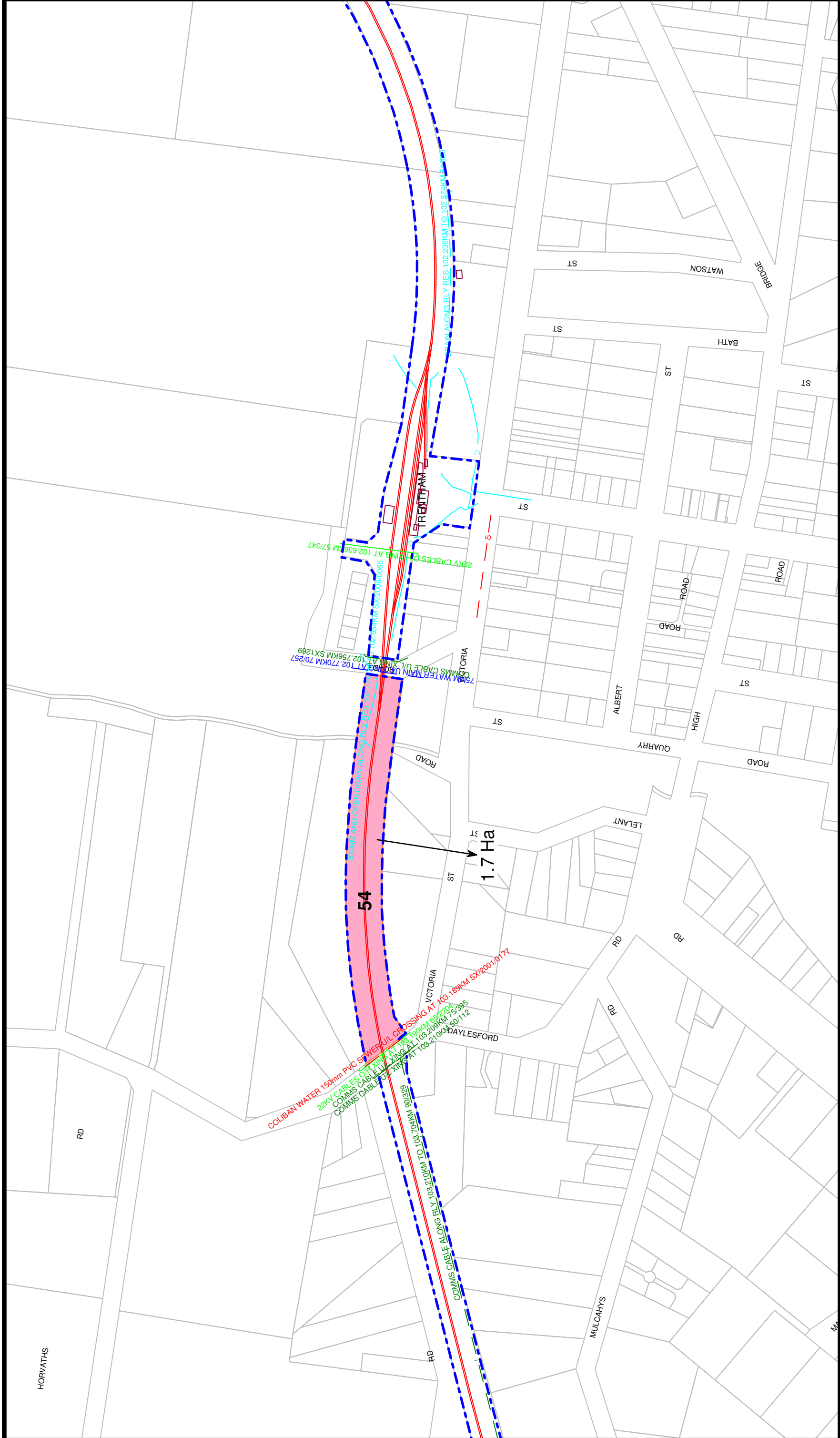
- 11.7.1. Enters into a Heads of Agreement and Lease with Vic Track for Railway land – Trentham Lot Trentham Lot 1 and 54, Lyonville Lot 14, 15, 19,20,21, 22, 23 and Bullarto Lot 6.*
- 11.7.2. Authorises the Chief Executive Officer to sign the Heads of Agreement and Lease.*

