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# AGENDA



For a meeting of the seventh Campaspe Shire Council to be held on Tuesday, 4 December 2018, commencing at 5:00pm at the Echuca Civic Centre.

## OPENING PRAYER

We pray to Almighty God that our decisions as a Council be in the best interest of the people, culture and the environment of the Shire of Campaspe.

*Amen*

The Campaspe Shire Council acknowledges the traditional owners of the land upon which we meet and pay our respect to their elders both past and present.

## MEETING PROCEDURES

Please ensure that all electronic devices are turned off or switched to silent.

There are Ask a Question Forms just inside the door for anyone who would like to submit a question to Council. Questions forms must be completed within 10 minutes and returned to the tray. Questions will be addressed at the end of the open section of the meeting.

Council meetings are broadcast live via the internet. During the meeting, members of the public may be recorded, particularly those speaking to an item. By attending this meeting, you are consenting to the possibility that your image may also be broadcast to the public. Any personal and health information voluntarily disclosed by any person at Council meetings may be broadcast live, held by Council and made available to the public for later viewing.

Those people who have requested to speak to an item will be allowed five minutes to address Council. Speakers will be notified with a bell when there is 60 seconds remaining. Speakers must only speak in relation to the subject stated on their application and shall not debate the issue with Councillors and officers. Councillors are able to ask questions of the speaker on points of clarification.

Speakers are advised that they do not enjoy any special protection from defamation arising from comments made during their presentation to Council and should refrain from voicing defamatory remarks or personal defamatory statements against any individual. Speakers will be treated with respect when addressing Council. I ask that the same respect is extended to Councillors and officers.

## **BUSINESS**

### **1. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCES**

## 2. CONFIRMATION OF MINUTES & ATTACHMENTS

For the:

- Open section of the Statutory Council Meeting held on 13 November 2018
- Open section of the Council Meeting held on 20 November 2018
- Open section of the Campaspe Briefing Session held on 13 November 2018
- Open section of the Campaspe Briefing Session held on 20 November 2018
- Open section of the Campaspe Briefing Session held on 27 November 2018
- Open section of the Campaspe Briefing Session held on 28 November 2018

### Recommendation

**That the following minutes be accepted as true and accurate records:**

- **The open section of the Statutory Council Meeting held on 13 November 2018**
- **The open section of the Council Meeting held on 20 November 2018**
- **The open section of the Campaspe Briefing Session held on 13 November 2018**
- **The open section of the Campaspe Briefing Session held on 20 November 2018**
- **The open section of the Campaspe Briefing Session held on 27 November 2018**
- **The open section of the Campaspe Briefing Session held on 28 November 2018**

## 3. CHANGES TO THE ORDER OF BUSINESS

Once an agenda has been prepared and sent to Councillors, the order of business for that meeting may only be altered by resolution of the Council. This includes the request for an item to be brought forward.

## 4. DECLARATION OF INTERESTS

Disclosure of Conflict of Interests are to be made immediately prior to any relevant item being discussed.

### *Local Government Act 1989 Section 79*

- (1) If a Councillor or member of a special committee has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or the special committee, the Councillor or member must, if he or she is attending the meeting, disclose the conflict of interest in accordance with subsection (2).
- (2) A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest:
  - (a) by either
    - (i) advising the Council or special committee at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
    - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
  - (b) classifying the type of interest that has given rise to the conflict as either:
    - (i) a direct interest; or
    - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
  - (c) describing the nature of the interest; and
  - (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

## **5. RESPONSIBLE AUTHORITY DECISIONS**

Nil

## **6. PLANNING AUTHORITY DECISIONS**

Nil

## 7. COUNCIL DECISIONS

### 7.1. COUNCIL PLAN REVIEW

**Author:**

Andrew Cowin, Corporate Strategy Manager

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**1. Purpose**

To affirm that the current adopted Council Plan 2017-2021 (incorporating the Municipal Public Health and Wellbeing Plan) remains appropriate for the remaining period of the Council Plan, or until it is replaced with a new Council Plan.

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**2. Recommendation****That Council:**

- 1. Having reviewed the Council Plan 2017-2021 (incorporating the Municipal Public Health and Wellbeing Plan) remains in accordance with Section 125(7) of the *Local Government Act 1989* and Section 26(4) of the *Public Health and Wellbeing Act 2008* determines that the Plan remains appropriate for the remaining period of the Council Plan, or until it is replaced with a new Council Plan.**
  - 2. Authorise the Mayor to advise the Minister for Local Government and the Secretary of the Department of Health that the Council has reviewed and determined that the Council Plan (incorporating the Municipal Public Health and Wellbeing Plan) remains appropriate.**
- 

**3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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**4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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**5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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**6. Background**

Council has four key strategic planning documents which are subject to review, these documents are:

- Council Plan
  - Strategic Resource Plan
-

- Municipal Health and Wellbeing Plan
- Municipal Strategic Statement

The *Local Government Act 1989* requires the Council Plan to be reviewed at least once in each financial year. The *Public Health and Wellbeing Act 2008* requires the Municipal Health and Wellbeing Plan to be similarly reviewed. The *Planning and Environment Act 1987* requires the Municipal Strategic Statement to be reviewed every four years following the development of the Council Plan.

The 2017-21 Council Plan (the Plan) is Council's key strategic document for the term of the Council. The Plan reflects the outcomes of stakeholder and community engagement. The Plan describes Council's strategic objectives, strategies for achieving the objectives and how the outcomes will be measured.

