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**Glenelg Shire Council**  
**Minutes of the Ordinary Council Meeting held on**  
**Tuesday 28 January 2020 at 7.00pm,**  
**Portland Customer Service Centre Cliff Street, Portland**

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<u>Contents</u>	<u>Page</u>
<u>Present:</u>	4
<u>Opening Prayer:</u>	4
<u>Aboriginal Acknowledgement:</u>	4
<u>Receipt of Apologies:</u>	4
<u>Confirmation of Minutes:</u>	4
<u>Conflict of Interest:</u>	4
<u>Question Time:</u>	4
<u>Questions of which due notice has been given in writing or previously taken on notice:</u>	5
<u>Questions from the Gallery:</u>	5
<u>Presentations:</u>	5
<u>A. Notices of Motion:</u>	5
<u>B. Deputations:</u>	5
<u>C. Petitions:</u>	5
<u>D. Committee Reports:</u>	6
D1. Minutes of the Audit Committee Meeting held on 5 December 2019	6-8
<u>E. Assembly of Councillor Records:</u>	9
E1. Assembly of Councillors Records 5 December 2019 – 16 January 2020 (Inclusive)	9-11
<u>F. Management Reports:</u>	12
F1. Councillor and Chief Executive Officer Leave of Absence Register	12-13
F2. Draft Glenelg Shire Tracks and Trails Strategy and Casterton to Branxholme Rail Trail Feasibility Study	14-17
F3. Glenelg Shire Council Plan – Second Quarter Performance Report 2019/20	18-19
<u>Any Other Procedural Matter:</u>	20
<u>Urgent Business:</u>	20
<u>Receipt of Items Submitted for Information:</u>	20
<u>Index – Separate Circulations to Reports:</u>	20

<u>Closure of Meeting to Members of the Public:</u>	20
<u>G. In Camera Reports:</u>	21
G1. Administration Matters	22-23
<u>Opening of Council Meeting to Members of the Public:</u>	24
<u>Closure of Council Meeting:</u>	24

TIME:

7.00pm

PRESENT:

Cr Anita Rank (Mayor), Cr Robert Halliday, Cr Chrissy Hawker (Deputy Mayor), Cr Alistair McDonald, Cr Karen Stephens, Cr Geoff White and Cr Gilbert Wilson.

Also, in attendance were the Chief Executive Officer (Mr Greg Burgoyne), Acting Director Community Services (Ms Ann Kirkham), Director Assets (Ms Edith Farrell), Acting Director Corporate Services (Ms Joan Lewis), Executive Officer Corporate Services (Ms Rachael Fellows) and Media and Communications Officer (Ms Courtney Hoggan).

OPENING PRAYER:

The Mayor opened the meeting with the Council Prayer.

ABORIGINAL ACKNOWLEDGEMENT:

The Mayor read the Aboriginal Acknowledgement.

RECEIPT OF APOLOGIES:

Nil.

CONFIRMATION OF MINUTES:Recommendation

That the minutes of the Ordinary Council Meeting held on Tuesday 17 December 2019, as circulated, be confirmed.

**MOTION****MOVED Cr Hawker**

**That the minutes of the Ordinary Council Meeting held on Tuesday 17 December 2019, as circulated, be confirmed.**

**SECONDED Cr Halliday****CARRIED**DECLARATIONS OF CONFLICT OF INTEREST:

Nil.

QUESTION TIME:

Nil.

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN IN WRITING OR PREVIOUSLY TAKEN ON NOTICE:

Nil.

QUESTIONS FROM THE GALLERY:

Nil.

PRESENTATIONS:

Nil.

A. NOTICES OF MOTION:

Nil.

B. DEPUTATIONS:

Nil.

C. PETITIONS:

Nil.

D. COMMITTEE REPORTS:**D1. MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 5 DECEMBER 2019**

CEO: Greg Burgoyne, Chief Executive Officer

Executive Summary

The purpose of this report is to enable the Council to receive the Minutes of the Audit Committee Meeting held on 5 December 2019.