Moved: Cr Kate Redwood AM

Seconded: Cr Fiona Robson

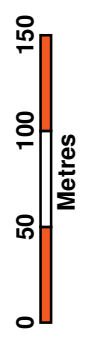
Carried

ATTACHMENT 4 - RAIL TRAIL -MAPS OF LAND TO BE LEASED



TRENTHAM

LEASE LOT 54



ORIGINAL SHEET SIZE

A3

SHEET 1 OF 1

LEGEND



LEASED

NOTE

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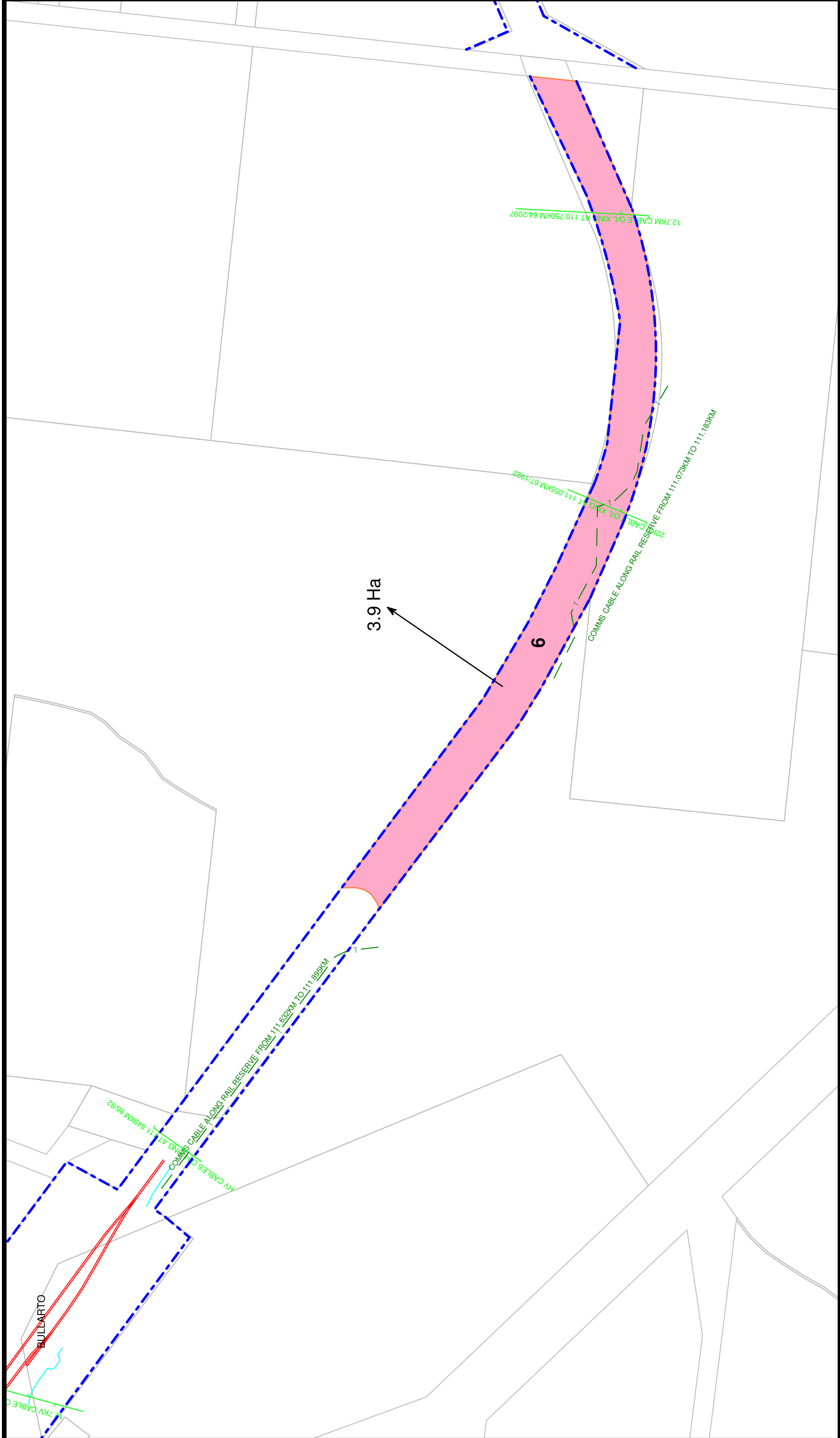
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Business Services
LV18, 1010 La Trobe St
Melbourne 3008





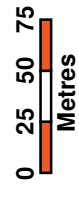
BULLARTO

LEASE LOT 6

ORIGINAL SHEET SIZE

A3

SHEET 1 OF 1



LEGEND

LEASED

NOTE

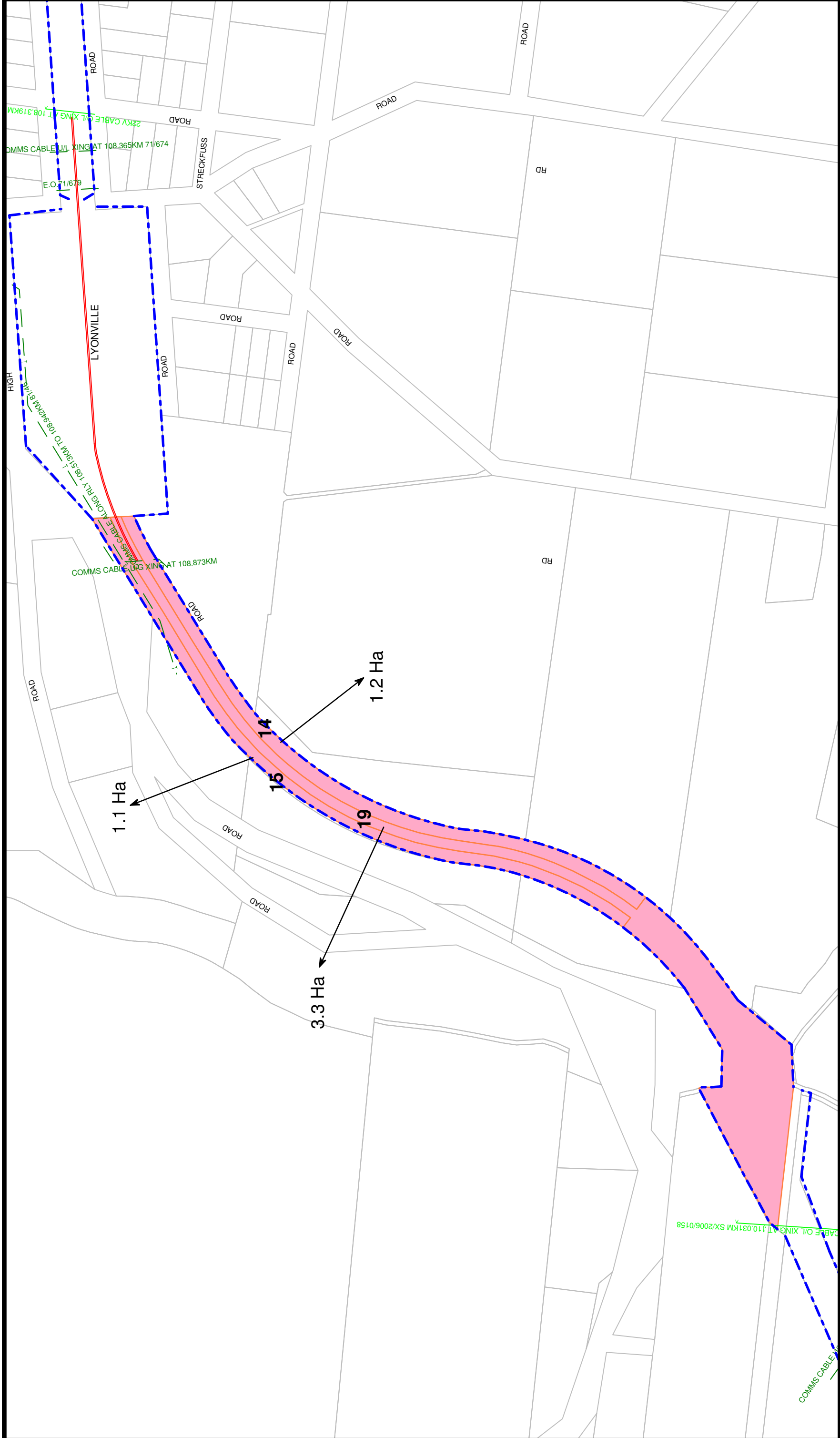
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LYONVILLE