The purpose of the review of the Plan, is to confirm if the strategic objectives, strategies and key indicators contained within the Plan remain appropriate for the remaining period of the Plan.

The Plan was adopted on 6 June 2017 this is the second review.

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## 7. Content

Supporting implementation of the Plan are key initiatives and actions funded each year through the Budget. The progress on the implementation of these initiatives is presented to Council quarterly.

In preparation for the development of the 2019/20 Budget, Council reflected upon their desired achievements and outcomes expressed at the beginning of the term of Council. In particular how these align to the work of the organisation and if anything has significantly changed within the environment that would require a redirection of the Plan.

The process affirmed that whilst there had been changes in the environment relating to waste and water, these are able to be accommodated within the current vision and strategic objectives of the Plan.

The workshop also provided the opportunity for Councillors to identify initiatives which seek to further support implementation of their desires and address key issues impacting the community. The identification of these will allow them to be considered in the 2019/20 Budget development process as initiatives to be pursued within the 2019/20 year.

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## 8. Issues and Risk Management

### Issues:

The Plan outlines some of the key challenges that are facing not only Campaspe but also many other rural and regional communities. The key challenges include:

- High costs of inputs for industry (energy and water)
- Renewal of community facilities
- An ageing population
- Engagement of young people
- Substance abuse issues
- Family violence
- Availability of regional education and training
- Cross-border issues



These challenges continue to impact our communities. The existing Plan includes objectives and supporting initiatives which seeks to address these challenges.

**Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

**9. Options**

Option 1: Affirm the reviewed Council Plan 2017-2021 (incorporating the Municipal Public Health and Wellbeing Plan) for the remaining period of the Plan, or until it is replaced with a new Council Plan

This option is recommended by officers.

The Plan as presented was developed involving extensive community engagement. It seeks to capture and represent the aspirations of the Campaspe community and deliver Council's vision. Affirming that the Plan remains current will fulfil Council's obligations under the *Local Government Act 1989* and the *Public Health and Wellbeing Act 2008*.

Option 2: Do not affirm the reviewed Council Plan 2017-2021 (incorporating the Municipal Public Health and Wellbeing Plan) for the remaining period of the Plan, or until it is replaced with a new Council Plan

This option is not recommended by officers.

The annual review of the Plan is a requirement of the Local Government Act. Council must affirm a Council Plan no later than the 30 June as prescribed by the *Local Government Act 1989* and *Public Health and Wellbeing Act 2008*. Not adopting this Plan would result in Council failing to meet its obligations under the Act.

**10. Strategic Planning Environments**

Strong and Engaged Communities:	The review affirms the adopted Strong and Engaged Communities Strategic Objective remain appropriate.
Resilient Economy:	The review affirms the adopted Resilient Economy Strategic Objective remain appropriate.
Healthy Environment:	The review affirms the adopted Healthy Environment Strategic Objective remain appropriate.
Balanced Services and Infrastructure:	The review affirms the adopted Balanced Services and Infrastructure Strategic Objective remain appropriate.
Responsible Management:	The review affirms the adopted Responsible Management Strategic Objectives remain appropriate.

**11. Consultation**

The review of the Plan was undertaken as part of the development of the draft 2019/20 Budget and involved a workshop with Councillors.

## **7.2. SALE OF 95 STURT STREET, ECHUCA**

### **Author:**

Sam Campi, Community Engagement Manager

### **Attachments:**

7.2.1. Loco Shed Site Evaluation

7.2.2 Echuca Locomotive Shed Conservation Management Plan

7.2.3 Letter of legal advice to the Loco Shed Committee

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### **1. Purpose**

To seek approval for the sale of land known as 95 Sturt Street, Echuca (being Vol 10084 Folio 722) to the Loco Shed Echuca Inc.

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### **2. Recommendation**

#### **That Council:**

- 1. Agree to the sale of land for Crown Allotment 1V Section 23A Township of Echuca, Parish of Echuca North, comprised in Certificate of Title Volume 10084 Folio 722 known as the Loco Shed land, 95 Sturt Street Echuca, to Loco Shed Echuca Inc. for \$150 plus GST with a 30 day settlement, subject to;**
    - i) The giving of public notice under Section 189 of the *Local Government Act 1989*; and**
    - ii) Consideration of submissions received pursuant to Section 223 of the *Local Government Act 1989*, which will be returned to Council for consideration should submissions be received.**
  - 2. Authorise the CEO to sign the Contract of Sale and associated documents subject to the satisfactory outcome of the statutory requirements of section 189 of the *Local Government Act 1989*, and if no submissions are received.**
  - 3. Will meet the legal and associated costs of Loco Shed Echuca Inc. in relation to the sale of land and transfer of title.**
  - 4. Acknowledge in the instance that the Loco Shed Echuca Inc become insolvent they will transfer ownership of both land and building to a likeminded body, in accordance with their association rules, and this may also include transfer back to Council ownership.**
  - 5. Agree the Loco Shed Echuca Inc will be exempt from Council rates for the building while the building is undergoing refurbishment.**
- 

### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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#### 4. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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#### 5. Instrument of Delegation

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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#### 6. Background

In 1986 the Echuca River Development Society (ERDS) which evolved to become the Echuca Rich River Society (ERRDS) and is now known as Loco Shed Echuca Inc., purchased the Loco Shed building within the Echuca Railway Precinct from V/Line for \$10. This was to ensure the preservation of the historic structure.

