



STRATHBOGRIE SHIRE COUNCIL

Notice is hereby given that the Ordinary Meeting of the Strathbogrie Shire Council will be held on Tuesday 17 September 2013, commencing at 6.00 p.m. at the Euroa Community Conference Centre

Councillors: Debra Swan (Chair)
Colleen Furlanetto
Malcolm Little
Patrick Storer
Robin Weatherald
Graeme (Mick) Williams

Officers: Steve Crawcour - Chief Executive Officer
Peterson Asante – Acting Director, Asset Services
David Woodhams – Director, Corporate and Community
Phil Howard – Director, Sustainable Development
Gary Abley – Manager, Organisational Development

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.
3. Apologies

Councillor Alister Purbrick
Roy Hetherington - Director, Asset Services
4. Confirmation of Minutes of the Special Meeting of Council held on Tuesday 13 August 2013 and Ordinary Meeting of Council held on Tuesday 20 August 2013
5. Disclosure of Interests
6. Petitions
7. Reports of Mayor and Councillors and Delegates
8. Public Question Time

EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1

CONDUCT OF PUBLIC

52. VISITORS

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

53. CALL TO ORDER

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.

Penalty: \$500

54. REMOVAL FOR DISRUPTION

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

9. Reports of Council Officers

- 9.1 Climate Change
- 9.2 Infrastructure
- 9.3 Private Enterprise
- 9.4 Public Institutions
- 9.5 Housing and Recreation
- 9.6 Tourism
- 9.7 Organisation

10. Notices of Motion

11. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2) of the Local Government Act 1989

12. Urgent Business

Steve Crawcour
CHIEF EXECUTIVE OFFICER

10 September 2013

NEXT MEETING

The next Ordinary Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 15 October 2013, commencing at 6.00 p.m. at the Euroa Community Conference Centre.

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9. REPORTS

9.2 INFRASTRUCTURE

9.2.1 Proposed Road Namings

Author & Department

Road Naming Officer / Asset Services Department

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report does not have a direct or indirect interest in any of the matters referred to in this report.

Summary

As part of its ongoing programme to clarify road names for the Rural Addressing System, Council is required to consider proposed road name changes. The most recent proposals are listed in the attached schedule.

The proposals were considered by Council at its meeting held on 18 June 2013, and subsequently advertised in accordance with Section 223 of the Local Government Act 1989. Submissions closed on Friday 26 July 2013, at which time seventeen written submissions had been received in relation to six of the proposals. Copies of all submissions were provided to Councillors for their consideration at the Special Meeting of Council held on 13 August 2013. None of the submitters requested to be heard in support of their submission, however, two attended the meeting and were allowed to speak to their submissions.

The following Recommendation was endorsed by Council.

That Council resolve to –

- 1. Receive and note the written submissions received in response to the public advertisements and letters sent to owners of land adjoining those roads subject to the proposed road names; and*
- 2. Formally consider all received submissions at the monthly Ordinary Meeting of Council to be held on Tuesday 17 September, 2013.*

9.2.1 Proposed Road Namings (cont.)

RECOMMENDATION

That Council resolve that:-

- 1. The recommendations of the Special Meeting of Council made on 13th August 2013, as given above, be adopted.**
- 2. The Registrar of Geographic Names be advised of the names for their ratification.**
- 3. Upon confirmation of the names by the Registrar :-**
 - 3.1 The following bodies be advised of the new names:**
 - Strathbogrie Shire Council staff**
 - Telstra and Australia Post**
 - State and Federal Electoral Offices**
 - Emergency Services including SES and CFA**
 - Electricity, water and gas utilities**
 - State Government instrumentalities for planning and transport**
 - 3.2 Relevant signage be installed.**
 - 3.3 Persons with property adjoining the roads and those who made submissions be notified in writing of Council's decision.**
 - 3.4 Those who made submissions be advised in writing of the reasons for the decision of Council.**

Background

In accordance with the provisions of the Local Government Act 1989 Council is the responsible authority for the naming of municipal roads and on 20 July 2004 adopted a Road Naming Policy, subsequently updated on 20th December, 2011. This policy incorporates the principles contained in "Guidelines for Geographic Names Victoria" (updated in July 2010) derived from the Geographic Place Names Act 1998.

Council is still involved in clarifying road names necessary for the Rural Addressing System. This process requires Council to name previously "unnamed" roads and resolve issues with some previously named roads.

Alternative options

The author has considered potential alternative courses of action. No feasible alternatives have been identified.

9.2.1 Proposed Road Namings (cont.)

Risk Management

The author considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic links - policy implications and relevance to Council Plan

The author considers that this report is consistent with Council policies, key strategic documents and the Council Plan.

Best Value/National Competition Policy (NCP) / Competition and Consumer Act 2010 (CCA) implications

The author considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial/Budgetary implications

The author considers that the recommendation has no capital or recurrent budget implications.

Economic implications

The author considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental/Amenity implications

The author considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community implications

The author considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal/Statutory implications

The author considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

All proposed road name changes were advised in writing to all abutting property owners and advertised in local papers, inviting submissions in accordance with Section 223 of the Local Government Act 1989. Seventeen written submissions were received but none of the submitters requested to speak to their proposals. However, two of the submitters attended the meeting and were allowed to speak to their submissions. The author considers that no further consultation is necessary.

Attachments

Proposed Road Name Changes.

Proposed Road Name Changes

Case	Road named or known as	Location	CFA map book	Comments and action
264	Unnamed	Wahring – south-east off Wahring-Euroa Road	326 F3 407359	One written submission opposing proposed Coulter Road and suggesting using “Cubby Lane”. This is derived from the submitter’s surname and is considered to breach the rule of names based on living persons. Therefore it should not be used. Recommend proceed with proposed COULTER ROAD.
265	Barringtons Road (part)	Wahring – east off Browns Road	291 J14 468424	One written submission opposing proposed Preston Lane and suggesting either “Barringtons Road West” (not allowed), “Ahern Road” (duplication) or “McCoomb Road” (duplication). Recommend proceed with proposed PRESTON LANE.
266	Youngs Road (centre part)	Wahring – south off Wahring-Euroa Road	326 J3 459360	Seven written submissions, all strongly supporting the retention of Youngs Road instead of proposed Wahring-Euroa Road for this section of road. Representations were made by a submitter on 13 th August that the western section of Wahring-Euroa Road be renamed as Wahring Road leaving this section of Youngs Road unaffected. This suggestion has merit and it is considered that the current proposal should be withdrawn and the suggestion be considered for future renaming. Recommend not proceed with proposed WAHRING-EUROA ROAD.
267	Youngs Road (southern part)	Wahring – south off Wahring-Euroa Road	326 J3 460352	Six written submissions, all strongly supporting the retention of Youngs Road instead of proposed Wicking Road for this section of road. Representations were made by the Case 266 submitter on 13 th August that the eastern section of Wahring-Euroa Road be renamed to extend Pranjip Road, leaving this section of Youngs Road unaffected. This suggestion has merit and it is considered that the current proposal should be withdrawn and the suggestion be considered for future renaming. Recommend not proceed with proposed WICKING ROAD.
268	Unnamed	Avenel – south off Upton Road	326 H13 458156	No written submissions. Recommend proceed with proposed BAKER LANE.

269	Unnamed	Locksley – north off Nagambie-Locksley Road	326 J9 463230	One written submission opposing proposed Garlick Lane and suggesting using “Ivor Lane”, understood to be an old family given name, but subsequently confirmed as named after a living person. Representations were made by the submitter on 13 th August that Beacon Lane would be an appropriate name, as it would commemorate a wartime aircraft beacon located at the corner of the road. This suggestion has merit and it is considered that the suggested name should be adopted. Recommend proceed with suggested BEACON LANE.
270	Unnamed	Locksley – south off Avenel-Longwood Road	326 J11 479199	One written submission opposing proposed Willmott Lane and suggesting using “Olea Lane”, (“olea” meaning “olive”) named after an adjoining olive farm. This suggestion has merit and it is considered that the suggested name should be adopted. Recommend proceed with suggested OLEA LANE.
271	Unnamed	Miepoll – east off Arcadia Two Chain Road	327 H1 658388	No written submissions. Recommend proceed with proposed DANIHER LANE
272	Unnamed	Euroa – north-east off McGuiness Street	8338E 723318	No written submissions. Recommend proceed with proposed LIBRARY LANE

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9.6 TOURISM

9.6.1 Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee – Draft Minutes of the Meetings held on 13 June 2013 and 8 August 2013 and revised Minutes of the Meeting held on 11 April 2013

Author & Department

Economic Growth Officer / Sustainable Development Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

Attached are the draft minutes of the Nagambie Waterways and Commercial Stakeholders Advisory Committee meetings held on 13 June and 8 August 2013 and the revised Minutes of the meeting held on 11 April 2013 for Council's endorsement.

RECOMMENDATION

That the draft Minutes of the Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee meetings held on 13 June and 8 August and revised Minutes of the meeting held on 11 April 2013 be endorsed.

Background

The Strathbogie Shire Council appointed a Special Committee to set policy and direction for the Nagambie Waterways Recreational and Commercial Users, to ensure that the activities on the Nagambie Waterways meet the objectives and the vision of Council as set out in the Council Plan.

Alternative options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic links - policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan's 6.4 Strategy: Provide passive and active recreational facilities and paths / tracks to *'Support the Nagambie Lakes Recreational and Commercial Stakeholders Waterways Committee in implementing the Actions in the On Land and On Water Strategy.'*

9.6.1 Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee – Draft Minutes of the Meetings held on 13 June 2013 and 8 August 2013 and revised Minutes of the Meeting held on 11 April 2013 (cont.)

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and competition and consumer Act requirements have been considered and applied in development of the report and recommendation..

Financial/Budgetary implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

Economic implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental/Amenity implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal/Statutory implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council

Consultation

The author of this report consulted with all the user groups of the waterways and the community at the recent meeting – see attached copy of minutes.

Attachments

Draft Minutes of the Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee meetings held on 13 June 2013 and 8 August 2013 and revised Minutes of the meeting held on 11 April 2013

**MINUTES OF THE NAGAMBIE WATERWAYS RECREATIONAL AND COMMERCIAL STAKEHOLDERS
ADVISORY COMMITTEE MEETING**

**REGATTA CENTRE, LODDINGS LANE, NAGAMBIE
ON THURSDAY 13th June 2013 AT 6PM**

Present:	Cr. Debra Swan Cr. Alister Purbrick Steve Crawcour Libby Webster Wally Cubbin Lynne Charge Pat McNamara Beth Walter Kimm Kennedy Ian Matheson Craig Stewart Robert Kean Brett Tanian Dave Jackson	Mayor - Strathbogie Shire Council (SSC) (Acting Chair) Ward Councillor - Strathbogie Shire Council Chief Executive Officer Strathbogie Shire Council (Secretary) Nagambie Angling Club Rowing Victoria Nagambie Rowing Club Nagambie Action Group Nagambie Action Group Goulburn Valley Water Commercial Operators Nagambie Riparians Group Victorian Water Police Goulburn Murray Water
Guests:	Lisa Faldon Geoffrey Swanton Steven Hicks	Deputy Director, Maritime Safety, TSV Waterways Manager, Waterway Safety, Maritime Safety TSV Manager Statutory Services Strathbogie Shire Council
Apologies	Tony Spiteri Graeme Callaghan Tony Hammond Mick Mitchell Ron Loccisano Henry Moss	Nagambie Waterski Club Nagambie Police Nagambie Riparians Groups Nagambie Sailing Club Developer Group Nagambie Rowing Club

Appointment of Acting Chair

Alister Purbrick nominated Deb Swan as Chair for the meeting, seconded by Robert Kean, all agreed.