LEASE LOTS 14, 15 & 19



LEGEND

LEASED

NOTE

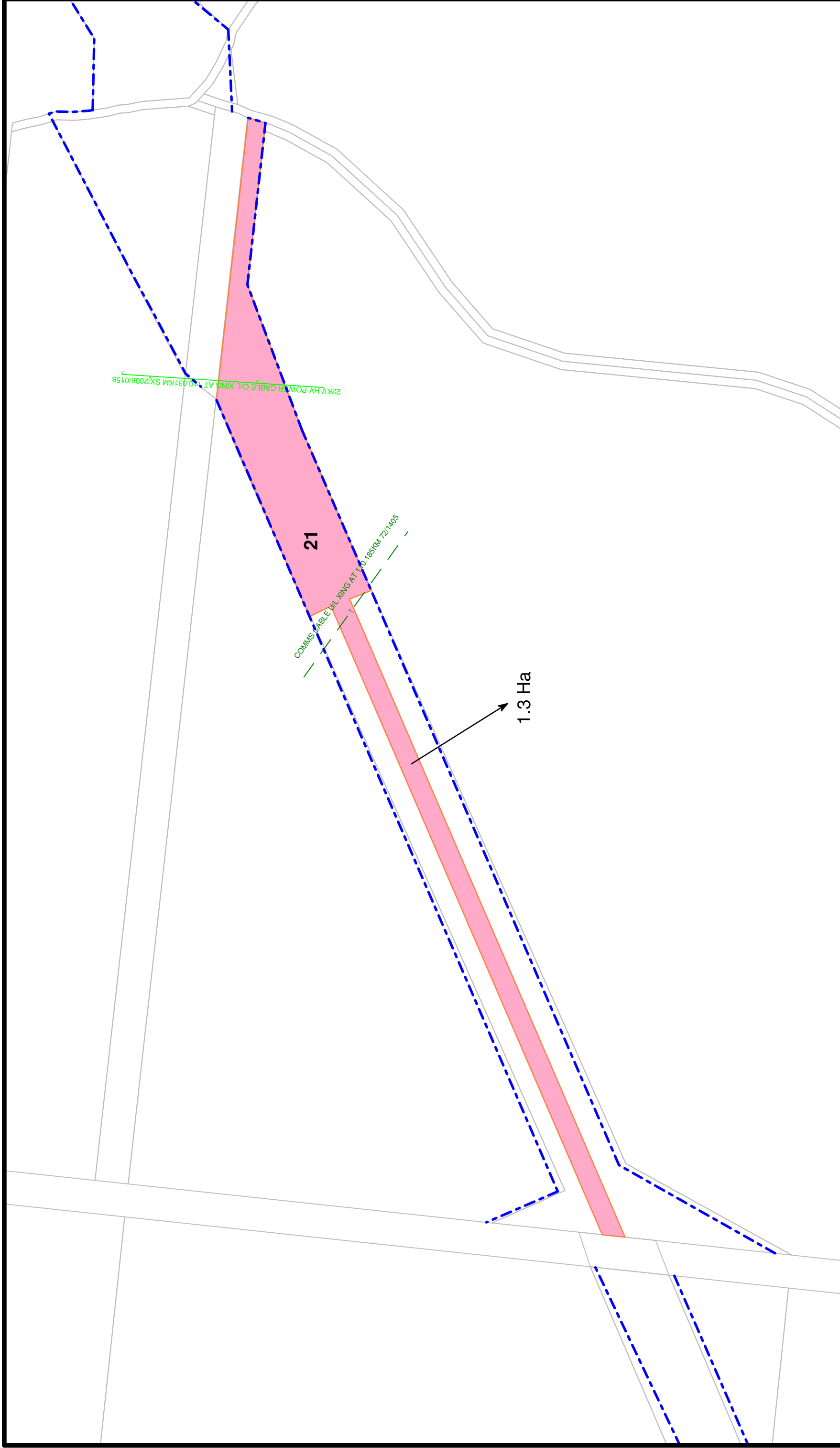
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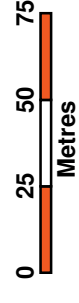
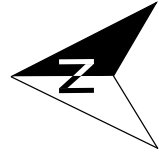
LYONVILLE