In 1992, the land on which the Echuca Loco Shed is located was purchased by Echuca City Council from the Public Transport Corporation for \$25,000. A condition of the sale was that Council would enter into a "Long Term" lease agreement with the ERRDS to ensure the building was utilised for the community purposes intended. A ten year lease with a rolling ten year additional term was entered into at that time.

In 1998 the National Trust of Australia (Victoria) revised the historical status of the building to one of State Significance. The Echuca Loco Shed is specifically noted on the Certificate of Title a Notice held under Section 16 (2) of the Historic Building Act 1981 registered No. 1060. This identifies the property's historical listing and places greater controls on any redevelopment of the building (property). It influenced the value and saleability of the property.

Within the Campaspe Planning Scheme as administered by Council, the property is a noted property HO71 – Heritage Overlay Schedule 71 former Railway Engine shed. It has additional controls within this local Planning Scheme Register. The property is currently held within a PUZ4 – Public Use Zone – Transport. Internal consultation with the planning department indicates that there is capacity to rezone for a broader use as identified in the Conservation Management Plan.

In 2014 Council commissioned a Conservation Management Plan (CMP) for the Echuca Loco Shed. The CMP investigated three elements:

- The aesthetic, historical, scientific and social significance of the site.
- Broad and specific policies to manage the site and an implementation strategy for its restoration (which will include appropriate new uses of the facility)
- An interpretation strategy to celebrate the remarkable heritage of the building

The CMP was developed in consultation with the Echuca Loco Shed committee, Heritage Victoria and Council staff. A complete list of all individuals and organisations engaged as part of the development of the CMP is included as an appendix to the CMP.

The CMP recommended the development of a conservation policy and strategy, as well as provided costings to each refurbishment element of the facility.

The CMP also identified potential future uses for the building and site, these included:

- Function Centre, and
- Railway Interpretation Centre/Tourist Attraction

At the time the CMP was developed the costs of implementation were estimated at in excess of \$3.5 million. Since the publication of the CMP minimal works have been undertaken.

In 2016 Council developed and is supporting the implementation of a Master Plan for the Echuca Railway Station precinct. The Loco Shed is located within the precinct and is subject to the recommendations of the Master Plan.

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## 7. Content

The sale of the land currently containing the Echuca Station Locomotive Shed to the Loco Shed Echuca Inc. for \$150,000 supports the implementation of the financial Sustainability Review Program and Places of Assembly/Community Facilities Policy Implementation Plan. This activity will support Council's strategic objective to increase its long term financial sustainability whilst providing beneficial outcomes for communities in the long to medium term.

### Financial Implications

The land is recorded in council's Asset Register. In July 2018 a valuation was undertaken by an independent valuer and the land was valued at \$450,000.

Under the current arrangement Council is the landowner and the Loco Shed Echuca Inc. own the building; this inhibits the capacity of either party to sustainably develop the site.

Loco Shed Echuca Inc have expressed a vision to enact the recommendations of the CMP and revitalise the site for the broader community benefit.

By transferring the ownership of the Loco Shed to the incorporated body, Council can act as an advocate and potential partner for the development of a sustainable business plan. The initial focus is to seek funding to implement restoration works and then subsequently activate the site appropriately.

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## 8. Issues and Risk Management

### Issues:

#### Issue 1: Cost to Council of transferring the land

As a result of negotiations in regard to the transfer of ownership it was requested that Council bears all costs in relation to the transfer, this will include Stamp Duty for the sale of land, legal costs and charges from titles office for registration of estimate transfer. The Loco Shed Echuca Inc. has agreed to pay \$150 plus GST as a nominal purchase price for the land.

#### Issue 2: Financial Implications

As noted previously within this report, the land was recently valued (July 2018) at \$450,000.

If it is agreed that council will not be the owner of this asset, nor have any residual responsibilities in relation to this asset, it should be removed from Council's asset register and the written down value must be expensed.

#### Issue 3: Sustainability of the group

The Loco Shed Echuca Inc. have a committee of twelve that manage the building with the President being the most active member of the group. Delays in progressing 2014 Conservation Management Plan have been an issue for the group. The group has obtained legal advice, (see attachment 3) which outlines the parameters for how it can return the asset if the group is not financially sustainable into the future. Subsequent discussions have confirmed that both parties desire the unification of both assets and that they are not to be separated at any time in the future. If the incorporation become insolvent they will transfer ownership of the entire entity to a likeminded agency (this may include Council), as per their association rules.

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Issue 4: Ongoing costs and sustainability

To support the group and in line with the advice received from their legal representatives Council will void the following charges while the building is not fit for use and undergoing repairs.

Item	Amount
Rates	\$2,875.33 (CIV \$570,000)
Municipal fee	\$200
Fire Service levy	\$591.05 Variable \$221.00 Fixed
Bin Charges	\$296.67 (240L) \$59.60 (Recycling)
Total Charges:	\$1,168.32 pa

Council will provide in-kind support through its Community Engagement team to support a process engaging key stakeholders to activate the space in a sustainable manner.

**Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

**9. Options**

Option 1: Retain the status quo with the Loco Shed Echuca Inc. maintaining their ownership of the building and Council maintains ownership of the land.

This option is not recommended by officers.

There are no long term benefits for the community or Council identified under the current arrangements

Option 2: Agree to transfer the ownership of the land to the Loco Shed Echuca Inc. subject to all statutory requirements being met

This option is recommended by officers.

