



**MINUTES OF THE COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL  
HELD 4 JULY 2018 AT THE COUNCIL CHAMBERS, 92 NELSON STREET, NHILL  
COMMENCING AT 3:00PM.**

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**MINUTES**

**1. Acknowledgement of the Indigenous Community and Opening Prayer**

**2. Apologies**

**3. Confirmation of Minutes**

**4. Declaration of Interests**

**5. Public Question Time**

**6. Deputations**

**7. Correspondence**

**8. Assembly of Councillors**

8.1 Record of Assembly

**9. Planning Permit Reports**

9.1 VicSmart Planning Permits – Quarterly Report

**10. Reports Requiring a Decision**

10.1 Female (Netball) Change Rooms at Rainbow Recreation Reserve

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**11. Special Committees**

- 11.1 Rainbow Town Committee
- 11.2 Nhill Town Committee

**12. Late Reports**

- 12.1 Nhill Rainbow Road Reconstruction Project Allocation of savings from the 2017/2018 Capital Works Program to supplement existing Budget

**13. Other Business**

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**14. Confidential Matters**

- 14.1 Contract 2015-2016-04 – Provision of Resources to Extract Quarry Materials and Associated Services at Council Quarries – Extension of contract
- 14.2 Tender Award for Provision of Professional Consultancy - September 2016 Flood Recovery Program Contract No 2017-2018/12

**15. Meeting Close**

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**Present:**

Crs R Ismay (Mayor), R Lowe (Deputy Mayor), T Schneider, R Gersch, D Nelson,  
D Colbert

**In Attendance:**

Mr Greg Wood, (Chief Executive Officer), Ms Monica Revell (Director Corporate and  
Community Services), Ms Janette Fritsch (Acting Director Infrastructure Services),  
Ms Shelley Gersch (Executive Assistant), Ms Megan Hall (Youth and Early Years Officer)  
(items 1-13)

**1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND  
OPENING PRAYER**

Cr Ismay opened the meeting at 3:00pm by acknowledging the Indigenous Community  
and offering the opening prayer.

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**2. APOLOGIES**

No apologies

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**3. CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

***That the Minutes of the Ordinary Council Meeting held on Wednesday 6 June 2018 as  
circulated to Councillors be taken as read and confirmed.***

***MOVED: Crs R Gersch/D Colbert***

***That the Minutes of the Ordinary Council Meeting held on Wednesday 6 June 2018 as  
circulated to Councillors be taken as read and confirmed.***

**CARRIED**

*Attachment: 1*

**RECOMMENDATION:**

***That the Minutes of the Special Council Meeting held on Wednesday 27 June 2018 at  
the Council Chambers, 92 Nelson Street, Nhill as circulated to Councillors be taken  
as read and confirmed.***

***MOVED: Crs R Gersch/D Colbert***

***That the Minutes of the Special Council Meeting held on Wednesday 27 June 2018 at the Council Chambers, 92 Nelson Street, Nhill as circulated to Councillors be taken as read and confirmed.***

**CARRIED**

Attachment: 2

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**4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.**

- Direct; or
- Indirect interest
  - a ) by close association;
  - b ) that is an indirect financial interest;
  - c ) because of conflicting duties;
  - d ) because of receipt of an applicable gift;
  - e ) as a consequence of becoming an interested party; or
  - f ) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

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**5. PUBLIC QUESTION TIME**

M Dahlenburg asked questions relating to 9.1 about obtaining a copy of the planning permit that was issued under CEO delegation. Council officers to respond.

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**6. DEPUTATIONS**

No deputations

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## 7. CORRESPONDENCE

### 7.1 GENERAL CORRESPONDENCE

**Responsible Officer:** Chief Executive Officer  
**Attachment:** 3

**Introduction:**

The following correspondence is tabled for noting by Council:

- Hindmarsh Shire Youth Council
  - Davis Park Grandstand Closure
- Cr Youhorn Chea, Mayor Greater Dandenong
  - Advocacy against cuts to Status Resolution Support Services program

**RECOMMENDATION:**

*That Council notes the attached correspondence.*

**MOVED: Crs R Gersch/R Lowe**

*That Council notes the attached correspondence.*

**CARRIED**

*Attachment: 3*

## 8. ASSEMBLY OF COUNCILLORS

**Responsible Officer:** Chief Executive Officer  
**Attachment:** 4 & 5

**Introduction:**

The attached Assembly of Councillors Records are presented as an attachment to the Council agenda for the information of Councillors and recorded at the Council meeting as required under s80A Local Government Act 1989.