LEASE LOT 21

ORIGINAL SHEET SIZE

A3

SHEET 1 OF 1



LEGEND

LEASED

NOTE

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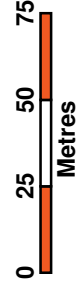
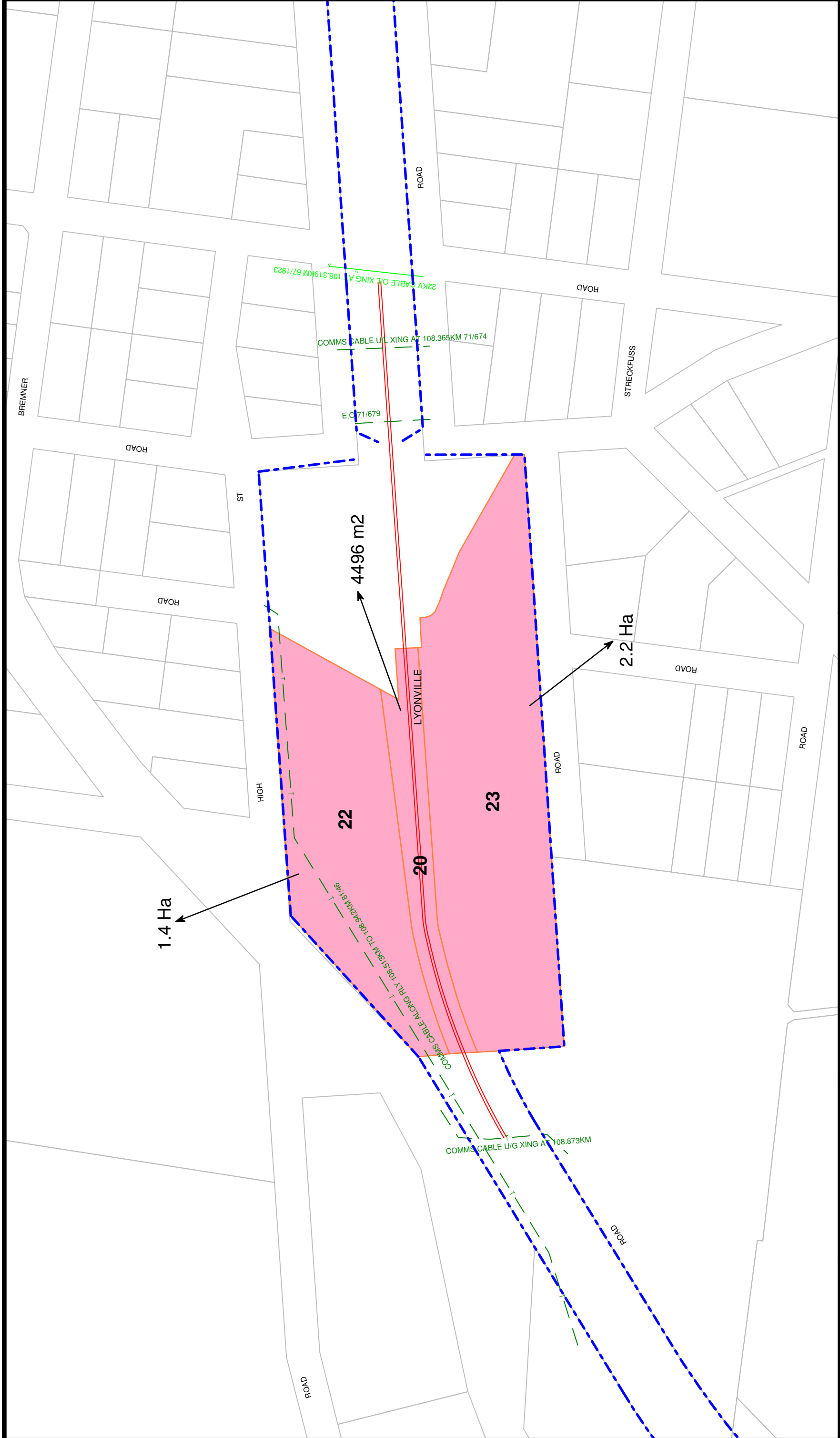
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LYONVILLE

LEASE LOTS 20, 22, & 23

LEGEND

LEASED

NOTE

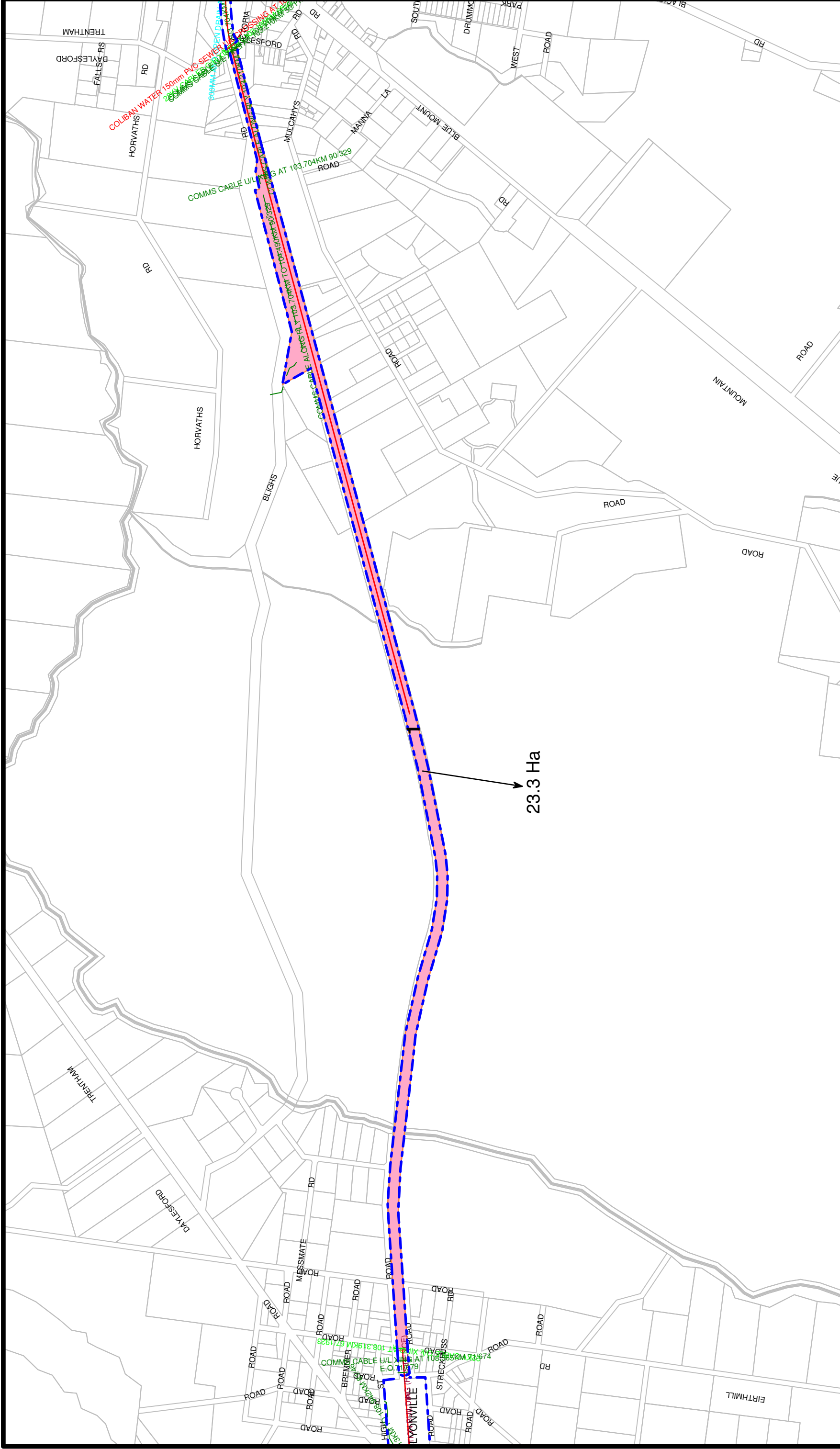
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23.3 Ha