1. Presentation by Transport Safety Victoria (TSV) – information sharing session

A new Marine Safety Act came into operation in 2010 and all transport agencies were merged into one department, including Marine Safety, from the 1st July 2012. Grants have been kept as a separate department. Changes within this legislation mean that TSV has taken more of an oversight role in matters such as approval for waterway closures and rule changes, which in turn makes the Waterway Manager more responsible. For instance, final documentation for a waterway closure for an event now comes to TSV from the Waterway Manager; previously it was submitted to TSV from the event organiser.

The new rule change procedures are more onerous and convoluted and include extensive community consultation and public examination prior to any rule changes being approved.

The rule changing process is as follows:-

1. Community and various clubs recommend a change to the Waterway Manager which in our case is the Shire of Strathbogie.
2. Council develops a case for the change taking into account safety and risks.
3. Council undertakes community consultation.
4. Council provides a document to TSV outlining the benefit, costs, equity of access and addressing safety and environmental matters.
5. TSV undertakes a full assessment of the proposal.
6. If the proposal is approved, then documentation/maps need to be updated and distributed, signage installed and advertising undertaken.

7. Finally TSV will gazette the change.

Only safety is taken into consideration, other factors such as environmental concerns are not a factor, under the legislation, and the legislation only relates to boating – swimmers, for instance, are seen as an 'unidentified navigational hazard to boating'.

There are 16 individual Acts that can govern a waterway.

If a waterway is unmanaged i.e. no organisation wants to take on the responsibility, TSV will impose 'draconian' measures such as making the entire waterway a 5 knots speed limit.

TSV understands that waterway management comes at a significant cost without much support, however, there are some grants available to assist with the management costs.

The Crown indemnifies the Waterway Manager for public liability, offering some protection.

There was a discussion regarding Jetskis and how to manage their use of the waterways. Under the current legislation it would be impossible to prohibit one type of vessel on the waterways as there must be equity of access. A driver of a jetski only needs a limited licence and drivers as young as 12 can operate a jetski providing a licenced operator sits behind them. This legislation was recently reviewed, but there was not a lot of feedback, so no change was enacted.

TSV employs 4 boating safety officers who know the Nagambie region and spend time in the area over summer.

It was noted that the Shire's Boating Safety Officers have not been authorized by TSV to issue fines, as they have not submitted all the necessary paperwork. Steve Hicks to follow up. Ms Faldon noted that the priority for training for the new regulations was given to those authorised under the previous Act. The Strathbogie Shire Boating Safety Officers were in the second round of training due to not having previous qualifications and needing further training.

The Waterways manager collects the fines imposed which Steve Crawcour noted was around \$4,000 in previous seasons. Boating Safety costs the Shire around \$120,000 pa to operate, which is approximately 1% of rates for all residents of the Shire.

2. Minutes of previous meeting

Minutes of the previous meeting were tabled, some changes were proposed by Wally Cubbin and Alistair Purbrick. The revised minutes were moved by Alistair Purbrick and seconded by Beth Walter; all agreed they were an accurate reflection of the meeting.

3. Business Arising

Beth Walter noted, as requested, that she had provided a survey to the Council of the waterfront land around the Lake, with regard to the possibility of a walkway to connect the town centre to the Regatta Centre / Caravan Park. The Committee recommended to the Council that they investigate the proposal. Steve Crawcour and Dave Jackson noted that this proposal is included in the Shire and GMW's strategic plans.

Steve Crawcour further commented that it is an action in the draft Council Plan for the 2014/2015 year to: 'Investigate options to provide a shared pathway connecting the Regatta Centre to the Nagambie Town Centre'.

4. Future of the Regatta Centre / Boating Safety

The Strathbogie Shire Council will be undertaking a cost benefit analysis of the Regatta Centre operations and the Council Boating Safety program later this year. This will include an

assessment of ramifications to the community. The Council is often criticised that they are not doing enough with Boating Safety, yet it comes at a significant cost to the ratepayer.

Pat McNamara noted that the Regatta Centre attracted rowing training camps which added value to Nagambie's economy. The proposal to remove the buoys from the course may cause cancellation of the camps.

5. Ballarat Rowing Club challenge to Rowing events at Nagambie

Ballarat City Council has offered large sums of money to various rowing bodies, as an enticement to bring rowing events to Ballarat. The Geelong schools are assisting Ballarat Council as the location is more convenient for them.

This is a challenge for Strathbogie Shire as there is no capacity to compete on this level. Nagambie does however offer much better facilities, a gated venue so entrance fees can be collected, ample parking and generally better weather.

There is a need for more toilets and showers to be constructed at the Regatta Centre. Pat McNamara suggested an avenue of funding through the Community Support Fund. Council to investigate.

Pat McNamara offered to convene a meeting between Rowing Vic and the Shire to discuss issues, with the objective to retain events at Nagambie.

Pat McNamara noted that both the Australian Masters and the Victorian Masters championships had to be cancelled at Ballarat due to bad weather. There has never been an event cancelled at Nagambie.

6. Other Business

- Beth Walter tabled papers on waterways patrols, survey of public opinion and buoy removal from the rowing course. Kimm Kennedy noted that these were not necessarily the views of the Nagambie Action group.
- Steve Crawcour reported that the Council is reviewing its Waterways strategy. The review will come to the group for comment, input and recommendation. The current strategy to be circulated to the Committee, with the minutes of this meeting.
- Deb Swan reported that the statue of Black Caviar is proposed to be installed on the old Church site at Jacobsen's Outlook. There has been some opposition to this siting from the Church group. The proposal includes reinstalling the circle of bricks at the historical Society and installing a church memorial plaque in the landscaping feature. Ms Swan commented that 'the proposal was a way of honouring the past and bringing in the present. The committee endorsed the proposal.
- Wally Cubbin noted that the Nagambie Angling Club held a very successful fishing forum with 70 people in attendance.
- Craig Stewart noted that Brett Tanian had been awarded the Australian Police Medal awarded for distinguished service by a member of an Australian police force. The committee congratulated him on this prestigious award.

Meeting closed 8.00 pm

Next meeting 8th August 2013 6pm

**MINUTES OF THE NAGAMBIE WATERWAYS RECREATIONAL AND COMMERCIAL STAKEHOLDERS
ADVISORY COMMITTEE MEETING**

REGATTA CENTRE, LODDINGS LANE, NAGAMBIE

ON THURSDAY 8th August 2013 AT 6PM

Present:	Cr. Alister Purbrick Libby Webster Wally Cubbin Steven Hicks Henry Moss Beth Walter Kimm Kennedy Ian Matheson Craig Stewart Robert Kean Tony Hammond Jeff Harrison Graeme (Harry) Callaghan Mark Turner	Ward Councillor - SSC (Acting Chair) Strathbogie Shire Council (Secretary) Nagambie Angling Club Manager Statutory Services Strathbogie Shire Council Nagambie Rowing Club Nagambie Action Group Nagambie Action Group Goulburn Valley Water Commercial Operators Nagambie Riparians Group Nagambie Riparians Group Goulburn Murray Water Nagambie Police GBCMA
Guests:	Duncan Hill Anthony Forster	Recreational Fishing Improvement - Fisheries Victoria Freshwater Fish Manager - Fisheries Victoria
Apologies:	Steve Crawcour Cr. Debra Swan Lynne Charge Tony Spiteri Brett Tanian Pat McNamara Mick Mitchell Ron Loccisano	Chief Executive Officer – SSC Mayor - Strathbogie Shire Council (SSC) Rowing Victoria Nagambie Waterski Club Victorian Water Police Nagambie Rowing Club Nagambie Sailing Club Developer Group

Appointment of Acting Chair

Robert Kean nominated Alister Purbrick to Chair the meeting, all agreed.

1. Presentation by Fisheries Victoria

There is estimated to be 700,000 fishers of which 300,000 are licenced in Victoria, 66% of anglers fish in inland waters which brings an estimated \$178 million into the North East Victoria economy. Government funding is \$16 million over 4 years plus the income from the fishing licences which is directly spent on improving infrastructure for fishing, restocking programs etc.

The Goulburn Weir pool is seen as having the potential to be one of the most popular fishing regions in Australia.

Fisheries have undertaken a restocking program of Murray Cod and Golden Perch with over 1 million fingerlings introduced to the Goulburn Weir pool since 2009. These levels will continue for at least another 2 years.

Improving access is a main focus for Fisheries. 2 new boat ramps are proposed at Majors Creek and Goulburn Weir, to be funded by Fisheries.

Anthony proposed that a meeting is set up with the Council to discuss the possibility of undertaking a collaborative Economic Benefits Study of fishing to the Shire. This study would be funded by Fisheries Victoria

2. Minutes of previous meeting

Revised minutes of the previous two meetings were tabled. The revised minutes of the 11th April were moved by Beth Walter and seconded by Robert Kean, all agreed they were a true reflection of the meeting. The minutes of the 13th June were moved by Robert Kean and seconded by Ian Matheson; all agreed they were an accurate reflection of the meeting.

3. Business Arising

Beth Walter noted as a point of clarification that the documents she tabled at the last meeting were:-

- The paper regarding Buoy removal –is Beth's own opinion,
- The paper regarding the proposed survey – was not an official Nagambie Action Group opinion,
- The paper of Boating safety was approved at the NAG meeting on 27th May, therefore was an official Action Group opinion.

Nagambie On Water festival proposal to be granted exclusivity on the water in the bowl for their event for the next 5 years, was passed by Council.

Steven Hicks to review the change of rules downstream of the ski zone and the extension of the 5knot zone at Teddy Bear Island, as the signage does not seem to reflect the Gazetted rules.

Jeff Harrison updated the progress of the GMW implementation committee for the On Land On Water strategy. The committee has been appointed and the initial meeting will be held in the near future. The committee consists of representatives from GVW, GMW, GBCMA, SSC (Councillor), Steven Hicks (SSC), Pat MacNamara (Nagambie Rowing Club) and Tony Spiteri (Nagambie Waterski Club).

The Shire and GMW have been working together to agree on roles and responsibilities of the Nagambie Waterways Advisory Committee and the GMW Implementation Committee to ensure that there is no duplication and there is clarity of each parties roles; also to look at the Terms of Reference and how they relate to the current strategies within the Shire and GMW. There is a 5 year time frame for the implementation plan.