**Options:**

1. That Council accepts the Assembly of Councillors Records as presented.

**RECOMMENDATION:**

*That Council accepts the Assembly of Councillors Records as presented.*

**MOVED: Crs D Colbert/D Nelson**

***That Council accepts the Assembly of Councillors Records as presented.***

**CARRIED**

*Attachment: 4 & 5*

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**9. PLANNING PERMITS**

**9.1 VICSMART PLANNING PERMITS – QUARTERLY REPORT**

**Responsible Officer:** Acting Director Infrastructure Services

**Introduction:**

This report is presented to Council to provide an update on VicSmart permits processed by Council for the period 1 April 2018 to 30 June 2018, as requested by Council at its briefing 20 September 2017.

**Discussion:**

The VicSmart planning permit process is a statutory process that was introduced to streamline ‘simple’ planning permit applications.

Key features of VicSmart include:-

- A 10 business day timeframe for the permit process;
- Applications are not required to be advertised;
- Applicants are required to submit supporting information to assist Council officers in approving or rejecting applications based on existing guidelines;
- Officers can delay permit process timelines if/when further information is requested;
- State Government checklists have been developed and are available for a range of land use types to assist applicants as part of completing the permit process; and
- The CEO or his/her delegate decides the application.

The table below indicates the status of VicSmart permit applications within the reporting period 1 April 2018 to 30 June 2018.

Permit No.	Address	Proposal	Date Lodged (Fee Paid)	Date Approved	Statutory Days (Business Days)	Comments
1581-2018	12-14 Federal St Rainbow	Signage in HO	06 April 18	26 April 18	13	Permit Issued – Delay due to administration
1582-2018	30 Bow St Rainbow	Buildings & Works in HO	20 April 2018	03 May 2018	9	Permit Issued
1585-2018	112-114 Lloyd St Dimboola	Signage in HO	14 May 2018	14 June 2018	24	Permit Issued – Delay due to no heritage policy in Dimboola
1587-2018	73-77 Lloyd St Dimboola	Buildings & Works & Signage in HO	27 May 2018	19 June 2018	17	Permit Issued - Delay due to no heritage policy in Dimboola
1590-2018	40 Federal	Buildings &	05 June	19 June	9	Permit Issued

	St Rainbow	Works in HO	2018	2018		
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In addition to the VicSmart permits processed over the quarter, planning permit 1591-2018 was issued by the CEO under delegation for building and works associated with the construction of a replacement dwelling located at 142 Drapers Road, Nhill.

The requirement for a planning permit falls under Clause 35.07 – Farming Zone of the Hindmarsh Planning Scheme for Buildings and Works associated with the construction of a dwelling. As a dwelling already exists on the land a replacement dwelling is classified as a Section 2 use under the provisions of the Farming Zone, and therefore a VicSmart process could not be applied in this instance.

The applicant representing Luv-a-Duck had received incorrect advice from Council’s planning department with regard to requiring a permit and had commenced construction without a permit as a result. To avoid non-compliance and any further construction delay and inconvenience to the applicant, it was decided to issue a permit under CEO delegation to expedite the process on this occasion.

**Options:**

N/A

**Link to Council Plan:**

- Strategic Objective 1.1 - An actively engaged community.
- Strategic Objective 2.1 - Well-maintained physical assets and infrastructure to meet community and organisational needs.
- Strategic Objective 3.1 - A strong rural economy and thriving towns.
- Strategic Objective 4.2 - Quality customer services.

**Financial Implications:**

Fees associated with planning permit applications and amendments are set by the State in accordance with the Planning and Environment (Fees) Regulations 2016. These fees are currently being applied to all applications received by Council. It is therefore considered that the VicSmart process does not have any financial implications for Council.

**Risk Management Implications:**

Risk is managed appropriately by adhering to the VicSmart process.

**Conflict of Interest:**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Andre Dalton, Coordinator Planning & Development

In providing this advice as the Author, I have no disclosable interests in this report.



Officer Responsible – Shane Power, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

**Communications Strategy:**

Nil

**Next Steps:**

Continue to update Council of planning permits processed under the VicSmart process though future quarterly reports.

***RECOMMENDATION:***

***That Council receives and notes this report.***

***MOVED: Crs T Schneider/D Colbert***

***That Council receives and notes this report.***

***CARRIED***

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**10. REPORTS REQUIRING A DECISION**

**10.1 FEMALE (NETBALL) CHANGE ROOMS AT RAINBOW RECREATION RESERVE**

**Responsible Officer:** Director of Corporate and Community Services

**Introduction:**

This report seeks support from Council for both the submission of a grant application and a financial contribution for funding to construct new female (netball) change rooms at the Rainbow Recreation Reserve.