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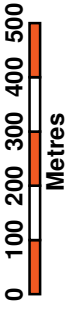
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LEGEND

LEASED



TRENTHAM

LEASE LOT 1

ORIGINAL SHEET SIZE

A3

SHEET 1 OF 1

ATTACHMENT 5 - DRAFT HEADS OF AGREEMENT - TRENTHAM LYONVILLE
TO BULLARTO RAIL TRAIL

Heads of Agreement

20 March 2018

Ms Kathleen Brannigan
Manager Special Projects
Hepburn Shire Council
PO Box 21 (76 Vincent St),
DAYLESFORD VIC 3460

Dear Kathleen,

VicTrack lease to Hepburn Shire Council

Premises: Railway Trentham Lot 1, 54, Lyonville 14, 15, 19, 20, 21, 22, 23 and Bullarto lot 6 situated on the Trentham to Bullarto Rail Trail (Lots are subject to change)

We are pleased to offer you a lease of the above premises on the terms and conditions contained in VicTrack's standard lease and those outlined in this letter.

Tenant:	Hepburn Shire Council (ABN 76 845 763 535) registered at 76 Vincent St, Daylesford VIC 3460
Guarantor:	Not applicable whilst Hepburn Shire Council is the tenant
Premises:	Railway Trentham Lot 1, 54, Lyonville 14, 15, 19, 20, 21, 22, 23 and Bullarto lot 6 situated on the Trentham to Bullarto Rail Trail (Lots are subject to change) delineated and coloured pink on the plan attached to the Lease
Commencement Date:	1 May 2018
Term:	One (1) by Five (5) years
Rent:	\$500 per annum plus GST payable by annual payments in advance on the commencement date.
Percentage Rent Increase Date(s) and Amount:	4% on every anniversary of the Commencement Date during the Term which is not a Market Review Date.

VicTrack

Level 8, 1010 La Trobe St Docklands VIC 3008
GPO Box 1681 Melbourne VIC 3001
T 1300 VICTRACK (1300 842 872)
victrack.com.au

VicTrack

Market Review Date(s):	On every fifth anniversary of the Commencement Date during the Term and on the commencement of any period of overholding
Security Deposit:	Not applicable whilst Hepburn Shire Council is the tenant
Permitted Use:	Community rail trail provided that the Tenant must not use the Premises wholly or predominantly for the sale or hire of retail goods or the retail provision of services within the meaning of the <i>Retail Leases Act 2003 (Vic)</i> .
Public Liability Insurance Amount:	\$20 million
Legal Costs	Each Party to pay for their own legal fees. VicTrack will supply and draft the document with internal Legal Counsel.
Lease	Standard VicTrack lease, lease schedules and conditions as annexed and listed below (December 2015 Version).
Special Conditions:	Refer to draft lease

Please note that entering into the proposed lease on the above terms and conditions is subject to the return of this Heads of Agreement signed by the Tenant and emailed to Mirella.zeait@victrack.com.au or sent to GPO Box 1681, Victoria 3000 within 20 business days of receiving the documents from VicTrack

Please confirm your acceptance of this offer by signing this letter where indicated below and returning it to us. Once signed by VicTrack, we will return a fully executed copy to you for your retention. If your acceptance of this offer is not received by VicTrack within 30 days of the date of this letter, this offer will be deemed to have been withdrawn by VicTrack.

Until the Lease is executed by VicTrack, VicTrack shall not be bound to proceed with this transaction and no legal relationship will exist between the parties.

If you have any queries in relation to the above, please do not hesitate to contact Mirella Zeait, Community, Tourist and Heritage Leasing Manager on 9619 8779.

Yours faithfully



Mirella Zeait
Community, Tourist and Heritage Leasing Manager

enc:

- VicTrack standard lease, lease schedule premises plan and conditions;
- condition report to be filled;

Signed for and on behalf of **Victorian Rail Track** by its Authorised Signatory in the presence of

Signature of Authorised Signatory

Signature of Witness

Name of Authorised Signatory (print)

Name of Witness (print)

Title of Authorised Signatory (print)

The common seal of **Hepburn Shire Council** was affixed on authority of the Council pursuant to Local Law no. 1 in the presence of:

.....
Mayor

.....
Chief Executive Officer

.....