This provides Loco Shed Echuca Inc. greater control over the site and clarity regarding the ownership of the assets. This is also consistent with Council's Financial Sustainability Review direction, it further supports the implementation of the Echuca Loco Shed CMP and the Echuca Railway Station Master Plan

Option 3: Council manage the site directly

This option is not recommended by officers.

Council's policy in relation to Asset Management directs us to appropriately dispose of this asset subject to statutory requirements.

## 10. Strategic Planning Environments

Strong and Engaged Communities:	<p>Strategy 1: Foster Community partnerships and support other agencies in the delivery of services.</p> <p>Strategy 2: Build strong, healthy and vibrant communities through innovation and implementing best practice in service delivery for our diverse community.</p> <p>Strategy 3: Enable residents to be active and engaged in their community and support participation in artistic, cultural, sporting and leisure activities.</p>
Resilient Economy:	<p>Strategy 1: Facilitate and enable local enterprise, support existing businesses and develop stronger business networks.</p> <p>Strategy 2: Promote Campaspe competitive advantages to attract new investment and maximise economic growth.</p> <p>Strategy 3: Support and develop Campaspe tourism opportunities.</p>
Healthy Environment:	Nil
Balanced Services and Infrastructure:	<p>Strategy 1: Manage and maintain assets to optimise their lifecycle considering social, economic and environmental sustainability.</p> <p>Strategy 2: Plan and advocate for services and infrastructure to meet community need.</p> <p>Strategy 3: Maximise access and usage of assets through innovative design and partnership initiatives.</p> <p>Strategy 4: Relinquish services and assets that no longer meet the community need.</p>
Responsible Management:	Strategy 4: Enable the delivery of services, facilities and programs to the community through sound corporate governance and fiscal responsibility.

## 11. Consultation

As there was significant information gathered through the process of developing the 2014 Conservation Management Plan, to this point the level of consultation has been restricted to significant stakeholders with current information, these people include:

### Internal Consultation

- General Manager Economic and Community Development
- Property Manager
- Acting Planning Manager
- Community Engagement Officer
- Councillors at Briefing Sessions

### External Consultation

- Loco Shed Echuca Inc.

### **7.3. CONFIRMATION OF LOCAL GOVERNMENT WASTE FORUM REPRESENTATIVES**

**Author:**

Jason Russell, CEO

**Attachments:**

7.3.1 Confirmation of Forum Representatives letter

7.3.2 GV Local Government Waste Forum Representative Position Description

7.3.3 Operating Guidelines of the Goulburn Valley Local Government Waste Forum

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#### **1. Purpose**

This report sets out the actions required by council to maintain involvement in the new Goulburn Valley Waste and Resource Recovery Group (GVWRRG).

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#### **2. Recommendation**

**That Council write to the Goulburn Valley Waste and Resource Recovery Group advising the Campaspe Shire Council Representatives for the following positions:**

- 1. Goulburn Valley Local Government Waste Forum (x1)**
  - 2. Goulburn Valley Local Government Waste Forum Advisory Member (x1).**
- 

#### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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#### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

---

#### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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#### **6. Background**

##### **Goulburn Valley Waste and Resource Recovery Group (GVWRRG)**

The GVWRRG was established under the *Environment Protection Act 1970* (EP Act) in 2014 to deliver waste and resource recovery planning, procurement, education and project functions in the Goulburn Valley waste and resource recovery region.

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The establishment of the Waste and Resource Recovery Groups (WRRGs) has targeted the following deliverables:

- development of Regional Waste and Resource Recovery Implementation Plans including landfill and resource recovery infrastructure schedules;
- facilitation of joint procurement of infrastructure and services in partnership with local governments;
- education in accordance with the state's education approach; and
- projects as funded by Sustainability Victoria, councils and other organisations.

In seeking to achieve its objectives, a WRRG must collaborate with councils, Sustainability Victoria, the Environment Protection Authority, industry, business and the community.

### **The Local Government Waste Forum (Forum)**

The EP Act also establishes a Forum for each waste and resource recovery region.

The Local Government entities that comprise the Goulburn Valley Waste and Resource Recovery Region (members) are:

- Campaspe Shire Council
- Greater Shepparton City Council
- Moira Shire Council
- Mitchell Shire Council
- Murrindindi Shire Council
- Strathbogie Shire Council

Local Government Waste Forums are advisory bodies established under the EP Act. They have specific functions under section 49B(3) and must develop their own procedures under section 49B(4) for nominating persons to be appointed as directors of WRRG Boards.

The EP Act does not specifically describe the forums as a local government or a state government construct. A Forum's membership is comprised of local council representatives (local government); it is supported in carrying out its functions by the WRRG (a state government entity). The EP Act states that the Forum is to consist of the representatives of the councils in the region. It states that each council may nominate a Representative to the Forum.

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## **7. Content**

### **GVWRRG Purpose**

The GVWRRG is a Statutory Authority established under section 49C of the EP Act.

In accordance with Section 49G of the EP Act the objectives of the GVWRRG are:

- (a) to undertake waste and resource recovery infrastructure planning to meet the future needs of its waste and resource recovery region while minimising the environmental and public health impacts of waste and resource recovery infrastructure; and
- (b) to facilitate efficient procurement of waste and resource recovery infrastructure and services for its waste and resource recovery region through the collective procurement of waste management facilities and waste and resource recovery services in the region; and



- (c) to integrate regional and local knowledge into Statewide waste and resource recovery market development strategies; and
- (d) to educate businesses and communities within its waste and resource recovery region to reduce waste going to landfill by using waste and resource recovery infrastructure and services efficiently; and
- (e) to ensure Regional Waste Resource Recovery Implementation Plans (regional implementation plans) and programs are informed by local government, business and community and inform Statewide waste and resource recovery planning and programs.