Recommendation

That Council receives the minutes of the Audit Committee Meeting held on Thursday 5 December 2019.

**MOTION**

**MOVED Cr Stephens**

**That Council receives the minutes of the Audit Committee Meeting held on Thursday 5 December 2019.**

**SECONDED Cr White**

**CARRIED**

Background/Key Information:

The role of the Audit Committee is to monitor and advise Council on the corporate governance, financial management, and risk management of the Glenelg Shire.

The Audit Committee Charter requires that the Committee's Minutes be presented to Council to ensure that an effective communication mechanism between the Committee and Council occurs and to ensure that the Council is fully informed on the Committee's activities.

## **D1. MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 5 DECEMBER 2019**

(continued)

The Audit Committee Meeting held on Thursday 5 December 2019 considered the following items:

Item No.	Description
1.	Election of Audit Committee Chairperson
2.	Internal Audit – Accounts Payable Review
3.	Internal Audit – Review of Payroll Processes and Practices
4.	OHS Self Insurance Audit Overview
5.	Risk Management Report August-October 2019
6.	Risk Register Update December 2019
7.	Glenelg Shire Council Plan – First Quarter Performance Report 2019/20
8.	Receipt of the Glenelg Shire Council Annual Report 2018/19
9.	Council Policies Not In Line With State Government
10.	Final Management Letter – Financial Report 30 June 2019
11.	Glenelg Shire Council Financial Report as at 31 October 2019
12.	Defined Benefits Superannuation Vested Benefit Position 30 June 2019
13.	Council Investment Performance Report 2018/19
14.	VicRoads Information Protection Agreement Audit 2018/19
15.	Audit Register Review
16.	Roads to Recovery Program Funding as at 30 June 2019
17.	Data Analytics Review - Further Testing
18.	VAGO Report: Fraud and Corruption Control – Actions
19.	Audit Committee Meeting Schedule for 2020

### a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

Audit Committee Charter.

### b. Legislative, Legal and Risk Management Considerations

Under section 139 of the *Local Government Act 1989* (the “Act”) Council is required to establish an audit committee and operate this committee under specific guidelines. The Audit Committee’s role also links to and supports a range of Glenelg Shire policies, procedures and guidelines including the Fraud Prevention Policy; Investment Policy; Procurement Policy; Councillor Code of Conduct and Staff Code of Conduct.

A key element of the internal audit function is to assist with the mitigation of risk.

### c. Consultation and/or communication processes implemented or proposed

The minutes from each meeting are provided to Audit Committee members for review.

**D1. MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 5 DECEMBER 2019**

(continued)

**d. Financial and Resource Implications and Opportunities**

The 2019/20 Council budget contains a provision to support the Audit Committee and to undertake an internal audit program during the financial year. Management and staff time to support the Committee and internal audit projects is an indirect cost.

**Separate Circulation – Confidential**

*The separate circulation listed in the table below have been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):*

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>Relevant Grounds Under Section 89(2) of the Act</i>	<i>ECM</i>
1.	Minutes of the Audit Committee Meeting held on Tuesday 5 December 2019.	The document contains information that would prejudice the Council or any person - section 89(2)(h) of the Act.	2632713



E. ASSEMBLY OF COUNCILLOR RECORDS:**E1. ASSEMBLY OF COUNCILLORS RECORDS 5 DECEMBER 2019 – 16 JANUARY 2020 (INCLUSIVE)**

Director: Joan Lewis, Acting Director Corporate Services

*Executive Summary*

In accordance with the *Local Government Act 1989* Assembly of Councillors records (including records of those titled as committees) must be reported to the next 'practical' Ordinary Council meeting and recorded in the minutes of that meeting. The objective of submitting the Assembly of Councillors (including records of those titled as committees) records to Council meetings is to ensure public transparency in Council decision making processes.

Recommendation

That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Thursday 5 December 2019 – Thursday 16 January 2020 (inclusive).