ATTACHMENT 6 - GROUND LEASE - COMMUNITY USE - DRAFT -
TRENTHAM LYONVILLE TO BULLARTO TRAIL (ISSUED UNDER SEPARATE
COVER)

11.8. **PROPOSED ROAD DISCONTINUANCE – UNMADE ROAD (NORTH OF ALLOTMENT 15E, SECTION 1A, PARISH OF WOMBAT) ADJOINING 120 FOXS ROAD MUSK VALE**

GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Manager Strategic Asset Management, I Steve Millard have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to confirm the discontinuance of the unmade road reserve (north of allotment 15E, section 1A, Parish of Wombat) adjoining 120 Foxs Road Musk Vale under section 206 and Schedule 10 of the *Local Government Act, 1989* (Act).

BACKGROUND

At the November 2017 Council meeting, Council resolved to give public notice of its intention to discontinue the unmade road reserve adjoining 120 Foxs Road Musk Vale under Section 206 and Schedule 10 of the Act in order to correct title boundaries and encroachments of building improvements into the road reserve.

The Department of Environment, Land, Water and Planning (DELWP) has confirmed that the Minister has approved the sale of the unmade road reserve to adjacent landowners subject to Council completing the road discontinuance process.

Upon completion of the road discontinuance process by Council, the land will revert to being Crown land and the sale/purchase process will be completed by DELWP and Department of Treasury and Finance. DELWP has provided an indicative valuation of the road to the adjoining land owner. Council is not entitled to the sale proceeds.

ISSUE/DISCUSSION

As required under the Act, Council advertised the proposed road discontinuance in newspapers circulating in the area (Courier Newspaper on 6 February 2018 and The Advocate on 7 February 2018) as well as providing written notice to property owners that abut the unmade road reserve. Any person affected by the proposed road discontinuance was invited to make a submission under section 223 of the Act by 9 March 2018.

No submissions have been received in relation to the proposed road discontinuance.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Section 206 and Schedule 10 of the Act set out the administrative process and requirements to be met by Council in relation to the discontinuance of a road.

FINANCIAL IMPLICATIONS

No financial implications noted.

The land owners have agreed to reimburse Council in relation to all newspaper and Government Gazette advertising costs that will be incurred by Council.

RISK IMPLICATIONS

No risk implications noted.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

No environmental/social/economic implications noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council has undertaken community and stakeholder communication as required under the Act.

CONCLUSION

The discontinuance of the unmade road reserve abutting 120 Foxs Road Musk Vale and its subsequent sale to the adjacent land owner will formalise and correct the title boundaries and the encroachment of building improvements located in the road reserve.

OFFICER'S RECOMMENDATION

That Council consents to:

- 11.8.1. Publishing a notice in the Victorian Government Gazette confirming the discontinuance of the unmade road reserve adjoining 120 Foxs Road Musk Vale and the sale by the Department of Environment, Land, Water and Planning to the adjacent landowners; and
- 11.8.2. Advising the Department of Environment, Land, Water and Planning of the confirmation of the road discontinuance.

MOTION

That Council consents to:

- 11.8.1. *Publishing a notice in the Victorian Government Gazette confirming the discontinuance of the unmade road reserve adjoining 120 Foxs Road Musk Vale and the sale by the Department of Environment, Land, Water and Planning to the adjacent landowners; and*
- 11.8.2. *Advising the Department of Environment, Land, Water and Planning of the confirmation of the road discontinuance.*

Moved: Cr Greg May

Seconded: Cr Don Henderson

Carried

11.9. **PROPOSAL TO NAME PEDESTRIAN BRIDGE AT HEPBURN MINERAL SPRINGS RESERVE**

GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

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

PURPOSE

The purpose of this report is for Council to consider approving for submission to the Registrar of Geographic Names the naming of the pedestrian bridge at Hepburn Mineral Springs Reserve as 'Anniversary Bridge'.

BACKGROUND

In October 2015, members of the previous Hepburn Mineral Springs Reserve Advisory Committee submitted a request to Council to name the pedestrian bridge located within the Reserve as 'Anniversary Bridge'.

ISSUE/DISCUSSION

In accordance with the *Geographic Place Names Act 1998*, public feedback on the naming proposal was sought through The Advocate on 18 November 2015, through Council's website and from the Dja Dja Wurrung Clans Aboriginal Corporation as the bridge resides on land subject to an Indigenous Land Use Activity Agreement. No submissions or feedback was received regarding the proposed name.

The name 'Anniversary Bridge' was proposed to mark the 150th anniversary of the Hepburn Mineral Springs Reserve in March 2015.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The proposed name for the bridge conforms with all of the principles of the Naming Rules for places in Victoria – Statutory requirements for naming roads, features and localities - 2016 and the requirements of the *Geographic Place Names Act 1998*.

FINANCIAL IMPLICATIONS

Minor costs for the creation and installation of new signage for the pedestrian bridge will be met from the recurrent budget.

RISK IMPLICATIONS

Given the bridge is currently unnamed, the proposed name improves the ability of community members, visitors and emergency services to easily and quickly locate the bridge, particularly in the case of an emergency.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The naming of the bridge enables residents to clearly identify and locate the bridge. It also provides the local community with a sense of connection and belonging as it was the community, led by members of the previous Hepburn Mineral Springs Reserve Advisory Committee, the Organisation Committee for the 150th Anniversary Event and the Friends of the Hepburn Mineral Springs Reserve which initiated the naming request.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the previous Hepburn Mineral Springs Reserve Advisory Committee submitted the original proposal to name the pedestrian bridge. Public feedback on the proposed name was sought through newspaper advertisement, Council's website and from the Dja Dja Wurrung Corporation.

CONCLUSION

The proposed name of the pedestrian bridge at the Hepburn Mineral Springs Reserve, as 'Anniversary Bridge', is consistent with the requirements of the *Geographic Place Names Act 1998*.

It is recommended that Council accepts the proposed name and approves a submission to the Registrar of Geographic Names seeking to officially register the name of the bridge located within the Hepburn Mineral Springs Reserve as 'Anniversary Bridge'.