In seeking to achieve its objectives, a Waste and Resource Recovery Group (WRRG) must collaborate with councils, Sustainability Victoria (SV), the Environment Protection Authority (EPA), industry, business and the community.

The establishment of the WRRGs has targeted the following deliverables:

- (a) development of regional implementation plans including landfill and resource recovery infrastructure schedules; and
- (b) facilitation of joint procurement of infrastructure and services in partnership with local governments; and
- (c) education in accordance with the state's education approach; and
- (d) projects as funded by Sustainability Victoria, councils and other organisations.

### **Goulburn Valley Local Government Waste Forum Purpose**

The EP Act states that the functions of the Forum are to:

- advise the Board of directors of the WRRG on matters and issues affecting the role of councils in waste management and resource recovery;
- act as a conduit for consultation between the WRRG and the councils in the waste and resource recovery region of that group.

The EP Act requires the Forum to develop procedures for the above functions. To this end, Operating Guidelines (rules) have been developed for the Forum.

To complement its statutory functions, the forum aims:

- To develop local governments' capacity to deliver effective, efficient and sustainable waste and resource recovery planning and management across the Goulburn Valley Waste and Resource Recovery Region;
- To engage with industry, government and community stakeholders to improve waste and resource recovery management and planning; and
- To assist the GVWRRG Board to engage councils across their region in the planning and management of waste.

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## **8. Issues**

### Issue 1: Conflict of Interest process that applies

The forums are not public entities for the purposes of the Public Administration Act 2004. Therefore, the requirements under section 81 of the Public Administration Act 2004 regarding conflicts of interest do not apply to the forum.

The conflict of interest provisions under the Local Government Act 1989 (LG Act) apply to local government councils. However, the forums, whilst comprised of members of local government councils, are not councils. Therefore the conflict of interest provisions in the LG Act do not apply to the forum.

Although there are no specific statutory requirements relating to conflicts of interest for the forums, as a matter of good governance, the forums should develop their own conflicts of interest policy consistent with good public sector governance practice.

### Issue 2: Stability and Continuity

Council is in the fortunate position of having representation at every level of governance within the WRRG structure. Councillor Wilson is a Board member, Regulatory and Community Services General Manager Paul McKenzie is the current Forum chair and Waste and Environment Coordinator Brian Holmes is the Technical Advisory Group Reference Group Deputy Chair. While Council has the ability to nominate whom they wish, it is recommended that the incumbents are renominated. This provides a level of efficiency and stability for the group in an industry that is constantly changing.

## 9. Options

### Option 1: Nominate the current representatives to continue their role.

Paul McKenzie is the current Forum Chair and Brian Holmes is the Advisory member. This is the recommended option. Changing representatives has the potential to impact the stability and good governance of the forum. The waste industry is constantly evolving and requires up to date knowledge and involvement. Changing representatives frequently could negatively impact the effectiveness of the forum.

### Option 2: Defer decision in order to further consider the specifics of these roles but any delay would need to be consistent with the GV Waste and Resource Recycling Group requirements.

This option is not recommended as suitable representatives are available.

### Option 3: Nominate others as representatives.

This is not recommended as the incumbents have demonstrated through the executive positions they hold that they have the knowledge experience and the respect of their peers.

## 10. Strategic Planning Environments

Prosperity:	The responsibilities of the GVWRRG encompasses developing infrastructure plans that could have an impact on regional development opportunities enhancing economic growth and the prosperity of communities.
Place:	The objectives of the GVWRRG aim to have a positive impact on the environment, community waste and resource recovery facilities and land use management.
People:	The activities undertaken by the GVWRRG improve waste and resource recovery by engaging with the community through various education techniques.
Organisation:	There is a resource commitment required by the Waste and Environment Coordinator.

## 11. Consultation

Consultation has been undertaken between Council Officers (Waste and Environment Coordinator and Governance Manager) and the Goulburn Valley Waste and Resource Recovery Group Chief Executive Officer.

## 12. Officer Comment

The Goulburn Valley Local Government Waste Forum (Forum) has adopted changes to its Operating Rules aimed to give greater flexibility to Councils in nominating individuals for roles most suited to their skill set and experience.

In determining Councils position for the Forum Representative and Advisory Member, consideration must be given to the expectations of the role including those which relate to the meeting frequency, requisite skills and matters pertaining to conflict of duty and interest.

## 8. COUNCIL INFORMATION

### 8.1. OPEN ASSEMBLY OF COUNCILLORS RECORDS

**Author:**

Sharolyn Taylor, Council Support Officer

**Responsible Manager:**

Governance Manager

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**1. Purpose**

To present to Council the open records for the Assemblies of Councillors held in the month of November 2018.

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**2. Recommendation**

**That Council note the open records of Assemblies of Councillors as outlined in this report.**

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**3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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**4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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**5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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**6. Background**

The Local Government Act provides a definition of an assembly of Councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or, the exercise of a Council delegation and the meeting is:

1. An advisory committee of the Council that includes at least one Councillor; or
2. A planned or scheduled meeting that includes at least half the Councillors (5) and one member of Council staff.