**Discussion:**

Council was unsuccessful with its funding application through Sport and Recreation Victoria's (SRV) 2017 / 2018 Female Friendly Facilities Program.

However, whilst supportive of the project, SRV were concerned that the proposed design did not meet Netball Victoria standards. SRV also queried the financial viability of the project, and were concerned that the proposed budget would not allow construction of an appropriate facility.

Since the submission of the previous unsuccessful application, Council has been working with the Rainbow Recreation Reserve Committee of Management and the Jeparit Rainbow Football Netball Club on the project to construct new female (netball) change rooms adjacent to the netball courts at the Rainbow Recreation Reserve.

It is proposed that Council will apply for funding to construct new change rooms meeting Netball Victoria standards for netball facilities through Sport and Recreation Victoria's (SRV) 2018 / 2019 Female Friendly Facilities Program.

The 2018 / 2019 Female Friendly Facilities program has been amended by SRV, to provide a higher level of funding for eligible projects (on a SRV \$2:\$1 Local basis), which will allow Council to apply for greater funding.

Applications for funding through the 2018 / 2019 Female Friendly Facilities Program close on 23 July 2018.

As resolved at the 23 May 2018 Council meeting, a Rainbow Recreation Reserve / Rainbow Caravan Park Master Plan is currently being prepared which will provide support for the construction of a new female change room facility. The final design and location will be determined after consultation with local user groups, however it is anticipated that the proposed facility will be located adjacent to the netball / tennis courts in the caravan park which will enable the facility to be multi-purpose, i.e. used as change rooms for netball but also as the female amenities block at the caravan park..

Estimated project costs will be determined as part of the Master Plan development. However it is expected that the cost of the new female (netball) change room facility will be approximately \$210,000. Based on the 2018 / 2019 Female Friendly Facilities program funding criteria, this will require a \$70,000 contribution from Council and the Community.

To meet the above funding criteria it is requested that Council contribute \$50,000 towards this project with a requirement that the Rainbow Community (Rainbow Recreation Reserve Committee of Management and the Jeparit Rainbow Football Netball Club) contribute \$20,000.

It is requested that Council contribute \$50,000 from the contributions to grant funded projects (Recurrent Ledger 30104) that has not been allocated in 2017/18 toward this project.

As indicated above, Council's contribution would be carried forward into 2018/19 specifically for this project.

Previous support for the construction of new change rooms at the reserve dates as far back as 2011 with the Recreation Reserve Business Plan recognising the need for more appropriate facilities. The Council Plan 2013-17, the 2016 Hindmarsh Shire Recreation Strategy and the Rainbow Community Plan 2016-19 also identify the need (and community desire) for new change rooms at the reserve.



*(Pictured above: Existing netball change rooms which are too small and located more than 100m from the netball courts.)*

It is proposed that the new change room facility will be located to the west of the existing Recreation Reserve netball / tennis courts, as this location will also benefit the adjacent Rainbow Caravan Park with upgraded female shower and change facilities being a welcome addition for this facility.



*(Pictured above: Site Plan showing location of proposed netball change rooms)*

**Link to Council & Community Plans:**

- Strategic Objective 1.1 An actively engaged community.
- Strategic Objective 1.3 A community that is physically active with access to a wide range of leisure, sporting and recreational activities.
- Strategic Objective 2.1 Well-maintained physical assets and infrastructure to meet community and organisational needs
- Strategic Objective 3.1 A strong rural economy and thriving towns.
- Strategic Objective 3.2 A thriving tourism industry

**Financial Implications:**

Funding can be allocated from 2017/18 Council contribution to grant funded projects (Recurrent Ledger 30104) that has not been allocated in 2017/18.

Funding can be allocated from the 2018 / 2019 Council contribution to grant funded projects (Capital Ledger 30104), but this will exhaust the annual allocation and not allow for any further grant opportunities that may arise during the year.

**Risk Management Implications:**

A comprehensive project Budget will be completed for submission with the grant application.

The Tender process will request evidence of contractor's OHS Systems. The successful contractor will complete an induction on site prior to commencement of works.

**Conflict of Interest:**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Monica Revell, Director Corporate & Community Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Simon Landrigan, Community Development Coordinator

In providing this advice as the author, I have no disclosable interests in this report.