OFFICER'S RECOMMENDATION

11.9.1. That Council accepts the proposed name of 'Anniversary Bridge' for the bridge located within the Hepburn Mineral Springs Reserve to commemorate the 150th anniversary of the Hepburn Mineral Springs Reserve in March 2015 and approves lodging a proposal with the Registrar of Geographic Names.

MOTION

11.9.1. *That Council accepts the proposed name of 'Anniversary Bridge' for the bridge located within the Hepburn Mineral Springs Reserve to commemorate the 150th anniversary of the Hepburn Mineral Springs Reserve in March 2015 and approves lodging a proposal with the Registrar of Geographic Names.*

Moved: Cr Kate Redwood AM

Seconded: Cr Sebastian Klein

Carried

ATTACHMENT 7 - PHOTOS AND MAP OF PEDESTRIAN BRIDGE AT
HEPBURN MINERAL SPRINGS RESERVE



MINUTES
ORDINARY MEETING OF COUNCIL
17 APRIL 2018



11.10. REQUEST FOR APPROVAL TO OPERATE HIGHER MASS LIMIT AND B-DOUBLE VEHICLES ON LOCAL COUNCIL ROADS

GENERAL MANAGER INFRASTRUCTURE

In providing this advice to Council as the Property & Assets Coordinator , I Mahmud Kaiser have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider new and renewal requests to use Higher Mass Limit (HML) and B-Double vehicles on local roads.

BACKGROUND

The following request for a new permit has been received from the National Heavy Vehicle Regulator (NHVR).

Case Number	Permit Type	Organisation	Vehicles	Roads	Load Type	Time Frame as per Application	No of Trips (approx)
a) 135621r1v1	New	Clearwater Logging and Transport Pty Ltd	B-Double	King St, Frenchmans Rd, and Water St in Creswick	Pine Logs	18-04-2018 - 17/04/2021	20 Trips per Week for 3 to 4 Months per year depending on harvesting operations.

ISSUE/DISCUSSION

Council officers have assessed the application considering the following:

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

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

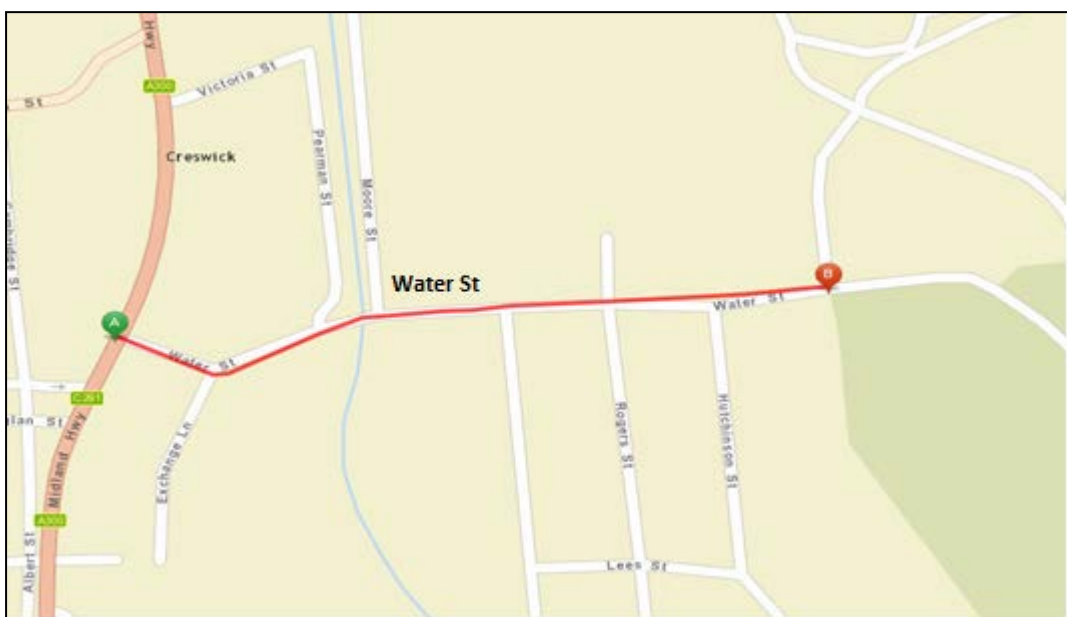
CONSENT REQUESTS

- a) Clearwater Logging and Transport Pty Ltd (Case Number 135621r1v1):

Clearwater Logging and Transport Pty Ltd requests that Council grants consent for the following routes (orange coloured and red coloured) which are shown in the following three maps:



Map a – 1



Map a – 2

The requested roads have been assessed as being suitable for using Heavy Vehicles subject to the Standard Conditions. Council has previously consented to the issue of a permit to Clearwater Logging and Transport Pty Ltd for King St and Frenchmans Rd in Creswick (19 August 2016 to 23 April 2018, Case Number 79066).

STANDARD CONDITIONS

It is the responsibility of the permit holder to pay attention to:

- Overhead cables
- Overhanging trees
- Steep inclines/declines, tight corners and narrow roads
- Must not trim or remove any trees without all approvals being obtained
- The use of compression brakes is to be avoided in residential areas
- Hours of Operation shall be 7:00am to 6:00pm
- Obey the Load Limit Signs for roads and bridges when appropriate

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

The Heavy Vehicle National Law (HVNL) came into effect on 10 February 2014 which requires Council to consider and provide consent for heavy vehicles to travel along roads under its control. Where consent is not provided, grounds for refusing to grant consent need to be provided.

FINANCIAL IMPLICATIONS

There are no expected financial implications of granting approval to the above operator to use heavy vehicles on subject Council maintained roads.

RISK IMPLICATIONS

There are no expected specific risk implications of granting approval to the above operator to use heavy vehicles on subject Council maintained roads.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

There are expected to be economic benefits for local business and economic development through granting of consents for access.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No external engagement was undertaken in relation to these requests. Relevant internal maintenance staff have been involved in assessing these requests.