The Waterways strategy review will be addressed by the SSC soon (October 2013). The current strategy will be circularised to all Advisory Committee Members out of session.

4. Update of Boating Safety Officers accreditation and qualifications

There are 6 officers and 2 coxswains that have completed their TSV training and have provided police and VicRoads checks to TSV. It is anticipated that TSV will approve the Boating Safety Officers prior to this year's boating season.

5. Ballarat Rowing Club challenge to Rowing events at Nagambie

There has been a meeting arranged by Pat McNamara with Rowing Victoria and the Shire on the 5th September 2013 to discuss the upcoming season etc.

There has been an approach by Ballarat City Council to APS for the Heads of the River. It is unlikely that this will be successful as there is a lack of parking, not enough room on the peninsular to set up the marquees or boat racks and they cannot fence the venue, so cannot collect entrance fees.

There have been rumours that the Shire is charging the VIS to train on the rowing course, which is not true.

There are also rumours around Nagambie that the Nagambie Rowing Club is moving to Ballarat, which is also untrue.

6. Other Business

- Alister Purbrick proposed that some of the buoys in the bowl are removed over the busy summer period. There was general agreement for the proposal, save for the Nagambie Rowing Club who opposed the proposal.

Alister proposed that the committee explore the possibilities of opening up the lake at the Bowl to be considered at the next meeting – 7 voted for the proposal and 2 against.

Libby will work up a discussion paper on opportunities /issues/options to be tabled at the next meeting.

Meeting closed 7.30 pm

Next AGM meeting 10th October 2013 6pm

**REVISED MINUTES OF THE NAGAMBIE WATERWAYS RECREATIONAL AND COMMERCIAL
STAKEHOLDERS ADVISORY COMMITTEE MEETING**

REGATTA CENTRE, LODDINGS LANE, NAGAMBIE

ON THURSDAY 11th April 2013 AT 6PM

Present:

Ron Loccisano	Developer Group
Cr. Debra Swan	Mayor - Strathbogie Shire Council
Cr. Alister Purbrick	Ward Councillor - Strathbogie Shire Council
Steve Crawcour	Chief Executive Officer
Libby Webster	Strathbogie Shire Council (Secretary)
Wally Cubbin	Nagambie Angling Club
Lynne Charge	Rowing Victoria
Henry Moss	Nagambie Rowing Club
Beth Walter	Nagambie Action Group

Apologies

Tony Spiteri	Nagambie Waterski Club
Graeme Callaghan	Nagambie Police
Pat McNamara	Nagambie Rowing Club
Nick Gall	Rowing Victoria
Ian Matheson	Goulburn Valley Water
Craig Stewart	Commercial Operators
Robert Kean	Nagambie Riparians Group
Tony Hammond	Nagambie Riparians Groups
Brett Tanian	Victorian Water Police
Jeff Harrison	Goulburn Murray Water
Mick Mitchell	Nagambie Sailing Club

1. Minutes of previous meeting

Minutes of the previous meeting were tabled, Wally Cubbin noted that the process for the AGM was confused and requested that next time the process be handled correctly. Alister Purbrick noted that it would not have changed the outcome. The AGM minutes were moved by Beth Walter and seconded by Henry Moss; all agreed they were an accurate reflection of the meeting.

**2. NAGAMBIE WATERWAYS RECREATIONAL AND COMMERCIAL STRATEGY
Report by Alister Purbrick**

Alister Purbrick tabled the paper which outlined a summary of issues as a basis for discussion and decisions/actions to be taken.

Boating Patrols

- Boating Safety Officers are unable to issue fines, due to the delay in Transport Safety Vic signing off on their licence application. The Shire believes this will happen by the 2013/2014 boating season or earlier if signed off by TSV. The application was lodged January 2013.
- The committee is to encourage the community to inform the Council/ Waterways committee of issues, so the Council can structure effective patrols. The Committee agreed to send a letter, prepared by the Shire, to community groups about this.
- a number of issues on the Waterways were discussed such as speed limits, erosion control, designating areas for wake enhanced boats and jet skis.

Erosion

- The Committee highlighted their concern on the proposal to reduce the speed limit on certain sections of the river to 10 knots. This will cause more erosion and is difficult to police.
- The Committee agreed to send a letter Transport Safety Victoria seeking guidance on the issues and the possibility of designating areas for wake enhanced boats (and/or banning enhancements) and jetskis, outlining Committee's concerns and invite them to send a representative to the next meeting. The committee would also be interested in hearing first hand about the changes in Transport Safety Victoria's organisation.
- The Committee discussed how congestion could be relieved along the river and agreed to add this issue to the TSV letter
- The Committee also discussed the licence rules which allowed teenagers as young as 12 years of age to operate a jetski and the "hoon" element which resulted in jetskis being operated at dangerously high speed. It was agreed to add this issue to the TSV letter.

Boat Ramps

- DPI will be installing a boat ramp at Majors Creek and the Shire is investigating installing a ramp at Goulburn Weir.
- Other sites have significant traffic management (carparking) and rubbish removal issues, which would be costly to overcome.
- It was noted that both the Shire's Waterways Strategy and GMW's recent On Land and On Water study highlighted the need to develop more boat ramps.

Walkways around the Lake

- The committee agreed that there is a great need for connectivity between the Leisure Park/Regatta Centre and the town centre.
- The issue is the mix of private properties on the waters edge that may have no easements. It has since been confirmed that all the properties in question do have easements.
- The Committee recommended that the Shire seek funding to develop a detailed design and options for the connection.

Buoys

- The Committee discussed the possibility of removing the buoys over the summer, when there are no Regattas scheduled. Removal and reinstatement of the buoys has been done successfully a number of times at a cost of \$700/removal or reinstatement.
- Cr Swan proposed that an independent survey be undertaken to establish the economic benefit of water activities on the Lake and confirm how often the rowing community requires the buoys in place for training.

3. Other Business

- Alister Purbrick tabled a letter from the NOW committee requesting that the first weekend in March be set aside for the NOW Festival and that no other events be scheduled on the lake for that day. The committee agreed, save for limiting it to a 5 year period. This will now be taken to a Council meeting for consideration.
- Lynne Charge requested that the Shire investigate installation of platforms for television cameras along the course
- The Shire's Waterways Strategy is due for review at June 30th this year. It will be brought to the Committee for comment and recommendation of changes, prior to consideration by the Shire Council.
- Jeff Harrison advised that GMW received 13 applications by community members to be part of the implementation group of the Nagambie Waterways Land and On-Water Management

Plan. The candidates have met with agency representatives who have selected 5 community representatives to be recommended to the April 24th GMW Board Meeting. Successful candidates should be able to be announced by the end of April.

Meeting closed 7.24 pm

Next meeting 13th June 2013

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9.7 ORGANISATION

9.7.1 Council Policy - Council Recreation Plan Loans Program Policy

Author & Department

Director Corporate & Community / Corporate & Community Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

Officers providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989 (LG Act).

Summary

The Council Recreation Plan Loans Program Policy has been reviewed in accordance with the Local Government Act 1979 (The Act). The document was last formally reviewed in September 1999.

RECOMMENDATION

That Policy DS 1 'Council Recreation Plan Loans Program Policy' be revoked.

Background

Council currently has a Council Recreation Plan Loans Program Policy DS1. There are no known instances of outstanding loans to community groups under this policy.

It is rare for any Council to provide loans for community groups under any circumstances. This is primarily due to (a) that elected community group members change and so do their responsibilities (b) there is no guarantee of fixed ongoing income to support loan repayment and (c) there is usually no asset owned by the group to link the guarantee to. For these reasons, it is recommended that the policy be revoked.

Alternative Options

Council has the option to revoke the Policy.

Risk Management

There are no significant Risk Management factors relating to the report and recommendation, if Council was to revoke the policy.

Strategic Links – policy implications and relevance to Council Plan

This report is consistent with Council Policies, key strategic documents and the Council Plan.

9.7.1 Council Policy
- Council Recreation Plan Loans Program Policy (cont.)

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial / Budgetary Implications

If Council revokes the policy, there are no financial budgetary implications.

Economic Implications

The recommendation has no significant economic implications for Council or the broader community if a community.

Environmental / Amenity Implications

The recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

There are no significant community or social implications for Council or the broader community if Council revokes this policy.

Victorian Charter of Human Rights and Responsibilities Act 2006

The recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The recommendation has no further legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Nil.

**9.7.2 Council Policy
- Hire of Public Halls Policy**

Author & Department

Director Corporate & Community/ Corporate & Community Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

Officers providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989 (LG Act).

Summary

The Hire of Public Halls Policy has been reviewed in accordance with the Local Government Act 1979 (The Act). The document was last formally reviewed in September 2001.

RECOMMENDATION

- 1. That Policy DS 4 'Hire of Public Halls Policy' be revoked.**
- 2. That the Hire of Public Halls Policy, be adopted.**

Background

Council currently has a Hire of Public Halls Policy DS4. The policy is for Council owned and Council operated, halls. It does not apply to halls operated by Council appointed committees of management.

The policy has been reviewed in accordance with the provisions of the Local Government Act 1989.

Alternative Options

Council has the option to revoke the Policy or amend as it sees fit.

Risk Management

If Council was to revoke the policy there would be no guidance as to what the halls could be used for. Conditions would become more arbitrary and provide no guidance as to their use.

Strategic Links – policy implications and relevance to Council Plan

The report is consistent with Council Policies, key strategic documents and the Council Plan.

9.7.2 Council Policy
- Hire of Public Halls Policy (cont.)

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial / Budgetary Implications

If Council revokes the policy, there are no financial budgetary implications as the fees and charges are set in the budget document.

Economic Implications

The recommendation has no significant economic implications for Council or the broader community if a community.

Environmental / Amenity Implications

The recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

There are no significant community or social implications for Council or the broader community if Council revokes this policy.

Victorian Charter of Human Rights and Responsibilities Act 2006

The recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The recommendation has no further legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Hire of Public Halls Policy.



HIRE OF PUBLIC HALLS POLICY

COUNCIL POLICY	
Effective Date:	18/09/01
Last Review:	
Current Review:	August 2013
Adopted by Council:
Next Review Date:	As required
Responsible Officer/s:	Director, Corporate and Community

1. POLICY STATEMENT

The purpose of this policy is to establish Council's position, rules and conditions for the use and hire of Council owned and managed public halls, conference rooms, meeting rooms and associated facilities. The policy defines approved activities and conditions of use

2. POLICY APPLICATION

This policy applies only to those public halls, conference rooms, meeting rooms and associated facilities directly managed and operated by Council. The policy does not apply to halls operated by Council appointed committees of management.