**MOTION****MOVED Cr Hawker**

**That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Thursday 5 December 2019 – Thursday 16 January 2020 (inclusive).**

**SECONDED Cr Halliday****CARRIED***Background/Key Information:*

The Chief Executive Officer must ensure that a written record is kept of every Assembly of Councillors record (including records of those titled as committees).

Circular L97 advises that Assembly of Councillors records "*only needs to be a simple document that records:*

- *the names of all Councillors and staff at the meeting;*
- *a list of the matters considered;*
- *any conflict of interest disclosed by a Councillor; and*
- *whether a Councillor who disclosed a conflict left the room.*

The circular also advises that: "*The record is not required to be in the form of minutes. The recommended approach is to record the "matters" discussed, by listing the headings of the matters. In some cases, meetings may be considering a single matter...*"

**E1. ASSEMBLY OF COUNCILLORS RECORDS 5 DECEMBER 2019 – 16 JANUARY 2020 (INCLUSIVE)**

(continued)

The circular further advises that: *“This does not mean that the record cannot be reported to the Council in the form of minutes. In Councils where it is established practice for minutes of advisory committees to be tabled at Council meetings, the minutes will be sufficient for the purpose if they include the required information, including disclosures.*

The legislative requirement became effective from the 24 September 2010.

This report covers the period from Thursday 5 December 2019 – Thursday 16 January 2020 (inclusive). All Assembly of Councillors records (including records of those titled as committees) held during this period must be included.

The following assembly of Councillors records (including records of those titled as committees) held during the period specified above have been received from the relevant Departments/Units:

- Local Port of Portland Advisory Committee meeting held on Wednesday 4 December 2019 (DocSetID: 2629490);
- Casterton Railway Precinct Advisory Committee meeting held on Monday 9 December 2019 (DocSetID: 2635243);
- Tourism Advisory Committee meeting held on Tuesday 17 December 2019 (DocSetID: 2634125);
- Assembly of Councillors – CEO and Councillors Briefing session meeting held on Tuesday 17 December 2019 (DocSetID:2632142); and
- Assembly of Councillors – Councillors Briefing session meeting held on Tuesday 17 December 2019 (DocSetID: 2632070).

a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

The purpose of this report is to ensure compliance with the *Local Government Act 1989*. References include:

- Section 3(1) – Definition of “Assembly of Councillors”;
- Section 80A – Requirements for an assembly of Councillors; and
- Section 3(1) – Definition of “advisory committee”.

**E1. ASSEMBLY OF COUNCILLORS RECORDS 5 DECEMBER 2019 – 16 JANUARY 2020 (INCLUSIVE)**

(continued)

c. Consultation and/or communication processes implemented or proposed

This report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

d. Financial and Resource Implications and Opportunities

The cost of preparing the monthly reports on Assembly of Councillors records (including records of those titled as committees) is another compliance cost imposed by the state government and is an indirect cost within the corporate governance unit salaries and on cost budget.

Separate Circulations – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM</i>
1.	Local Port of Portland Advisory Committee meeting held on Wednesday 4 December 2019	2629490
2.	Casterton Railway Precinct Advisory Committee meeting held on Monday 9 December 2019	2635243
3.	Tourism Advisory Committee meeting held on Tuesday 17 December 2019	2634125
4.	Assembly of Councillors – CEO and Councillors Briefing session meeting held on Tuesday 17 December 2019	2632142
5.	Assembly of Councillors – Councillors Briefing session meeting held on Tuesday 17 December 2019	2632070

F. MANAGEMENT REPORTS:**F1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER**

CEO: Greg Burgoyne, Chief Executive Officer

Executive Summary

The purpose of this report is to enable Council to consider the Councillor and Chief Executive Officer Leave of Absence Register.

Recommendation

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 89(2) of the *Local Government Act 1989*.

**MOTION****MOVED Cr McDonald**

**That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 89(2) of the *Local Government Act 1989*.**

**SECONDED Cr Halliday****CARRIED**Background/Key Information:

In accordance with Section 66B of the *Local Government Act 1989* Councillors are entitled to take Leave of Absence.