CONCLUSION

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

OFFICER'S RECOMMENDATION

11.10.1. That Council approves Clearwater Logging and Transport Pty Ltd to use B-Doubles for the period of 36 months commencing 18th of April, 2018 and expiring 17th of April, 2021 on King St, Frenchmans Rd, and Water St in Creswick, subject to the following conditions:

It is the responsibility of the above permit holders to pay attention to:

- Overhead cables.
- Overhanging trees.
- Steep inclines/declines, tight corners and narrow roads.
- Must not trim or remove any trees without all approvals being obtained.
- The use of compression brakes is to be avoided in residential areas.
- Hours of Operation shall be 7:00am to 6:00pm.
- Obey the Load Limit Signs for roads and bridges when appropriate.

MOTION

11.10.1. That Council approves Clearwater Logging and Transport Pty Ltd to use B-Doubles for the period of 36 months commencing 18th of April, 2018 and expiring 17th of April, 2021 on King St, Frenchmans Rd, and Water St in Creswick, subject to the following conditions:

It is the responsibility of the above permit holders to pay attention to:

- *Overhead cables.*
- *Overhanging trees.*
- *Steep inclines/declines, tight corners and narrow roads.*
- *Must not trim or remove any trees without all approvals being obtained.*
- *The use of compression brakes is to be avoided in residential areas.*
- *Hours of Operation shall be 7:00am to 6:00pm.*
- *Obey the Load Limit Signs for roads and bridges when appropriate.*

Moved: Cr Don Henderson

Seconded: Cr Sebastian Klein

Cr Redwood called for a Division

In favour: Cr Sebastian Klein, Cr Don Henderson, Cr Greg May, Cr Neil Newitt, Cr John Cottrell

Against: Cr Kate Redwood AM, Cr Fiona Robson

Carried

11.11. RECORD OF ASSEMBLIES OF COUNCILLORS

GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Coordinator Governance and Information, I Katherine Toom 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:

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

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

ISSUE / DISCUSSION

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

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

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

Date	Location	Committee/Meeting Name
2 February 2018	Car Tour of Cameron Ward	Cameron Ward Tour
2 February 2018	Car Tour of Creswick Ward	Creswick Ward Tour
19 February 2018	Council Chamber	Mineral Springs Reserve Advisory Committee
20 March 2018	Doug Lindsay Reserve	Councillor/CEO Meeting
20 March 2018	Doug Lindsay Reserve	Pre-Council Meeting Briefing

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

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

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

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

COMMUNITY AND STAKEHOLDER ENGAGEMENT

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

CONCLUSION

Information provided for noting.

OFFICER'S RECOMMENDATION

11.11.1 That Council receives and notes the Records of Assemblies of Councillors for the months of February and March 2018.

MOTION

11.11.1. *That Council receives and notes the Records of Assemblies of Councillors for the months of February and March 2018.*

Moved: Cr Kate Redwood AM

Seconded: Cr Sebastian Klein

Carried

ATTACHMENT 8 - RECORDS OF ASSEMBLIES OF COUNCILLORS
(ISSUED UNDER SEPARATE COVER)

12. COUNCIL SPECIAL COMMITTEES (SECTION 86)

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

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

PURPOSE

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

BACKGROUND

Special Committees are established by Council under section 86 of the *Local Government Act 1989* and their function and responsibilities outlined in an Instrument of Delegation. Under the Instruments of Delegation, special committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council for review.

ISSUE/DISCUSSION

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

- Lyonville Hall Special Committee– 13-03-2018
- The Lee Medlyn Home of Bottles Special Committee – 19-03-2018

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

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

- Lyonville Hall Special Committee – 13-03-2018
- The Lee Medlyn Home of Bottles Special Committee – 19-03-2018

MOTION

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

- *Lyonville Hall Special Committee – 13-03-2018*
- *The Lee Medlyn Home of Bottles Special Committee – 19-03-2018*

Moved: Cr Kate Redwood AM

Seconded: Cr Sebastian Klein

Carried

13. COUNCIL ADVISORY COMMITTEES

13.1. MINUTES OF ADVISORY COMMITTEES GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

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

PURPOSE

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

BACKGROUND

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

ISSUE/DISCUSSION

Please see listed below the minutes and other reports from Advisory Committees, as provided by the Committees:

- Mineral Springs Reserve Advisory Committee – 19-02-2018

These minutes have been provided to Councillors under separate cover.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes have been provided for noting.

OFFICER'S RECOMMENDATION

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

- Mineral Springs Reserve Advisory Committee – 19-02-2018

MOTION

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

- Mineral Springs Reserve Advisory Committee – 19-02-2018

Moved: Cr Greg May

Seconded: Cr Sebastian Klein

Carried

14. CONFIDENTIAL ITEMS

14.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

- (d) Contractual matters; and

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-section:

- 89(2)(d) Contractual matters;
- Contract HEPBU RFT2018.14 – Footpath Construction at Albert Street Creswick Stage 2.

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-section:*

- 89(2)(d) Contractual matters;
- *Contract HEPBU RFT2018.14 – Footpath Construction at Albert Street Creswick Stage 2.*

Moved: Cr Sebastian Klein

Seconded: Cr Fiona Robson

Carried

The meeting closed to the public at 8.24 pm

14.2. CONFIDENTIAL - CONTRACT HEPBU RFT2018.14 – FOOTPATH
CONSTRUCTION AT ALBERT STREET CRESWICK STAGE 2.

MOTION

That Council:

14.2.1. *Approves the award of Contract HEPBU RFT2018.14 – Footpath Construction at Albert Street Creswick Stage 2 to the best evaluated tenderer, Enoch Civil Pty Ltd for a contract sum of \$181,537.25 (excluding GST).*

Moved: Cr Sebastian Klein

Seconded: Cr Don Henderson

Carried

15. REOPENING OF MEETING TO PUBLIC

RECOMMENDATION

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

MOTION

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

Moved: Cr Sebastian Klein

Seconded: Cr Don Henderson

Carried

The meeting reopened to the public at 8.31 pm

16. CLOSE OF MEETING

The meeting closed at 8.31 pm