2.1. Conditions of use

2.1.1. Subject to the payment of the applicable hire fee and bond, , the facilities to which this policy refers may be used by **not for profit clubs and organisations** for the following activities:

- Entertainment, such as theatre productions, musical events, dance, cabaret, movies etc.
- Exhibitions, such as art and craft shows, produce shows, trade fairs etc.
- Conferences.
- Education and training
- Public meetings.
- Club and organisation meetings
- Fetes
- Sports
- Competitions, such as produce, art and craft, small animal shows etc.
- Trash and treasure markets

2.1.2. Subject to the payment of the applicable hire fee and bond, the facilities to which this policy refers may be used by **any person, company, business or like organisation** for the following activities:

- Entertainment, such as theatre productions, musical events, dance, cabaret, movies etc.
- Exhibitions, such as art and craft shows, produce shows, trade fairs etc, but must not permit the sale of goods or services to the public other than provision of food and beverages incidental to the event.
- Conferences
- Public meetings
- Education and training
- Sports
- Board meetings

- 2.1.3 The facilities to which this policy refers must not be used or hired for the following activities:
- Sale of goods and/or services to the public for commercial gain, (except that the sale of food and beverages [*meals, supper, snacks, tea/coffee, alcohol, soft drinks, etc*] or merchandise [*music CD's, T shirts, caps, etc*] incidental to the event is permitted subject to obtaining and compliance with any necessary licenses and/or registrations.)
 - Gaming and betting businesses as pursuant to the Gambling Regulation Act 2003. (This does not include gaming activities which may be undertaken pursuant to Chapter 8 of the Gambling Regulation Act 2003, provided that such activities are lawfully undertaken in accordance with that Act.)

3. GENERAL CONDITIONS

The facilities to which this policy relates will only be hired subject to the following conditions and requirements:

3.1 Application to Hire

An application must be made to Council in writing and signed by:

- the person proposing to hire the hall or room;
- the President or Secretary of a not for profit organisation proposing to hire the hall or room;
- the Chief Executive Officer or other appropriate senior officer with the authority of the CEO of a company or corporation proposing to hire the hall or room; or
- the owner, managing director or local Director of a business proposing to hire the hall or room.

An application must include a clear and concise description of the purpose for which the hall or room is proposed to be hired and the specific premises or part thereof for which the application is made.

An application must include the postal address and contact telephone number for the person signing the application.

An application must include an undertaking by the person signing the application that he or she is and will be personally responsible for all matters pertaining to the hire of the hall or room and that he or she has the authority to act for any organisation, club or business on behalf of which the application is made.

An applicant must be over the age of 18 years.

3.2 Security Bond

A refundable security bond to the sum determined by Council from time to time **must be paid to Council within seven days of Council approving the application for hire** of the hall or room. Failure to pay the required amount within the seven days will result in the hall or room being available to others to hire and the booking date forfeited.

The refundable security bond is required as a guarantee of the fulfillment of the conditions of hire and as a security against damage to the building or its fittings and furniture and for cleaning resultant from the hirer not returning the premises in a clean and tidy condition.

3.3 **Damage and Cleaning**

The person who signed the application for hire of the hall or room will be responsible for payment to Council on demand any amount in excess of the security bond required to be paid to cover the full costs of damage repairs and/or cleaning.

3.4 **Hire Charges**

Hire charges shall be payable in accordance with the schedule of fees determined by Council from time to time. **Hire charges must be paid at least one calendar month prior to the date of hire.** Failure to pay the required amount by the prescribed time will result in the hall or room being available to others to hire and the booking date forfeited.

3.5 **Bookings**

An application to hire a hall or room or part thereof may be made at any time during normal office hours, by Post or e-mail.

Council may:

- consent to the hire of the premises the subject of an application;
- consent to the hire of the premises the subject of an application subject to conditions of hire; or
- refuse to consent to the hire of the premises the subject of an application.

An application to book received after another booking has been made for the same premises at the same time or times will be declined however the second applicant will be given first right of refusal should the first booking be cancelled or forfeited.

A minimum hire period of two hours will apply and the minimum hire charge will apply accordingly.

Where the premises are booked for a specific time period, the hirer must ensure that the premises are appropriately cleaned and vacated in time for the next hirer to obtain unimpeded access. A penalty charge of double the normal hire charge shall be applied, in addition to any other costs payable or deductible from the security bond, where the premises is not appropriately cleaned and vacated by the specified time. This additional charge shall be calculated on the minimum hire time of two hours or the period of time overrun by the hirer, whichever is the greater and the amount will be deducted from the security bond.

People vacating the hired premises and the adjacent area must give every consideration to the residents living nearby. Complaints of unruly behaviour and undue or excessive noise will be taken into account by Council in determining future applications for hire of halls or rooms by the hirer or organisation the hirer represented.

Cancellation of bookings for hire of premises should be made no later than 14 days prior to the booking date. Cancellations made after that date will incur a cancellation charge of 25% of the hire charge for cancellations up to three days prior to the booking date and cancellations later than three days prior will incur a cancellation charge of 75% of the hire charge.

3.6 Insurance

Strathbogie Shire Council will provide a blanket public liability cover for occasional hirers subject to an Application for Hall Hire form being completed and returned to Council in relation to all casual hirings individually.

Hirers must agree to indemnify and keep indemnified and to Hold Harmless the Council, its servants and agents and each of them from and against all actions, costs, charges, expenses and damages whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the hiring engagement.

The Council, its staff and agents shall not be responsible or liable for any loss or damage sustained by the hirer or any person resultant from any article being lost damaged or stolen. The hirer must indemnify the Council, its staff and agents against any claim by any person, firm or corporation in respect to any lost, damaged or stolen article.

In the case of the hire of a hall or room for a concert, dramatic or other performance, the hirer must not produce or permit to be produced or performed any dramatic or musical work which infringes the copyright of any owner of such rights and the hirer shall indemnify the Council against any claim for breach of copyright or any other like action.

3.7 Legislation and Regulations

The hirer must conform to and with the requirements of all relevant legislation and regulations inclusive of but not limited to the Health Act 1958, Local Government Act 1989 and any Local Law made thereunder, the Liquor Control Reform Act 1998 and the Gambling Regulation Act 2003 and any Regulations made thereunder.

Specifically and in addition to the above the hirer must comply with the Building Act 1993 and the Building Regulations 2006 and specifically but not limited to requirements in regard to prevention of overcrowding of public buildings and the obstruction of access and egress gangways, passageways, corridors or any part of the building.

The maximum seating capacity of the Euroa public hall is 390 persons and that number must not be exceeded.

3.8 Assignment

The person who signed the application to hire the premises is the hirer and must not sublet, assign a right to use or occupation of the premises hired to any other person, organisation, group or body without the express written consent of the Council.

3.9 **Permission to Occupy**

The hirer shall only be entitled to the use of the particular area or premises or part of a premises as consented to by Council. Council may consent to the hire, use and occupation of other parts of a premises for any other purpose at the same time.

The hire of a premises or part thereof provides a right conferred on the hirer as a right to occupy and use the premises on the prescribed date or dates for the prescribed time and shall not be construed as a tenancy. Nothing in this policy confers or gives regular hirers any right to exclusive possession of any premises the subject of this policy and Council may at its absolute discretion allow others the casual use of the premises, subject to lodgement of an application to hire and the granting of consent by Council pursuant to this policy.

The Council may direct as a condition of use and occupation of a hall or room that the hirer arrange and if required pay for a **police presence** during the hirer's use of the premises.

If the hirer commits, permits or allows any **breach or default** in the performance or observance of this policy or any conditions of hire the Council, the Chief Executive Officer of the Council or a duly authorised Local Laws Officer of Council may terminate the permission for the hirer to use or occupy the premises. In such circumstances the hirer must immediately vacate the premises. Any costs incurred by Council as a consequence of or in association with termination of a hirers use or occupation due to a breach or default shall be deducted from the security deposit.

3.10 **Compliance and Good Order**

The hirer shall be responsible for full observance of this policy and any additional conditions of hire.

The hirer shall be responsible for the maintenance and preservation of good order within the hired premises throughout the whole period of hire.

The hirer shall ensure that **no** obscene or insulting language or disorderly behaviour or damage to property is permitted within the hired premises.

The hirer shall be responsible for leaving the hired premises in a clean and tidy state and shall remove or cause to be removed all rubbish, refuse and waste material prior to the time booked for commencement of hire of the premises by the next hirer **or** no later than the next day, whichever is the earlier. Any costs incurred by Council in cleaning the premises resultant from the failure of the hirer to leave the premises in the state of cleanliness the premises were received in will be recoverable from the hirer.

The hirer shall accept and be held fully financially responsible for damage (except for normal wear and tear) to the hired premises during the hirers use and occupation of the premises.

The hirer shall ensure that any authorised officer of Council has free and ready access to the hired premises at all times upon presentation of that officers identification.

3.11 Signs and Decorations

Notices, signs, advertisements, scenery, fittings, fixtures or decorations of any kind must not be erected or attached to the hired building without prior written consent of Council, except as affixed to purpose provided fittings and fixtures such as notice boards or fittings designed purposefully for stage props and scenery attachment.

Naked lights, fireworks and pyrotechnic effects must not be used within any hired hall or room without the express prior written consent of Council.

Smoking is not permitted within any Council buildings.

The sale or consumption of liquor within the hired premises must only be undertaken in compliance with the **Liquor Control Reform Act 1998**. Any licenses or permits required shall be the responsibility of the hirer to obtain.

3.12 Disputes

In the event of any dispute or difference arising as to the interpretation of this policy or any conditions of hire of any hall or room, the matter may be referred to the Council disputes resolution committee for resolution and the decision of the committee shall be final and conclusive.

3.13 Right to Respect

No hirer shall cause any explicit materials or promote inappropriate behavior when hiring either hall. The right to respect includes the prevention of violence against women and children.

9.7.3 Council Policy - Governance and Protocols Code Policy

Author & Department

Director Corporate & Community/ Corporate & Community Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

Officers providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989 (LG Act).

Summary

The Governance and Protocols Code Policy has been reviewed in accordance with the Local Government Act 1979 (The Act). The document was last formally reviewed in February 2007.

RECOMMENDATION

- 1. That Policy C & E 11 'Governance and Protocols Code Policy' be revoked.**
- 2. That the Governance and Protocols Code Policy be adopted.**

Background

Council currently has a Governance and Protocols Code Policy C & E 11. The policy aims to guide Councillors and staff of Strathbogie Shire to achieve best practice in terms of the obligations and responsibilities imposed on them explicitly and implicitly through legislation which, together with common law and good administrative conduct, forms the general framework within which Council operates.

The policy is descriptive and references a number of Acts of Parliament.

The policy has been reviewed in accordance with the provisions of the Local Government Act 1989.

Alternative Options

Council has the option to revoke the Policy or amend as it sees fit.

Risk Management

The policy provides the basis for good governance within Strathbogie Shire. There are clear directions on expectations which if followed, provide integrity and transparency in the way we conduct our business.

9.7.3 Governance and Protocols Code Policy (cont.)

Strategic Links – policy implications and relevance to Council Plan

The report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial / Budgetary Implications

There are no financial budgetary implications.

Economic Implications

The recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

There are no significant community or social implications for Council or the broader community if Council revokes this policy.