Section 66B of the *Local Government Act 1989* states:

- (1) If a Councillor is required to take leave of absence under this Act, the Councillor:
  - a. may continue to be a Councillor but must not perform the duties of functions of a Councillor during the period of leave;
  - b. remains entitled to receive a Councillor allowance unless this Act otherwise provides;
  - c. is not entitled to be reimbursed for out-of-pocket expenses during the period of leave;
  - d. must return all Council equipment and materials to the Council for the period of leave if the Council requires.

## **F1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER**

(continued)

(2) If a Mayor is required to take a leave of absence under this Act, the Mayor is, for the duration of the leave, to be considered as incapable of acting under section 73(3) and subsection (1) applies to the Mayor as if the Mayor were a Councillor only.

a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

Councillors are required to submit Leave of Absence requests in writing to the Chief Executive Officer.

The Chief Executive Officer is required to submit his Leave of Absence requests in writing to Council through the Councillor and Chief Executive Officer Leave of Absence Register.

A register will be held by the Chief Executive Officer and reported monthly to Council.

d. Financial and Resource Implications and Opportunities

Nil.

Separate Circulation – Confidential

*The separate circulation listed in the table below have been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):*

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	Relevant Grounds Under Section 89(2) of the Act	ECM DocSetID
1.	Councillor and Chief Executive Officer Leave of Absence Register	(Security of Councillor's Property) Any other matter which the council or special committee considers would prejudice the council or any person - section 89 (2) (h)	2639490

**F2. DRAFT GLENELG SHIRE TRACKS AND TRAILS STRATEGY AND CASTERTON TO BRANXHOLME RAIL TRAIL FEASIBILITY STUDY**

Director: Ann Kirkham, Acting Director Community Services

**Executive Summary**

This paper is to seek Council endorsement for two strategic documents; the draft Glenelg Shire Tracks and Trails Strategy (the Strategy) and the Casterton to Branxholme Rail Trail Feasibility Study (the Study) to go out for public exhibition from 29 January- 26 February 2020.

**Recommendation**

1. That Council note the draft Glenelg Shire Tracks and Trails Strategy and endorse it for public exhibition from 29 January until 26 February 2020.
2. That Council note the Casterton to Branxholme Rail Trail Feasibility Study and endorse it for public exhibition from 29 January until 26 February 2020.
3. That officers incorporate comments, where appropriate and present these documents to the Ordinary Council Meeting in April 2020 final endorsement.

**MOTION****MOVED Cr Stephens**

1. That Council note the draft Glenelg Shire Tracks and Trails Strategy and endorse it for public exhibition from 29 January until 26 February 2020.
2. That Council note the Casterton to Branxholme Rail Trail Feasibility Study and endorse it for public exhibition from 29 January until 26 February 2020.
3. That officers incorporate comments, where appropriate and present these documents to the Ordinary Council Meeting in April 2020 final endorsement.

**SECONDED Cr McDonald****CARRIED****Background/Key Information:**

The development of the Glenelg Shire Tracks and Trails Strategy (separate circulation 1) was identified as a key priority in the 2017-2021 Glenelg Shire Council Plan. TRC Tourism were engaged to develop the Strategy, which focuses on three key areas; connectivity, increased tourism opportunities and improved health and wellbeing outcomes.

## **F2. DRAFT GLENELG SHIRE TRACKS AND TRAILS STRATEGY AND CASTERTON TO BRANXHOLME RAIL TRAIL FEASIBILITY STUDY**

(continued)

The Strategy will guide Council to create and support a network of tracks and trails which will meet the needs of the local community and provide opportunities to unlock tourism potential. The Strategy will provide recommendations capitalising on the region's diverse natural, cultural and tourism assets and support Council's desire to connect people with places and spaces, supporting health and wellbeing outcomes.

There has been extensive consultation with peak land managers, users of tracks and trails, community groups and interested community members resulting in the draft Strategy now developed for endorsement for public exhibition.