**Communications Strategy:**

Media release should Council's application be successful and again at subsequent opening of Rainbow Netball Change Rooms. Promotion via Council Facebook page.

**Options:**

1. Council can approve the submission of a grant funding application through Sport and Recreation Victoria's 2018 / 2019 Female Friendly Facilities program and allocate \$50,000 from the 2017/18 annual budget – General Ledger 30104.
2. Council can approve the submission of a grant funding application through Sport and Recreation Victoria's 2018 / 2019 Female Friendly Facilities program and amend the amount of funds allocated from the 2018 / 2019 annual budget – General Ledger 30104.
3. Council can reject the submission of a grant application through Sport and Recreation Victoria's 2018 / 2019 Female Friendly Facilities and decline financial support for the project.

**RECOMMENDATION:**

***That Council approves the submission of a grant funding application through Sport and Recreation Victoria's 2018 / 2019 Female Friendly Facilities program and if successful, allocate \$50,000 from the 2017/18 annual budget – Contribution to Grant Funded Projects (Recurrent ledger 30104.)***

**MOVED: Crs T Schneider/R Lowe**

***That Council approves the submission of a grant funding application through Sport and Recreation Victoria's 2018 / 2019 Female Friendly Facilities program and if successful, allocate \$50,000 from the 2017/18 annual budget – Contribution to Grant Funded Projects (Recurrent ledger 30104.)***

**CARRIED**

**11. SPECIAL COMMITTEES**

**11.1 RAINBOW TOWN COMMITTEE**

**Responsible Officer:** Director Corporate and Community Services  
**Attachment:** 6

**Introduction:**

The Rainbow Town Committee held its meeting on 28 May 2018. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Rainbow Town Committee meeting held on 28 May 2018.***

***MOVED: Crs R Lowe/D Colbert***

***That Council notes the minutes of the Rainbow Town Committee meeting held on 28 May 2018.***

**CARRIED**

*Attachment: 6*

**11.2 NHILL TOWN COMMITTEE**

**Responsible Officer:** Director Corporate and Community Services  
**Attachment:** 7

**Introduction:**

The Nhill Town Committee held its meeting on 21 May 2018. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

**RECOMMENDATION:**

***That Council notes the minutes of the Nhill Town Committee meeting held on 21 May 2018.***

***MOVED: Crs D Colbert/R Lowe***

***That Council notes the minutes of the Nhill Town Committee meeting held on***

**21 May 2018.**

**CARRIED**

*Attachment: 7*

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**12. LATE REPORTS**

**12.1 NHILL RAINBOW ROAD RECONSTRUCTION PROJECT ALLOCATION OF SAVINGS FROM THE 2017/2018 CAPITAL WORKS PROGRAM TO SUPPLEMENT EXISTING BUDGET**

**Responsible Officer:** Acting Director Infrastructure Services

**Introduction:**

This report seeks Council approval to allocate funds from savings in the 2017/2018 capital works program towards the Nhill Rainbow Road Reconstruction project.

**Discussion:**

Council's 2017/2018 capital program contains a project to reconstruct to current standards a 2.8km section of the Nhill Rainbow Road. The budget for this project is \$280,000.

Geotechnical investigations prior to commencement of the project indicated sufficient in situ gravel to stabilise the road. When the road was ripped by the Contractor it was determined that the depth of gravel required to satisfactorily rehabilitate the road was insufficient.

Calculations have been undertaken to determine the additional funding required to ensure a satisfactory outcome is achieved. It has been determined that an additional \$105,000 is required to complete the project.

The \$105,000 includes a sum of \$71,000 for Council to supply and cart an additional 3,700m<sup>3</sup> of gravel to the site and \$34,000 in additional resources required by the Earthmoving Contractor to re-work and form up the road.

The cartage of gravel consists of approximately \$6,000 material costs and \$65,000 internal costs (staffing and use of plant and equipment) and has been authorised by the CEO. This work is underway.

Savings have been identified in already completed capital work projects for the 2017/18 financial year. This report recommends that the following savings be allocated to this project.

<b>General Ledger</b>	<b>Project</b>	<b>Savings Identified \$</b>
20156/345	Langford Street - Kerb and Channel project	35,000
20158/746	Katyil Wail Road - Shoulder resheet	30,000
20158/945	Winiam East Road - shoulder resheet	40,000
		<b>105,000</b>

Together with the original allocation of \$280,000 the total cost of the project is now expected to be \$385,000.