The requirement for reporting provides increased transparency and the opportunity for Councillors to check the record, particularly the declaration of conflict of interest.

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## 7. Content

The following Assemblies of Councillors were held in the month of October and November 2018:

<b>Meeting Information</b>		
Meeting Name/Type	Latham Road Community Engagement	
Date	22 October 2018	
Start time:	3:00pm	Finish time: 4:36pm
Matters Discussed	1. Discussion of Latham Road project, condition of read and drainage	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Neil Pankhurst, Cr Leanne Pentreath, Cr Annie Vickers, Cr John Zobec	
Staff	Richard Conway, Gary Biddle	
<b>Apologies</b>		
Councillors		
Staff		
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

<b>Meeting Information</b>		
Meeting Name/Type	Echuca Holiday Park Site Visit	
Date	23 October 2018	
Start time:	10:00am	Finish time: 11:30am
Matters Discussed	1. Site visit of the Echuca Holiday Park	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Vicki Neele (Deputy Mayor) Cr Neil Pankhurst, Cr Leanne Pentreath, Cr Annie Vickers, Cr John Zobec	
Staff	Fleur Cousins, Janine Caiolfa	
<b>Apologies</b>		
Councillors	Cr Daniel Mackrell, Cr Leigh Wilson	
Staff		
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

<b>Meeting Information</b>		
Meeting Name/Type	Appointment of Mayor and Deputy Mayor Elect	
Date	5 November 2018	
Start time:	5:30pm	Finish time: 5:45pm
Matters Discussed	1. Appointment of Mayor and Deputy Mayor Elect	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Vicki Neele (Deputy Mayor) Cr Daniel Mackrell, Cr Kristen Munro, Cr Neil Pankhurst, Cr Leanne Pentreath, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Jason Russell, Frank Crawley	
<b>Apologies</b>		
Councillors		
Staff		
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

<b>Meeting Information</b>		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	13 November 2018	
Start time:	11:30am	Finish time: 3:42pm
Matters Discussed	<ol style="list-style-type: none"> <li>1. Welcome, present &amp; apologies</li> <li>2. Declaration of Interests</li> <li>3. Progressing Our Organisational Stability</li> <li>4. Delivering the Council Plan</li> <li>5. Council Services</li> <li>6. Delegation – Roads and Maritime Services and NSW Crown Lands</li> <li>7. General Business               <ol style="list-style-type: none"> <li>7.1. VLGA AGM</li> <li>7.2. Murray Darling Basin</li> <li>7.3 Radcliffe Street Retaining Wall</li> <li>7.4 Northern Highway School Crossing</li> <li>7.5 VCAT Hearing – Mr McKenzie</li> </ol> </li> </ol>	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Vicki Neele (Deputy Mayor) Cr Daniel Mackrell, Cr Neil Pankhurst, Cr Leanne Pentreath, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Jason Russell, Keith Oberin, Paul McKenzie, Richard Conway, Fleur Cousins, Ailsa Box, Andrew Cowin, Sharolyn Taylor	
<b>Apologies</b>		
Councillors	Cr Kristen Munro	
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

<b>Meeting Information</b>		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	20 November 2018	
Start time:	10:06am	Finish time: 3:42pm
Matters Discussed	<ol style="list-style-type: none"> <li>1. Welcome, present &amp; apologies</li> <li>2. Declaration of Interests</li> <li>3. Future Meetings</li> <li>4. Briefing Minutes Review</li> <li>5. Communication Reports</li> <li>6. Council Meeting Agenda – Open Q &amp; A</li> <li>7. Audit &amp; Risk Committee Chair</li> <li>9. Council Policy 156 Council Policy Framework</li> <li>10. Bridges Condition Update</li> <li>11. Strategic Asset Management Update</li> <li>12. Aquatic Services Discussion No. 3</li> <li>13. Active Transport Draft Strategy Discussion No. 3</li> <li>14. General Business               <ol style="list-style-type: none"> <li>14.1 Tourism Development Officer</li> <li>14.2 Kyabram Fauna Park</li> <li>14.3 South Boundary Road Drainage Kyabram</li> </ol> </li> </ol>	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor) (1:00pm -3:42pm), Cr Vicki Neele (Deputy Mayor), Cr Daniel Mackrell, Cr Kristen Munro (10:06pm – 12:44pm) (3:35pm - 3:42pm), Cr Neil Pankhurst, Cr Leanne Pentreath, Cr Annie Vickers, Cr John Zobec (10:56am - 3:42pm)	
Staff	Jason Russell, Keith Oberin, Paul McKenzie, Richard Conway, Fleur Cousins, Frank Crawley, Sharolyn Taylor	
<b>Apologies</b>		
Councillors	Cr Adrian Weston (10:00am – 1:00pm), Cr Wilson	
Staff		
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
6 – 7.4	Cr Munro	Yes