The development of the Casterton to Branxholme Rail Trail Feasibility Study (separate circulation 2) focuses on utilising the disused rail line from Casterton to Sandford and then further south to Merino onto Branxholme. The feasibility study was to investigate the viability of a shared use trail along the former rail corridor between these rural townships.

The Investigation Feasibility report includes the following components:

- Options for constructing the trail along the entire 59 kilometres length of the rail corridor; and
- Stand-alone section(s) within the corridor including:
  - 5km section between the townships of Casterton & Sandford; and
  - 20km section between Casterton, Sandford and Merino.

### a. Council Plan Linkage and Policy Context

Growing Glenelg - Sustain and grow a diverse economy and social prosperity.

The Strategy and Study will support additional tourism opportunities by recommending key investment into signature and regional trails.

Liveable Glenelg – Embracing inclusive, health, sustainable and diverse cultures.

Both the Strategy and Study aims to improve health and wellbeing outcomes for the community through increased participation in active recreation through trail based activities and promote our natural and cultural assets to both local community and visitors.

Connecting Glenelg – Connecting people, places and spaces.

These strategic documents both focus on promoting participation in active recreational activities through the management and development of a variety of tracks and trail experiences across the shire.

**F2. DRAFT GLENELG SHIRE TRACKS AND TRAILS STRATEGY AND CASTERTON TO BRANXHOLME RAIL TRAIL FEASIBILITY STUDY**

(continued)

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

The Strategy was identified as a key priority of the Glenelg Shire Council Plan.

b. Legislative, Legal and Risk Management Considerations

There are no legislative considerations in regard to the development of the Strategy.

c. Consultation and/or communication processes implemented or proposed

Extensive consultation has been undertaken in the development of these documents including:

- Parks Victoria, Department of Environment, Land, Water and Planning (DELWP), Gunditjmara Traditional Owners, Portland Aluminium and VicTrack;
- Peak bodies and community organisation such as Sport and Recreation Victoria, DWECH Home and Community Care Services and Kyeema Support Services;
- Targeted community groups such as Fawthrop Walking Group, Friends of the Great South West Walk, Casterton & District Trail Riders Club, Portland Runners Club, Merino Progress Association, Casterton Railway Precinct Advisory Group, Portland Cycling Club and Portland BMX Club;
- Impacted landowners along the disused rail trail;
- Your Say Glenelg survey and paper-based surveys including youth and seniors' group facilitated by Council; and
- Numerous individual conversations with interested community members.

Officers consider that all key stakeholders have been given the opportunity to provide input.

Feedback provided during the proposed period of public exhibition will be incorporated into the Final Strategy and Study, where appropriate. The final draft of these documents will be submitted to the Ordinary Council Meeting in for April 2020 for endorsement.

d. Financial and Resource Implications and Opportunities

The development of the Strategy was funded within the 2018/19 budget.

The Feasibility study was funded through the Flexible Local Transport Solutions Program 2018/19.



**F2. DRAFT GLENELG SHIRE TRACKS AND TRAILS STRATEGY AND  
CASTERTON TO BRANXHOLME RAIL TRAIL FEASIBILITY STUDY**

(continued)

Funding will be sought to support the implementation of the final recommendations and any future works will be included in future capital works budgets

**Separate Circulations – Non-Confidential**

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulations (where applicable)</i>	<i>ECM</i>
1.	Draft Glenelg Shire Tracks and Trails Strategy	2582227
2.	Draft Casterton to Branxholme Rail Trail Feasibility Study	2602334

**F3. GLENELG SHIRE COUNCIL PLAN – SECOND QUARTER PERFORMANCE REPORT 2019/20**

Director: Ann Kirkham, Acting Director Community Services

**Executive Summary**

The purpose of this report is to seek Council endorsement of the second quarter performance report for year three of the Council Plan, followed by its public release.

**Recommendation**

That Council endorse the Glenelg Shire Council Plan Second Quarter Performance Report 2019/20.