**Nhill Rainbow Road Reconstruction**

	<b>Expenditure authorised by CEO 02/05/18 (\$)</b>	<b>Additional costs identified</b>	<b>Total estimated project cost</b>
	\$ (excl)	\$	\$
Expenditure to date	4,436	0	4,436
Gravel (including cartage)	9,000	71,000	80,000
Earthmoving Quotation	115,207	33,793	149,000
Stabilisation	55,145	0	55,145
Seal	96,348	0	96,348
	<b>280,136</b>	<b>104,793</b>	<b>384,929</b>

**Options:**

Council can:

1. Approve the allocation of savings made in 2017/18 capital works projects to the Nhill Rainbow Road reconstruction project; or
2. Approve other savings to be allocated to the Nhill Rainbow Road reconstruction project.

**Link to Council Plan:**

- 2.1 Well-maintained physical assets and infrastructure to meet community and organizational needs.
- 3.4 Transport solutions that support the needs of our communities and businesses.

**Financial Implications:**

The additional funds required to satisfactorily complete this project can be accommodated by savings identified in capital projects already completed in the 2017/2018 financial year.

**Risk Management Implications:**

The quotation from Stabilco, the company engaged to carry out stabilisation of the pavement, contains a daily standby rate of \$3,350 if plant and crew are available to work but not utilized by the client. A number of discussions have been held with the Stabilco Company Manager who has agreed not to enforce this clause, on the understanding that they will be able to commence their work the week beginning 09 July 2018. Council staff have agreed to work their rostered day to ensure that all material will be carted in line with this timeframe.

**Conflict of Interest:**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible and Author – Janette Fritsch, Acting Director Infrastructure Services  
In providing this advice as the Officer Responsible and Author, I have no disclosable interests in this report.

**Communications Strategy:**

The Acting Director Infrastructure Services will inform the Manager Capital Works and the contractors engaged on this project of the Council decision.

**Next Steps:**

Council's Construction Team will continue the cartage of gravel to the project. A contract variation schedule will be created for signing by the contractor.

**RECOMMENDATION:**

**That Council:**

- 1. Endorses the Chief Executive Officer's decision to allocate resources (\$71,000) to cart gravel for the Nhill Rainbow Road Reconstruction Project,**
- 2. Notes the variation to quote to Glover Construction of an additional \$34,000, and**
- 3. Approves the allocation of additional funding of \$105,000 as in point 1 and 2 for the Nhill Rainbow Road reconstruction project (ledger number 20156/851), making this a total project cost of \$385,000. This allocation to be funded from savings identified in the 2017/2018 capital work program being \$35,000 from ledger 20156/345, \$30,000 from ledger 20158/746 and \$40,000 from ledger 20158/945.**

**MOVED: Crs D Nelson/D Colbert**

**That Council:**

- 1. Endorses the Chief Executive Officer's decision to allocate resources (\$71,000) to cart gravel for the Nhill Rainbow Road Reconstruction Project,**
- 2. Notes the variation to quote to Glover Construction of an additional \$34,000, and**
- 3. Approves the allocation of additional funding of \$105,000 as in point 1 and 2 for the Nhill Rainbow Road reconstruction project (ledger number 20156/851), making this a total project cost of \$385,000. This allocation to be funded from savings identified in the 2017/2018 capital work program being \$35,000 from ledger 20156/345, \$30,000 from ledger 20158/746 and \$40,000 from ledger 20158/945.**

**CARRIED**

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**13. OTHER BUSINESS**

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#### 14. CONFIDENTIAL REPORTS

In accordance with Section 89 (2) of the *Local Government Act* 1989, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- 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.

**RECOMMENDATION:**

***That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider:***

- 14.1 *Contract 2015-2016-04 – Provision of Resources to Extract Quarry Materials and Associated Services at Council Quarries - Extension of Contract***
- 14.2 *Tender Award for Provision of Professional Consultancy - September 2016 Flood Recovery Program Contract No 2017-2018/12***

**MOVED: Crs R Lowe/D Nelson**

***That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider:***

- 14.1 *Contract 2015-2016-04 – Provision of Resources to Extract Quarry Materials and Associated Services at Council Quarries - Extension of Contract***
- 14.2 *Tender Award for Provision of Professional Consultancy - September 2016 Flood Recovery Program Contract No 2017-2018/12***

**CARRIED**

Council resumed in open session at 3:37pm.

**15. MEETING CLOSE**

There being no further business, Cr R Ismay declared the meeting closed at 3:37pm.

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