Victorian Charter of Human Rights and Responsibilities Act 2006

The recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The recommendation has no further legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Governance and Protocols Code Policy.



GOVERNANCE AND PROTOCOLS CODE POLICY

COUNCIL POLICY	
Effective Date:	17/09/02
Last Review:	20/02/07
Current Review:	August 2013
Adopted by Council:
Next Review Date:	As required
Responsible Officer/s:	Director, Corporate and Community

Introduction

Governance refers to the processes, protocols, conduct and relationships involved in decision making and implementation.

This document aims to guide Councillors and staff of Strathbogie Shire to achieve best practice in terms of the obligations and responsibilities imposed on them explicitly and implicitly through legislation which, together with the common law, and good administrative conduct, forms the general framework within which Council operates.

In summary, good governance in Strathbogie Shire requires:

- Councillors being elected by, representative of, and accountable to their community
- Policies and programs reflecting the mandate Councils have received from electors
- Policy enactment arising from the Council plan with appropriate performance management to assess the Council's progress
- Community participation in governance
- Mayor and councillors providing leadership to the community and reflecting the community's collective aspirations
- A management structure which implements the Council's goals in accordance with Council's priorities and approved budget
- Provision of services which meet the community's needs (sometimes in partnership with other levels of government, business or community organisations)
- Local government being well placed to facilitate coordination and integration at a local level, and
- Co-operation between local governments.

The Strathbogie community is assured that its elected and appointed officials have collectively committed themselves to honest, ethical, responsible and accountable local government and public service. The community is entitled to expect and assume that Councillors and staff perform their duties to the highest standards.

Principles of public life for Strathbogie Shire

Councillors and staff of Strathbogie Shire Council are bound by the codes of conduct for (a) Councillors and (b) staff. Governance principles and conduct, as that shown in the Municipal Association of Victoria Good Government Guide, also applies to all Councillor and staff decision making.

Legal and ethical considerations

Relevant Acts

Local Government Act 1989 – This Act is the principal piece of legislation covering councils, councillors and members of local government staff.

Planning and Environment Act 1987 – This is the main piece of legislation governing land use planning in Victoria. It describes what local governments must and can do as planning authorities (in relation to planning schemes) and as responsible authorities (in relation to planning permit applications).

Information Privacy Act 2000 – This Act restricts what Strathbogie Shire Council can do in collecting and disseminating 'personal information'.

Protected Disclosures Act 2012 – Under this Act, anybody can make allegations (or a ‘disclosure’) about a councillor or member of local government staff. Depending on the nature of the allegation, either the Ombudsman or Strathbogie Shire Council must embark on a process of investigation.

Equal Opportunity Act 1995 – Councillors are subject to this Act. This means that they can be the subject of complaints about discrimination or harassment.

Occupational Health and Safety Act 2005 – This Act covers Council’s responsibilities for occupational health and safety in the workplace.

Councillors are not expected to have an intimate knowledge of the detailed provisions of legislation. However they are expected to have a good working knowledge of some key pieces of legislation (above).

Any breach of Council policies or legislation which constitutes a breach of this Code may be referred to an Ethics Committee appointed by Council (see below).

Conflict of interest

Councillors (and members of special committees) are subject to the conflict of interest provisions of the Local Government Act 1989. The relevant provisions, contained in Sections 77 and 78 of the Act, are very prescriptive and include detailed direction in relation to both direct and indirect interests.

Section 79 of the Act provides clear guidance in relation to the disclosure of interest process.

Council will provide training to Councillors, staff and members of special committees in relation to their responsibilities under the conflict of interest provisions. Council will also routinely provide refresher training to promote ongoing compliance.

The Chief Executive Officer will, upon the request of a Councillor, provide guidance in determination of the existence of an interest and the process of making a disclosure.

Confidentiality

Members of the public have a right to be present at any meeting of Council (or a special committee). The Act provides however that Council has the right to close meetings to members of the public to discuss the following matters:

- (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 Councillor or any person;
- (i) a resolution to close the meeting to members of the public.

Information discussed at a closed meeting is confidential. Councillors must not talk about matters discussed at the meeting with people who were not present unless the information is already available in the public domain.

Section 77) of the *Local Government Act* 1989 clearly states that a councillor must not divulge to any third person information that he or she knows, or ought to know, is confidential. Although section 77 clearly applies to closed meetings, it has broader implications. For example, it could be argued that this provision also applies to confidential briefings or documents marked 'confidential' which contain confidential subject matter.

Use of information

A Councillor or member of staff must:

1. Conduct his or her duties in a manner which allows Councillors, members of staff and the public to remain informed about local government activity and practices within Strathbogie Shire;
2. Not use confidential information gained by virtue of his or her official position for the purpose of securing a private benefit for himself or herself or for any other person;
3. Not without lawful authority, disclose otherwise than to the Council, or to a Councillor or member of staff entitled to know, information concerning any matters discussed at a meeting closed to the public.

How should elected members, management and staff treat personal information?

Councillors, management and staff should respect privacy and become familiar with the information privacy principles in the *Information Privacy Act 2000*.

Councillors, management and staff members should collect, use and disclose only personal information that is necessary for the performance of their work, or required by law. Sensitive information regarding ethnicity, political views, religious beliefs, sexual preferences or criminal record should not be collected or used without the consent of the person to whom the data relates. All information should be checked to ensure it is accurate, complete and up-to-date.

Staff members should take reasonable steps to protect personal information from misuse and loss, and from unauthorised access, modification or disclosure. People should be advised they have a right to access their personal information and seek corrections to it.

Delegations

No decision binds Council unless it:

- Is contained in a resolution made at a duly convened Council meeting
- Is the decision of a delegate.

A delegate is a member of a special committee or member of Strathbogie Shire Council staff. Delegates are obliged to observe the strategies, policies and guidelines adopted by Council

Personal liability of Councillors

Councillors have what is known as 'qualified privilege'. This means that they cannot be sued for defamation for what they say inside their respective Council chambers (or special committee rooms) provided they are not motivated by 'malice'. Malice is evident (and will lead to the councillor being vulnerable to a defamation action) if said statement is:

- irrelevant to the issue being debated or discussed,
- said in the knowledge that it is untrue,
- in circumstances where there has been recklessness as to whether it is true.

Outside the Council chambers (or special committee room), qualified privilege may still provide basic protection so long as the councillor is discussing something that is political or governmental in nature.

Qualified privilege may also protect councillors when making comments to the media or to public gatherings. However, this protection will be lost if malice exists.

Use of Council resources

A Councillor or member of staff must :

- (a) Use Council resources effectively and economically in the course of his or her public or professional duties and must not use them for private purposes, except when supplied as part of a contract of employment, or unless such use is lawfully authorised and proper payment is made where appropriate;
- (b) Not convert to his or her own use any property of the Council;
- (c) Not use Council resources for private purposes with the exception of:
 - telephones, subject to any policies and procedures of Council
 - mobile phones subject to any policies and procedures of Council
 - computers subject to any policies and procedures of Council
 - fax machines and photocopiers subject to acceptable usage patterns

Interaction between Councillors and staff

Access to data by individual councillors

Councillors require information in order to do their jobs. Some, but not all, of the information they require will be provided by Council reports.

Information requests by Councillors should generally be seen as legitimate. Fundamentally, if something would be available through Freedom of Information (Fol) provisions, it should be available to councillors.

Access to information however, needs to satisfy privacy requirements. Information requests from Councillors should be specific and Council Officers must ensure that only material directly related to the request is supplied.. Councillors should ensure that their information requests are specific, legitimate and related to their roles.

If a request for information from a Councillor is considered to require an excessive level of resource, the matter should be referred to the relevant Director or the Chief Executive Officer for guidance.

Any advice provided to a Councillor should be generally available to all Councillors on request.

Councillors seeking information on policy issues and day to day matters in the exercise of their duties should contact the Chief Executive Officer, the relevant Director, or with the agreement of the Chief Executive Officer or Director, seek specific advice from the appropriate member of staff. The Chief Executive Officer or Director should advise Councillors of any impediment to the supply of the requested material.

In interacting with staff, Councillors must:

- only seek information on sensitive or controversial policy matters from the Chief Executive Officer or a Director;
- restrict their dealings with staff (other than the Chief Executive Officer or Directors) to normal working hours);
- behave in keeping with the provisions of this Code.

Councillors must not direct or pressure staff in the performance of their work in connection with the preparation of reports, recommendations or the making of decisions under delegated authority.

In interacting with Councillors, staff must:

- ensure that Councillors receive timely, courteous, succinct and accurate advice to help Councillors in the performance of their civic and statutory duties;
- not withhold information from a Councillor if the information is available to other Councillors;
- when providing advice to Councillors, document the interaction in those terms that would occur if such advice was being provided to a member of the community;

It is within the discretion of the Chief Executive Officer to require that a Councillor put a request in writing or to advise the Council of a request to obtain particular information.

Council Officers have the discretion to refer any request for information from a Councillor to their Director or the Chief Executive Officer. The Councillor should be advised of the reason for the referral.

A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their public or professional duties.

Co-operation among local governments

Local governments recognise the need for mutual respect, a co-operative attitude and courtesy in their dealings with each other. Regional co-operation can be crucial to effective governance in the interests of communities. Decisions made by co-operating local governments in properly constituted democratic forums must be accorded their legitimacy and authority. Co-operation among local governments will be enhanced by adherence to this Code and by remedies being sought through this Code and its mechanisms.

Access to Council offices

As elected members of Strathbogrie Shire, Councillors are entitled to have access to the Council Chamber, and other public areas of the Council offices. Councillors who are not pursuing their civic duties have the same rights of access to Council buildings and premises as any other members of the public.

A Councillor does not have the right to enter staff only areas unless authority to do so is provided by the Chief Executive Officer, a Director or by resolution of Council.

Bribes, gifts and benefits

This part of the Code is designed to:

- protect Councillors and staff from unfounded claims of misconduct, dishonesty and other inappropriate behaviour;
- provide an understandable framework for Councillors and staff in which to operate;
- apply a common sense approach on a topic about which there may be extreme sensitivity in the community;
- not interfere with the normal giving and receiving of gifts between family and friends.

A Councillor or member of staff must not:

- seek or accept a bribe or other improper inducement;
- take advantage of their position to improperly influence other members of Council or staff in the performance of their duties to secure private benefit for themselves or for somebody else; and
- by virtue of their position, acquire a personal profit or advantage which has a monetary value other than a token or nominal value.

Use of Council facilities and equipment

- Councillors and staff must use Council property, facilities, funds and equipment honestly, efficiently, economically, carefully and in keeping with Council's policies and procedures;
- Council equipment can be hired by Councillors and staff on the same terms and conditions as it may be hired by members of the public;
- Councillors and staff are not permitted to borrow any Council equipment that is not ordinarily available to be borrowed by members of the community;

Confidential Information

The Strathbogrie community is entitled to have confidence that information acquired by the Council will be used for Council purposes only and in order to maintain that level of confidence. Councillors and members of staff must:

- protect confidential information;
- only access information when it is required for normal work;
- comply with the provisions of privacy legislation;
- not use confidential information for any unofficial purpose outside the Council;
- only release confidential information with authority to do so;

It is the obligation of staff to ensure that Councillors are given access to information necessary for the proper discharge of their functions in compliance with their responsibilities.