<b>Meeting Information</b>		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	27 November 2018	
Start time:	9:43am	Finish time: 4:08pm
Matters Discussed	<ol style="list-style-type: none"> <li>1. Welcome, present &amp; apologies</li> <li>2. Declaration of Interests</li> <li>3. Future Meetings</li> <li>4. Mayor &amp; Committee Representatives Report               <ol style="list-style-type: none"> <li>4.1 Echuca Moama Arts Precinct Meeting</li> <li>4.2 Senior Combined Partners Meeting</li> <li>4.3 MAV Rural North Central Meeting</li> <li>4.4 Kow Swamp Committee Meeting</li> <li>4.5 Dhardjan Energy Meeting</li> </ol> </li> <li>5. Monthly Report – Operational</li> <li>6. Monthly Report – Finance</li> <li>7. Monthly Report – Council Resolutions for Action Register</li> <li>10. Environment Strategy No. 3 – Action Plan</li> <li>11. Echuca CBD and Historic Port Precinct Parking Strategy Update</li> <li>12. Echuca Holiday Park Master Plan Discussion No. 2</li> <li>13. Community Delegation – Campaspe East Timor Association in Friendship (CETAF)</li> <li>14. Community Delegation – Rochester Racecourse Recreational Reserve (RRRR's)</li> <li>15. General Business               <ol style="list-style-type: none"> <li>15.2 Governance Review</li> <li>15.3 Bridges Update</li> <li>15.4 Rural Road Review</li> </ol> </li> </ol>	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Vicki Neele (Deputy Mayor), Cr Daniel Mackrell (1:15pm - 4:08pm), Cr Kristen Munro (1:59pm – 4:08pm), Cr Neil Pankhurst, Cr Leanne Pentreath, Cr Annie Vickers (10:17am - 4:08pm), Cr Leigh Wilson (9:44am - 4:08pm) Cr John Zobec	
Staff	Jason Russell (9:58am - 4:08pm)), Keith Oberin, Paul McKenzie (9:53am – 2:29pm), Richard Conway, Fleur Cousins, Sharolyn Taylor	
<b>Apologies</b>		
Councillors	Cr Daniel Mackrell (9:43am – 1:15pm), Cr Kristen Munro (9:43am – 1:59pm)	
Staff		
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		



<b>Meeting Information</b>		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	28 November 2018	
Start time:	1: 13pm	Finish time: 4:01pm
Matters Discussed	1. Welcome, present & apologies 2. Declaration of Interests 3. 2019/20 Budget Session 3.1 Long Term Financial Plan 3.2 Financial Principles 3.3 Budget Process Overview and Key Assumptions 3.4 Current Unfunded Capital and Operating Initiatives 3.5. Budget Timetable	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Vicki Neele (Deputy Mayor), Cr Neil Pankhurst, Cr Leanne Pentreath, Cr Annie Vickers (1:13pm – 1:58pm), Cr Leigh Wilson (1:27pm – 4:01pm)	
Staff	Jason Russell, Keith Oberin, Richard Conway, Fleur Cousins, Ailsa Box Sharolyn Taylor	
<b>Apologies</b>		
Councillors	Cr Daniel Mackrell, Cr Kristen Munro, Cr John Zobec	
Staff	Paul McKenzie	
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

## 8. Issues and Risk Management

Nil.

## 9. Strategic Planning Environments

Strong and Engaged Communities: No impact

Resilient Economy: No impact

Healthy Environment: No impact

Balanced Services and Infrastructure: No impact

Responsible Management: No impact

## 10. Consultation

Nil.

## **8.2. RESPONSIVE GRANTS PROGRAM**

### **Author:**

Bobbi Aitken, Civic Events & Grants Officer

### **Responsible Manager:**

Economic & Community Development General Manager

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### **1. Purpose**

To note Responsive Grants Program applications received and approved in line with grant guidelines and criteria.

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### **2. Recommendation**

#### **That Council:**

1. Note the following grants have been approved in accordance with Responsive Grants Program guidelines and criteria and applicants advised in writing:
    - Girgarre Community Group Inc - to assist with costs associated with the "Girgarre Township turns 100" celebration to be held on 16 December in the Botanical Gardens, Girgarre, \$1,000.
  2. Note the following grants have not been approved in accordance with Responsive Grants Program guidelines and criteria and applicants advised in writing:
    - Echuca Moama Uniting Church – to assist with costs associated with the "Festival of Christmas – a celebration" to be held from 13 – 22 December in Echuca.
- 

### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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### **6. Background**

The Responsive Grants Program provides funding for community initiatives and has guidelines for applications submitted to council.

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This month, the following applications have been received:

Organisation	Amount	Amount Recommended	Purpose	Comment
Echuca Moama Uniting Church	\$750	\$0	To assist with costs associated with the "Festival of Christmas – a celebration" to be held from 13 – 22 December in Echuca	Not approved by CEO – does not meet assessment criteria Application was submitted to and was successful in receiving funding from the 2018/2019 Community Grants Program (Round 2)
Girgarre Community Group Inc	\$1,000	\$1,000	To assist with costs associated with the "Girgarre Township turns 100" celebration to be held on 16 December in the Botanical Gardens, Girgarre	Approved by CEO – meets assessment criteria

<b>Fund Balance Prior to application approval:</b>	\$38,410
<b>Funding approved:</b>	\$1,000
<b>Fund Balance: (4 December 2018)</b>	\$37,410

## 7. Issues and Risk Management

### Issues

Nil

### Risk:

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## 8. Strategic Planning Environments

Strong and Engaged Communities:	This funding source provides support to Responsive Grants Program requests for community initiatives.
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	No impact
Responsible Management:	This annual budget allocates funding for Responsive Grants Program requests for community initiatives.