**MOTION****MOVED Cr White**

**That Council endorse the Glenelg Shire Council Plan Second Quarter Performance Report 2019/20.**

**SECONCED Cr Stephens****CARRIED****Background/Key Information:**

During the development stage of the Council Plan 2017-21, it was identified as a priority for the ratepayers and general community of the Glenelg Shire, to be kept informed on Council's performance and strategic alignment under the Council Plan.

From this public consultation, it was determined that Council would release a performance report each quarter outlining the progress or status on each of the measures, projects and plans identified within the four year Council Plan.

**a. Council Plan Linkage and Policy Context**

This report links to each of the themes identified in the Council Plan 2017-2021.

Growing Glenelg – Sustaining and growing a diverse economy and social prosperity.

Connecting Glenelg – Connecting people, places and spaces.

Liveable Glenelg – Embracing inclusive, health, sustainable and diverse cultures.

Creative Glenelg – Creative, inspired, forward thinking and action orientated.

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

**F3. GLENELG SHIRE COUNCIL PLAN – SECOND QUARTER PERFORMANCE REPORT 2019/20**

(continued)

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

The priority of the release of this report was identified as a result of community consultation.

d. Financial and Resource Implications and Opportunities

There are no budget implications as a result of quarterly performance reporting. All resources implications, such as staffing, are delivered within budget.

Separate Circulation – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM</i>
1.	Glenelg Shire Council Plan Second Quarter Performance Report 2019/20	2632132

ANY OTHER PROCEDURAL MATTER:URGENT BUSINESS:RECEIPT OF ITEMS SUBMITTED FOR INFORMATION:INDEX – SEPARATE CIRCULATIONS TO REPORTS*Separate Circulation to Councillors, CEO, Director and available to the Public*

- E1. (1) Local Port of Portland Advisory Committee meeting held on Wednesday 4 December 2019
- E1. (2) Casterton Railway Precinct Advisory Committee meeting held on Monday 9 December 2019
- E1. (3) Tourism Advisory Committee meeting held on Tuesday 17 December 2019
- E1. (4) Assembly of Councillors – CEO and Councillors Briefing session meeting held on Tuesday 17 December 2019
- E1. (5) Assembly of Councillors – Councillors Briefing session meeting held on Tuesday 17 December 2019
- F2. (1) Draft Glenelg Shire Tracks and Trails Strategy
- F2. (2) Draft Casterton to Branxholme Rail Trail Feasibility Study
- F3. (1) Glenelg Shire Council Plan Second Quarter Performance Report 2019/20

*Separate Circulation to Councillors, CEO and Directors*

- D1. (1) Minutes of the Audit Committee Meeting held on Tuesday 5 December 2019
- F1. (1) Councillor and Chief Executive Officer Leave of Absence Register

Recommendation

The documents separately circulated to Councillors, CEO, Directors and to the Public, as listed above, be received.

**MOTION****MOVED Cr Stephens**

**The documents separately circulated to Councillors, CEO, Directors and to the Public, as listed above, be received.**

**SECONDED Cr Halliday****CARRIED**

Recommendation

That the Council Meeting be closed to members of the public pursuant to Section 89 (2) (f) of the *Local Government Act 1989*, excluding the Chief Executive Officer:

G1. Administration Matters

**MOTION**

**MOVED Cr Stephens**

**That the Council Meeting be closed to members of the public pursuant to Section 89 (2) (f) of the *Local Government Act 1989*, excluding the Chief Executive Officer:**

**G1. Administration Matters**

**SECONDED Cr Hawker**

**CARRIED**

**OPENING OF COUNCIL MEETING TO MEMBERS OF THE PUBLIC:**Recommendation

That the Council Meeting be opened to members of the public.

**MOTION**

**MOVED Cr Halliday**

**That the Council Meeting be opened to members of the public.**

**SECONDED Cr Hawker**

**CARRIED**

**CLOSURE OF COUNCIL MEETING**

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 7.11pm.

**I HEREBY CERTIFY THAT PAGES 1 TO 24 INCLUDING IN CAMERA ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.**

CR ANITA RANK

MAYOR

25 February 2020

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