Dispute resolution

Whenever practicable resolution of disputes should be resolved internally.

If disputes are not able to be resolved internally, Council may

- seek external assistance from a human resources or local government association with relevant expertise
- appoint an independent mediator
- establish a good governance panel and follow the resolution process as outlined in *The Code of Good Governance*

See appendix one for further information and actions

Mutual support

Where there are failures in meeting the standards and principles of good governance, the most appropriate corrective action will depend on the nature of the failure. There are specific provisions within the Local Government Act in the case of prescribed actions but this Code of Governance focuses on much higher standards than avoidance of prescribed behaviour. Corrective action will often be a matter of appropriate supportive behaviour when difficulties are identified, for example consultation, counselling, advice and technical assistance.

Dispute resolution processes including the establishment of Good Governance Panels are addressed in Appendix 1. This dispute resolution process must be initiated through agreement between the parties and places prime importance on mediated settlement. Where a possible conflict of interest is not apparent, preference will be given to resolving matters not involving other local governments through reference to Council's Dispute Resolution Policy.

Ethics committee

This code automatically provides for the establishment of a committee to be known as the Ethics Committee, comprising the Mayor, two other Councillors, the Chief Executive Officer, the Council Solicitor and a staff representative.

The terms of reference for the Ethics Committee shall be:

- to investigate and report to the Council on any alleged breach of the Governance and Protocols Code by a Councillor or member of staff;
- to consider requests for advice from a Councillor or member of staff as to whether or not, in the opinion of the committee, he or she has a conflict of interest in a particular matter;
- to consider and make recommendations to the Council on other appropriate matters relating to the standards of behaviour generally.

Matters may be referred to the Committee by the Council, a Councillor, member of staff or a member of the public. The referral must be in writing to the Mayor or Chief Executive Officer and must provide sufficient supporting evidence to establish the bona fides of any allegation. Vexatious or unsupported allegations will not be considered.

Breaches of the Local Government Act will be referred by the Ethics Committee to the Chief Executive Officer for action in accordance with legislative provisions.

If the Ethics Committee discovers any matter which it considers may constitute corrupt conduct, the matter must be reported in accordance with the requirements of the Fraud and Corruption Policy and associated Procedures.

A Councillor, member of staff or member of the public who has good reason to suspect any fraud, corrupt, criminal or unethical conduct must report such circumstances immediately to the Chief Executive Officer.

In the circumstances where the Ethics Committee finds that a breach of this Code has occurred, its recommendation to the Council may include:

- passing a censure motion at a Council meeting;
- public disclosure of inappropriate conduct;
- requesting a formal apology;
- issuing a reprimand;
- counselling any individual;
- not taking any further action due to the insignificance of the matter;
- suggesting any other course of action to the Chief Executive Officer.

Inappropriate actions

Actions considered to be inappropriate in the relationships between Councillors and staff include the following:

- Councillors inappropriately approaching members of staff for information on sensitive or controversial matters;
- members of staff approaching Councillors directly rather than through the Chief Executive Officer, Directors or staff representatives on matters related to staff or political issues;
- Councillors approaching staff outside the Council building or outside normal work hours to discuss Council business beyond acceptable levels of discretion;
- staff refusing to provide information to a Councillor which is available to other Councillors;
- Councillors directing or pressuring staff in the performance of their work or in the preparation of recommendations;
- staff providing advice to Councillors without recording or documenting the interaction as would occur if such advice was provided to a member of the community;
- Councillors approaching staff directly for particular assistance or information (confidential or otherwise) not generally available to the public;
- Councillors or staff seeking access to information on a matter in which they have an actual or potential conflict of interest;
- information being provided on a sensitive or confidential matter;
- staff inappropriately lobbying Councillors on policy issues;
- Councillors approaching staff to encourage particular decisions or recommendations;
- informal or inappropriate communication between Councillors and staff where Council related information is exchanged;
- Councillors becoming involved in the day to day operations of the Council.

Appendix one

DISPUTE RESOLUTION PROCESS AND GOOD GOVERNANCE PANELS

(These processes are not intended to substitute for legal remedies).

If a dispute arises within a local government or among two or more local governments, every endeavour must be made by the parties to resolve the dispute through direct negotiations.

In the event that resolution cannot be achieved, the parties should in the first instance seek to resolve the matter through independent conciliation or mediation.

If agreement is not reached through conciliation or mediation, a local government (in the case of an internal dispute) or the local governments in dispute (in other cases) may request the Municipal Association of Victoria (MAV) and/or the Victorian Local Government Association (VLGA) to establish a Good Governance Panel to consider a matter of dispute. Good Governance Panels will be established and operate under the following guidelines:-

1. The functions of Good Governance Panels include:-
 - (a) review of this Code so that it takes account of changes of circumstances to truly reflect the demands and obligations of the participating local governments;
 - (b) consideration of the development of further codes of practice if required;
 - (c) consideration of any matter referred by the MAV or VLGA;
 - (d) investigation of any complaint that a local government is not complying with this Code;
 - (e) facilitation, conciliation and resolution of any dispute; and
 - (f) provision of counselling, mentoring, or mediation, if appropriate.
2. A Good Governance Panel should be established jointly by the Presidents of the MAV and VLGA when required, and in the case of a dispute, when they are satisfied that negotiation, conciliation and mediation avenues have been fully attempted. Panels will be constituted by:-
 - (a) one member appointed by the President of the MAV;
 - (b) one member appointed by the President of the VLGA;
 - (c) one member agreed to by the Presidents of the MAV and the VLGA.
3. A Panel should elect a member to be the Chairperson of the Panel.
4. A Panel may request a local government which is the subject of any examination by the Panel to attend before the Panel with all documents relevant to the examination and answer questions and present the documents.

5. A local government should be given at least 7 days notice in writing of any request to attend under Clause 4.
6. In conducting its examination into a local government, a Panel:-
 - (a) may conduct a preliminary examination;
 - (b) may inform itself in any matter it thinks fit;
 - (c) should follow the principles of natural justice;
 - (d) is not bound by any rule or practice of the law of evidence;
 - (e) may seek assistance or advice which the Panel considers desirable;
 - (f) should provide the parties with an opportunity to respond to draft conclusions.
7. Except as provided by the Code, the conduct of meetings of a Panel is in the discretion of the Panel.
8. A Panel should keep minutes of its meetings and those minutes should be:-
 - (a) submitted to the next meeting of the Panel for confirmation;
 - (b) after confirmation of the minutes, the Chair should forward the minutes to each of the parties to the dispute.
9. Questions for determination by the Panel should be determined by a majority.
10. If a panel finds that a local government has failed to comply with the Code, it may:-
 - (a) reprimand the local government in writing;
 - (b) direct the local government to provide certain undertakings;
 - (c) direct the local government to pay the costs of investigation;
 - (d) take other appropriate action; or
 - (e) report the matter to the Minister responsible for administering the Local Government Act.
11. If a Local Government Panel is unable to resolve a dispute, the Panel may make recommendations to the Minister responsible for administering the Local Government Act. The Panel may not disclose in its report to the Minister any information provided to the Panel in confidence without the consent of the party providing the information.
12. Without limiting Clause 11, if resolution of a matter cannot be reached by other means, a Panel may recommend to the Minister responsible for administering the Local Government Act that a person be appointed to hold an inquiry into the conduct of the local government in accordance with Division 1 of Part 10 of the Local Government Act 1989.

9.7.4 Council Policy
Mayor and Councillors Correspondence Policy

Author & Department

Director, Corporate & Community / Corporate & Community Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

Officers providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989 (LG Act).

Summary

The Mayor and Councillors Correspondence Policy has been reviewed in accordance with the Local Government Act 1979 (The Act). The document was last formally reviewed in January 2012.

RECOMMENDATION

- 1. That Policy ICT 5 'Mayor and Councillors Correspondence Policy' be revoked.**
- 2. That the Mayor and Councillors Correspondence Policy be adopted.**

Background

Council currently has a Mayor and Councillors Correspondence Policy ICT 5. The policy provides simple governance in relation to all inwards and outwards correspondence. Importantly, the policy provides for all correspondence including emails, to be registered in Council's electronic document management system. This is strategically important as it ensures all correspondence is registered in accordance with the Public Records Act.

Alternative Options

Council has the option to revoke the Policy or amend as it sees fit.

Risk Management

There are no identified significant risk management factors relating to the report or the recommendation.

Strategic Links – policy implications and relevance to Council Plan

The report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

9.7.4 Council Policy
Mayor and Councillors Correspondence Policy (cont.)

Financial / Budgetary Implications

There are no financial budgetary implications.

Economic Implications

The recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

There are no significant community or social implications for Council or the broader community if Council adopts this policy.

Victorian Charter of Human Rights and Responsibilities Act 2006

The recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The recommendation has no further legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Mayor and Councillors Correspondence Policy.



MAYOR AND COUNCILLORS CORRESPONDENCE POLICY

COUNCIL POLICY	
Effective Date:	January 2012
Last Review:
Current Review:	August / September 2013
Adopted by Council:
Next Review Date:	As required
Responsible Officer/s:	Director, Corporate and Community

Purpose:

The purpose of this policy is to establish how correspondence (including email) addressed to Mayor and/or Councillors will be dealt with by Council administration, including responses to such correspondence.

Policy Statement:

To ensure Council meets its legislative requirements and provides effective and efficient processing of all correspondence for the Mayor and / or Councillors. This Policy details responsibilities of Council Administration to perform such.

Scope:

This policy applies to the receipt and allocation of and response to correspondence which is addressed to the Mayor and /or Councillors.

Policy:

1.1 Registration

All correspondence (including email) received for the Mayor and Councillors which relate to Council business must be provided to the Records Management Department for registration, distribution and filing.

1.2 Distribution

Correspondence addressed to the Mayor and/or Councillors needs to be referred on Councils EDMS to a Responsible Officer for Action and Mayor and Councillors and CEO for Information.

A Councillor Correspondence List will be provided to Councillors on a weekly basis from the CEO's PA. If Councillors would like a hardcopy of a correspondence item they should contact the CEO's PA.

1.3 Outgoing Replies from Responsible Officer

The Responsible Officer is required to provide a response letter to be completed within 10 days.

If the Councillor requires a copy of the reply it can be request via the CEO's PA.

1.4 Outgoing Replies from Councillors

Councillors are not encouraged to initiate correspondence or to respond to correspondence directly. Any letters received or sent by Councillors including emails in their capacity as a Councillor should be provided to Councils Records Management staff for registration.

Where a Councillor believes a personal response is appropriate, consultation with the CEO is advised.