## 9. Consultation

Nil

## 9. COUNCILLOR REPORTS

<b>Cr Adrian Weston</b>	
23 November 2018	White Ribbon Day Event
23 November 2018	Murray River Council Christmas Function
26 November 2018	Kow (Ghow) Swamp LOWMP Meeting
27 November 2018	Girgarre Development Association AGM
28 November 2018	2018/2019 Community Grants Program (Round 2) Cheque Presentation
2 December 2018	Whroo Cemetery unveiling and blessing of the Chinese monument

<b>Cr Daniel Mackrell</b>	
21 November 2018	C4EM AGM

<b>Cr Kristen Munro</b>	
22 November 2018	St Joseph's College Echuca Year 12 Graduation Mass
23 November 2018	White Ribbon Day Event
3 December 2018	CCLLEN Board Meeting and Dinner

<b>Cr Vicki Neele</b>	
21 November 2018	Echuca Moama Tourism Board Meeting
23 November 2018	White Ribbon Day Event
26 November 2018	Kyabram Recreation Reserve Committee Meeting
26 November 2018	KCLC AGM
28 November 2018	Echuca Moama Tourism Meeting
28 November 2018	2018/2019 Community Grants Program (Round 2) Cheque Presentation
29 – 30 November 2018	North West Municipalities Association Conference
3 December 2018	EMFM Radio

<b>Cr Neil Pankhurst</b>	
21 November 2018	C4EM AGM
23 November 2018	White Ribbon Day Event
26 November 2018	KCLC AGM

<b>Cr Leanne Pentreath</b>	
23 November 2018	White Ribbon Day Event
23 November 2018	Lockington Business Centre Garden Opening
28 November 2018	2018/2019 Community Grants Program (Round 2) Cheque Presentation
3 December 2018	Elmore Lockington Rochester Community Bank 15th Birthday
4 December 2018	Lockington Community Care Committee AGM

<b>Cr Annie Vickers</b>	
21 November 2018	C4EM AGM
21 November 2018	Kyabram Deakin Residents Ratepayers and Development Group Inc General Meeting
30 November 2018	Echuca Fire Brigade Annual Dinner
3 December 2018	Campaspe East Timor Association in Friendship Dinner Meeting
4 December 2018	Southern 80 Media Launch
4 December 2018	St Joseph's College Personal Best Project Expo

<b>Cr Leigh Wilson</b>	
23 November 2018	White Ribbon Day Event
23 November 2018	Creative Seeds Exhibition Opening
29 November 2018	Launch of Portraits of Respect and Morning Tea
29 November 2018	Rochester & Elmore District Health Service AGM

<b>Cr John Zobec</b>	
23 November 2018	White Ribbon Day Event
26 November 20148	KCLC AGM

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### Recommendation

**That the Councillor reports be noted.**

## 10. CHIEF EXECUTIVE OFFICER'S REPORT

Activities and meetings attended since previous Council meeting:

- Ky Club CEO
- C4EM AGM
- White Ribbon Day event
- Dhadyan Energy meeting
- Echuca Moama Alliance representatives
- Kyabram Fauna Park Committee of Management
- Moama RSL CEO
- Community Grants Cheque Presentation
- Peter Walsh MP
- Murray Darling Association CEO
- Loddon Campaspe Regional Partnership Meeting
- St Mary's Primary School (Echuca) Principal
- Echuca Moama Bridge Project Stakeholder Liaison Group meeting

### Recommendation

**That the Chief Executive Officer's report be noted.**

## **11. PETITIONS/LETTERS**

Nil

## 12. NOTICES OF MOTION

### 12.1 PURCHASING OVER \$10,000

**COUNCILLOR VICKI NEELE**

**NOTICE OF MOTION**

I will be moving the following notice of motion at the Council meeting on 4 December 2018:

THAT all procurements, tenders and including cumulative procurement/tenders of value of \$10,000 or greater to be reported to Council monthly, commencing January 2019.

**Reason:**

The goal is to understand the nature of the business for which we are ultimately responsible, in much the same way as I learn by attending planning hearings as a passive observer.

A handwritten signature in black ink that reads "Vicki Neele". The signature is written in a cursive style with a large loop at the top. Below the signature is a long, horizontal, slightly wavy line.

Cr Vicki Neele

20 November 2018



## 13. URGENT BUSINESS

Nil

## 14. QUESTION TIME

## 15. CLOSED SESSION OF THE MEETING TO THE PUBLIC

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### Recommendation

That pursuant to the provisions of the Local Government Act 1989, the meeting will now be closed to members of the public to enable the meeting to discuss matters in items 16, 17, 18 and 19 which the Council may, pursuant to the provisions of Section 89(2) of the Local Government Act 1989 (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

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

## **16. CONFIRMATION OF CONFIDENTIAL MINUTES & ATTACHMENTS**

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

## **17. CONFIDENTIAL COUNCIL INFORMATION**

### **17.1. CONFIDENTIAL ASSEMBLY OF COUNCILLORS RECORDS**

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

### **17.2. CONFIDENTIAL COMMUNICATION REPORTS & ATTACHMENTS**

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

## **18. CONFIDENTIAL BUSINESS**

### **18.1. 89(2)(D) CONTRACTUAL MATTERS**

## **19. CONFIDENTIAL COUNCIL MEETING CLOSE**

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

## **20. ITEMS DETERMINED TO BE NO LONGER CONFIDENTIAL**

## **21. OPEN MEETING TO THE PUBLIC**

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### **Recommendation**

That Council resolves to open the meeting to the public at

## **22. CLOSE MEETING**

**JASON RUSSELL**

**CHIEF EXECUTIVE OFFICER**