Related Policies:

Records Management Policy

Legislative and other references:

- Public Records Act 1973
- Local Government Act 1989
- Councillor Code of Conduct 2011

9.7.5 Council Community Grants Program 2013-2014 and William Pearson Bequest 2013-2014

Author & Department

Community Development Officer – Community Planning

File Reference

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

Council has approved \$70,500 in the 2013-2014 budget for the Community Grants Program. There is an additional \$2,500 for the William Pearson Bequest. This report is to advise Council of the Applications received. Applications have been received and assessed and are now ready for Council allocations.

RECOMMENDATION

For Decision

Background

The Community Grants Program is designed to ensure that the community has support in to bring about long term sustainable activities, projects and improvements in community assets/livability.

Community Grants Program

In deciding which applications should be supported, Council based its decision on:

- Demonstrated benefits to the community by addressing at least two of the grant program funding priorities
- Whether the groups were comprised predominantly of residents of the Shire of Strathbogie.
- Groups that have open membership, within the context of the particular group, to residents in the Shire of Strathbogie.
- The financial needs of a particular group.
- The ability of a group to self fund (based on financial evidence).
- Whether the application included all required signatures and attached documentation.
- Whether the group acquitted and spent their funding within the required time frame in the past.

The 2013-2014 program comprised one round and closed on Friday 5 July 2013 with all projects to be acquitted by the 31 May 2014.

9.7.5 Council Community Grants Program 2013-2014 and William Pearson Bequest 2013-2014 (cont.)

The total amount of Grants applied for was \$53,048.50 leaving \$17,451.50 for Quick Response, Streets of Initiative and Under 18s Grants.

The following summary includes all Applications received under the Community Matching Grants Program which includes categories of Minor Capital Works, Minor Capital Purchases and Arts and Cultural Projects.

Applicant	Project Summary	Amount Recommended
Avenel Bowling Club	An updated innovation to replace the antiquated, very heavy galvanised iron shelters.	\$2,475
Balmattum Recreation Reserve Inc	Replace the existing stove in the kitchen, which only partly works.	\$4,845
Creighton's Creek Recreational Reserve Committee	To provide shelter from sun and rain over existing barbecue and main double door access to the hall.	\$2,815
Euroa Bowls Club	The Club House needs painting this can be done in several stages, the roof, exterior wall and the interior. The most important is the external walls.	\$5,000
Euroa Croquet Club	Purchase of a split system to heat and cool the Euroa Croquet Club House	\$1,399
Longwood Community Centre Management Committee	The pump system that operates the sprinkler system that waters the oval and greyhound coursing track is well past its "used by" date and needs to be replaced.	\$5,000
Nagambie Cricket Club	NCC's 4 phase project includes equipment and ground improvements and upgrading the training nets and turf, providing a great recreational facility for the community. The 2nd phase will replace the nets and fix the framework as it is in a serious state of disrepair and no longer provides a safe and enjoyable environment for our participants.	\$5,000
Lions Club of Nagambie and District Inc	Purchase of a laptop computer, printer and accessories to enable the secretary to carry out all administration tasks in one location so as centralise these tasks in one location.	\$734.50

9.7.5 Council Community Grants Program 2013-2014 and William Pearson Bequest 2013-2014 (cont.)

Nagambie RSL	There are several items that need attention. Security and screens on the windows and doors and a permanent cross over for easy access for wheelchairs.	\$1,880
Nagambie Mechanics Institute	To construct a verandah over north side entrance of hall. This will provide shelter and shade for users and enhance the appearance of the hall.	\$5,000
Strathbogie Golf Club Inc	Provision of housing and service connection for community generator that will supply power for the Strathbogie Place of Last Resort - Neighbourhood Safer Place.	\$2,000
TOTAL ALLOCATION		\$36,148.50

The following summary includes all Applications received under the Community Grants – Events.

Applicant	Project Summary	Amount Recommended
Adventure Junkie	Adventure Race – Nagambie	\$0
Euroa Citizen's Band	Carols By Candlelight	\$1,000
Euroa Community Education Centre	Poppies for Remembrance	\$3,000
Euroa Health Inc	Garden Party at the Seven Creeks Estate	\$2,900
Euroa Jumping Classic	Horsepower Ultrabeet Euroa Jumping Classic	\$2,000
Euroa Show and Shine	Australian National Show and Shine	\$2,000
Euroa Wool Week	Euroa Wool Week Spring Festival	\$2,000
USM Events Pty Ltd	2014 Herald Sun Tour – Nagambie Leg	\$0

9.7.5 Council Community Grants Program 2013-2014 and William Pearson Bequest 2013-2014 (cont.)

Strathbogie Ranges Conservation Management Network	Stories from the Country	\$3,000
Violet Town Lions Club	Violet Town Carols by Candlelight	\$1,000
TOTAL ALLOCATION		\$16,900

William Pearson Bequest

One Application was received under this Program:

Applicant	Project	Amount Requested
Euroa Citizen's Band	Maintain the Euroa Citizen's Band	\$2,500

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. The following alternatives have been identified for the consideration of Council:

- It was recommended that Adventure Junkie not be awarded the \$1,500 grant they requested this year as it is a private, for profit company, and does not fall within the guidelines set out in the Community Grants 2013 Information Kit, the Council's Tourism Funding and Principles Policy and Tourism Events and Festivals Policy.
- 2014 Herald Sun Tour – Nagambie Leg – it is recommended that this be moved to Sponsorship to better align with program guidelines.
- Euroa Show and Shine – this will be Council's last year of financial sponsorship of this event.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act 2010 requirements.

9.7.5 Council Community Grants Program 2013-2014 and William Pearson Bequest 2013-2014 (cont.)

Financial / Budgetary Implications

The allocation of Community Grants and William Pearson Bequest is in line with the Council's 2013-2014 budget.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The 2013-2014 Community Grants along with the William Pearson Bequest continue to provide significant financial support to the community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Nil

9.7.6 Euroa Saleyards

Author & Department

Chief Executive Officer / Executive Services Directorate

File Reference

Disclosure of Conflicts of Interest in relation to advice provided in this report

In relation to advice provided in this report, the author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

At the 20 August 2013 Council Meeting, Councillor Furlanetto requested a report on the Euroa Saleyards asking "I request a report from the Chief Executive Officer to be provided to Council in regard to the loan, management and governance of the Euroa Saleyards".

This report details the process for the loan and the repayments of such, together with a copy of the Draft Euroa Saleyards Committee Charter.

RECOMMENDATION

- 1. That the report be noted in relation to loan / borrowing and the financial situation of the Euroa Saleyards.**
- 2. That the attached Euroa Saleyards Committee Charter be adopted.**

Background

As part of the Council Plan / Council Budget process, discussions and community submissions were made in relation to the ongoing viability of the Euroa Saleyards. The project was subsequently endorsed in the Council Plan and Council Budget. The proposal was also boosted by the availability of a Federal Government Grant (subject to the outcome of the Federal Election). The costings for the Saleyards Project are:

- Total project cost \$450,000 (Stage 1).
- Council Funding via a loan for \$200,000.00 paid for by the operations of the Saleyards and not ratepayers money.
- Federal Government Round 5 RDAF Funding \$100,000.000
- State Government Funding under the Regional Growth Fund \$150,000.00

The loan repayments will be \$29,119 per annum spread over a 10 year period.

This project will increase the capacity of the yards from approximately 3,500 to 5,000 animals thus increasing revenue for the yards.

9.7.6 Euroa Saleyards (cont.)

The other issue that was raised was in relation to governance and this has been addressed through the formation of an Operational Committee and an Executive Committee, as per the attached Charter. The point that needs to be emphasised under good governance is that no decision of a strategic and / or non-budgeted item can be made by either Committee. The roles of these Committees, as per the Charter, is to be solution-orientated and that any sign-off that is needed must be done by Council not the Committees.

The Charter goes into more details about the roles and functions of both Committees.

Alternative Options

The processes undertaken in relation to advertising, consideration of submissions and adoption are legislated under the Local Government Act 1989 in relation to any loan / borrowings. The attached Charter is attached for Council consideration.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation as loan borrowings and the committees are governed by the relevant Act and Legislation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies and key strategic documents. The Council Plan and SRP provide input into the preparation of the Budget and Council's long term financial planning.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial / Budgetary Implications

The author of this report considers that the recommendation has no significant Financial / Budgetary implications for Council or the broader community as the loan is underwritten by the operations of the Euroa Saleyards.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

9.7.6 Euroa Saleyards (cont.)

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council as it has been dealt with through the Budget process.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process apart from what was done as part of the Budget Process.

Attachments

Euroa Saleyards Committee Charter.



EUROA SALEYARDS COMMITTEE CHARTER

Endorsed by Council 2013

STRATHBOGIE SHIRE COUNCIL

CHARTER OF THE EUROA SALEYARDS COMMITTEE

1. CONSTITUTION

- 1.1 The Strathbogie Shire Council ("Council") has resolved to appoint a Euroa Saleyards Committee ("Committee"), comprising an "Operations Group" of saleyards users and a "Management Group".
- 1.2 Both groups shall act in an advisory capacity within Council's management structure.

2. KEY RESPONSIBILITY OF THE COMMITTEE

The key responsibility of the Committee is to provide oversight and guidance within Council's structure to ensure that the saleyards are operated, maintained and developed in the best interest of the community, stakeholders and users of the facility.

3. TERMS OF REFERENCE

The role of the "Operations Group" is to:

- Routinely meet as a group with the Saleyards Manager to raise, discuss and assist to resolve any issues relating to day to day operations of the saleyards.
- To bring to the attention of representatives of the "Management Group" suggestions in relation to operational improvements, user fees and development of the site.

The role of the "Management Group" is to:

- Routinely meet as a group with the Chief Executive Officer to provide input and advice into management of the facility.
- To carry out research, investigations, surveys, or enquiries into the use and operation of the facility in support of the advice given.
- To maintain a high level of co-operation between the Council, the groups and the community and to protect the image of the Council.
- To respond to requests of Council for advice in relation to the Saleyards (including user agreements).

4. COMMITTEE MEMBERSHIP

- 4.1 The Council has resolved that the Committee groups shall comprise the following:

Operations Group

- A representative from each local stock agency
- A producer representative
- A community representative
- A transport representative
- The Saleyards Manager (or representative)
- Manager Projects and Works (Chairman)

Management Group

- Two (2) representatives selected from members of the Operations Group
- Chief Executive Officer (or representative) (Chairman)
- Director, Asset Services

- 4.2 The Management Group may seek the involvement of representatives of Government Agencies or external expertise as required.

5. TERM

- 5.1 The Council has set no time limit on the duration of the Committee. It shall remain in existence until such time as the Council resolves that it be discontinued.
- 5.2 Any person appointed to the Committee shall hold their appointment for 4 years.
- 5.3 A member of the Committee may resign his/her position at any time.
- 5.4 Any person appointed to fill a vacancy on the Committee shall hold office for the unexpired portion of the previous member's term of office.

6. NOMINATION OF MEMBERSHIP

- 6.1 Council will initially appoint the above Committee, as per Item 4.1, for a period of 1 year.
- 6.2 The Council may call for nominations for the appointment of representatives to the Operations Group by giving public notice in a local newspaper not less than one (1) month prior to their term of office ceasing.
- 6.3 Candidates for appointment must lodge written and signed nomination forms with the Council.

7. CHAIRPERSON

- 7.1 The role of the Chairperson shall be:
- (a) To chair all meetings of the Committee group.
 - (b) To act as the liaison person between the Committee groups and Council.
 - (c) To arrange for an annual report of the Committee groups to be prepared for presentation to Council.
 - (d) To cast an additional deciding vote in the event of a tied vote.

8. SECRETARY

- 8.1 The Chief Executive Officer may appoint a Council Officer to act as Secretary to the Committee groups.
- 8.2 The Secretary, if appointed, shall prepare the agenda and minutes for each meeting of the Committee and shall distribute, or arrange to be distributed, copies of the agenda and minutes to members of the Committee and Council.

9. REPORTING

- 9.1 The Management Group shall submit reports after each meeting to the Council and, in addition, shall submit an Annual Report not later than June in each year, for inclusion in the Council's Annual Report.

10. DELEGATIONS

- 10.1 The Committee groups have no delegated powers to act on behalf of Council or commit Council to any expenditure unless resolved explicitly by Council.

11. FINANCES

- 11.1 An advisory committee of the Council has no delegated authority to expend monies.

12. MEETINGS OF THE COMMITTEE

- 12.1 All meetings of the Committee groups shall be conducted in accordance with Council's Local Law No. 1, 2010 (Meeting Procedure).
- 12.2 The Committee groups shall meet as follows:
- Operational group – on the Wednesday morning following each sale.
 - Management group – on the second Monday evening every third month commencing July 2013. Additional meetings may be convened at the discretion of the Chairperson, or at the written request of two (2) members.

- 12.3 The meeting location and/or time may be varied by the Committee groups as required.

13. QUORUM

- 13.1 A quorum is formed when a simple majority of members of the Committee is present at a meeting.

14. REVIEW

- 14.1 The Council shall review the Committee Charter within 12 months after the election of Councillors; which is every four years.
- 14.2 The Council may carry out a special review of the Committee's Charter at the request of the Committee.
- 14.3 The Council shall consult with the Committee groups prior to the making of amendments or alterations to the Committee's Charter.

15. ATTACHMENTS

- 15.1 The Council has attached the following documents or copies of the document to this Charter:
- (Meeting Procedure) Local Law No 1, 2010.

The Strathbogie Shire Council Euroa Saleyards Committee Charter was endorsed by the
Strathbogie Shire Council 2013

SIGNED by **Steve Crawcour**,
Chief Executive Officer of the Strathbogie Shire Council

.....

Dated:.....

in the presence of:

.....

(Witness)

Dated :.....

9.7.7 Business Management System

The September 2013 Business Management System Report includes reports as follows:-

- Building Department – August 2013 Statistics
- Planning Department – Planning Permit Activity Monthly Responsible Authority Report – July 2013 (*Please note: these monthly statistics were not available from the Department of Transport, Planning and Local Infrastructure. July and August reports will be provided in the October report*)
- Confirm Customer Enquiry Flow – Report for August 2013
- Actioning of Council Resolutions – Status Report
- Outstanding Actions of Council Resolutions to 31 August 2013
- Review of Council Policies – August / September 2013
- Record of Assemblies of Councillors
- Record of Meetings of Section 86 Committees of Council received in the past month

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

RECOMMENDATION

That the report be noted.

BUILDING APPROVALS

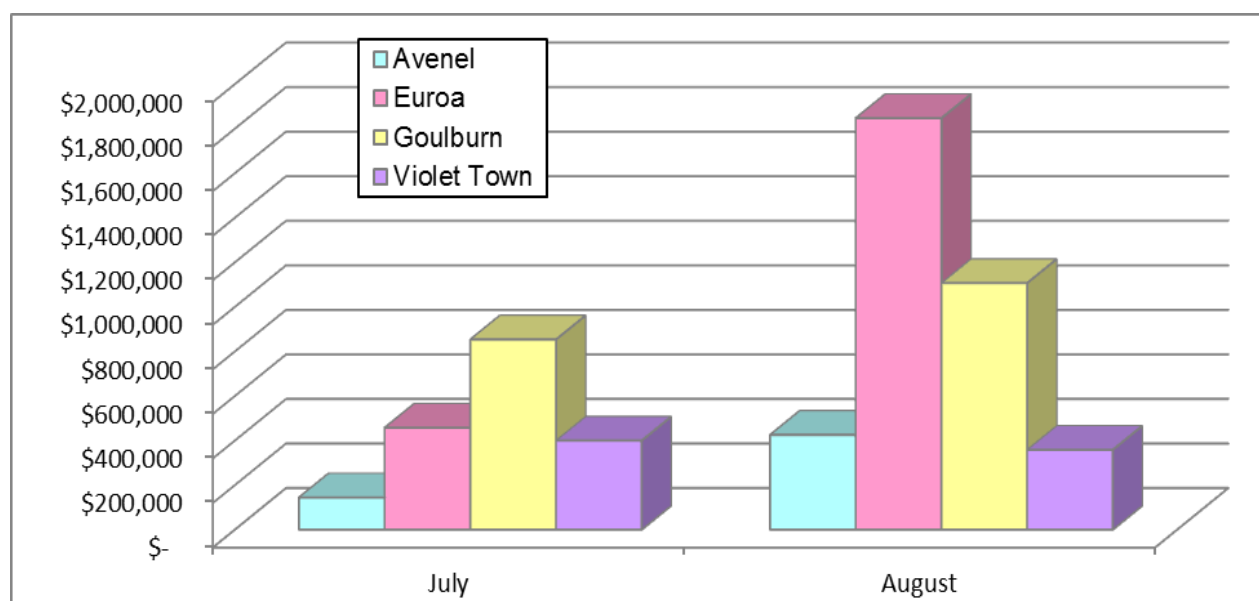
AUGUST 2013

The value of Building approvals within the Shire of Strathbogrie for the month of August totaled **\$3,739,163**

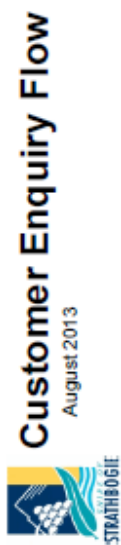
Expenditure involved largely works in the domestic sector with the majority of permits issued for dwellings and domestic sheds, 23 permits have been issued for the month.

Charts illustrating the distribution of building permit expenditure for 2013-2014 over the four localities within the Shire are below.

	July	August	Totals
Avenel	\$ 144,870	\$ 425,829	\$ 570,699
Euroa	\$ 457,865	\$ 1,847,657	\$ 2,305,522
Goulburn	\$ 853,901	\$ 1,107,093	\$ 1,960,994
Violet Town	\$ 400,006	\$ 358,584	\$ 758,590
Totals	\$ 1,856,642	\$ 3,739,163	\$ 5,595,805



CONFIRM CUSTOMER ENQUIRY FLOW
- REPORT FOR AUGUST 2013

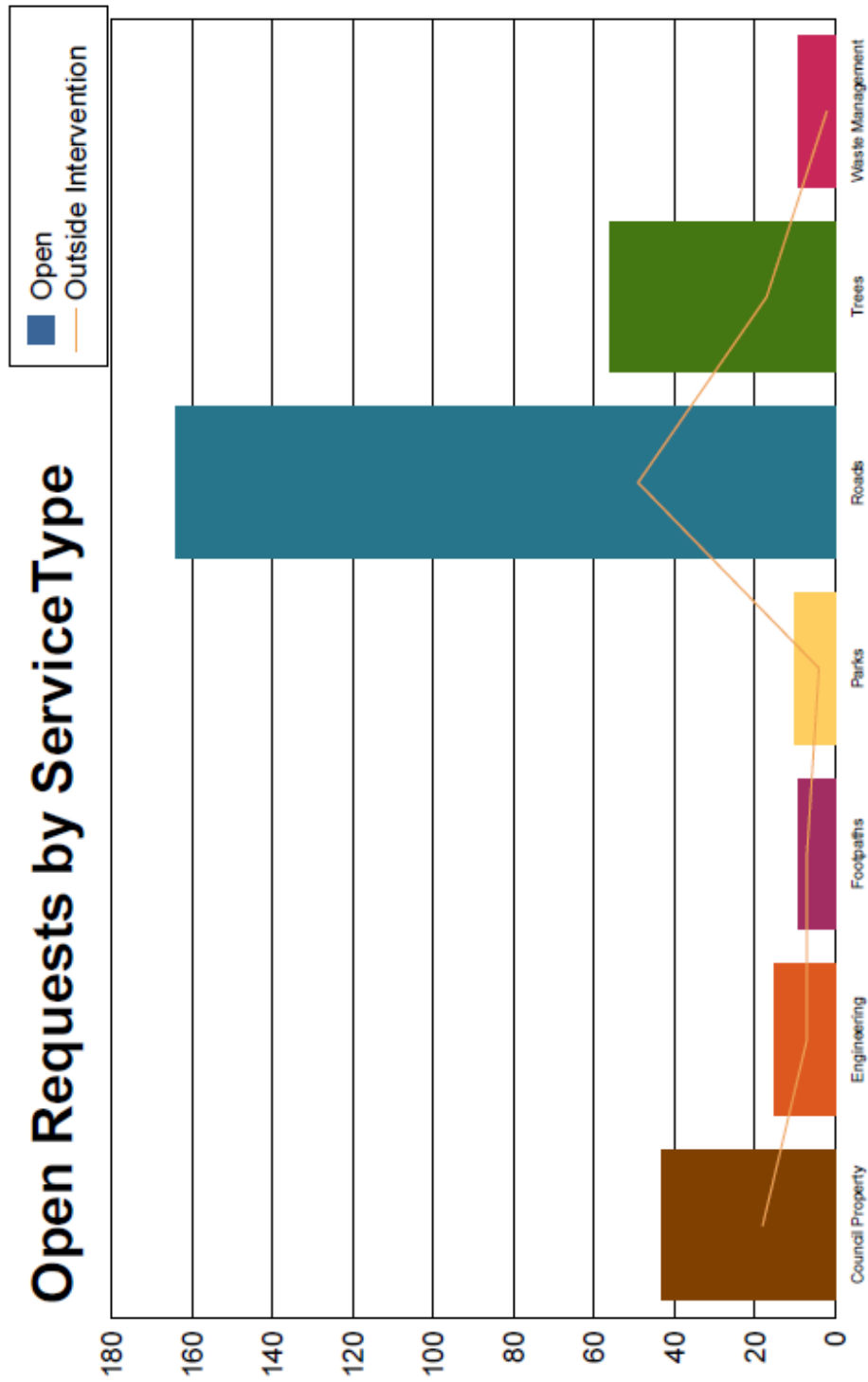


Customer Enquiry Flow

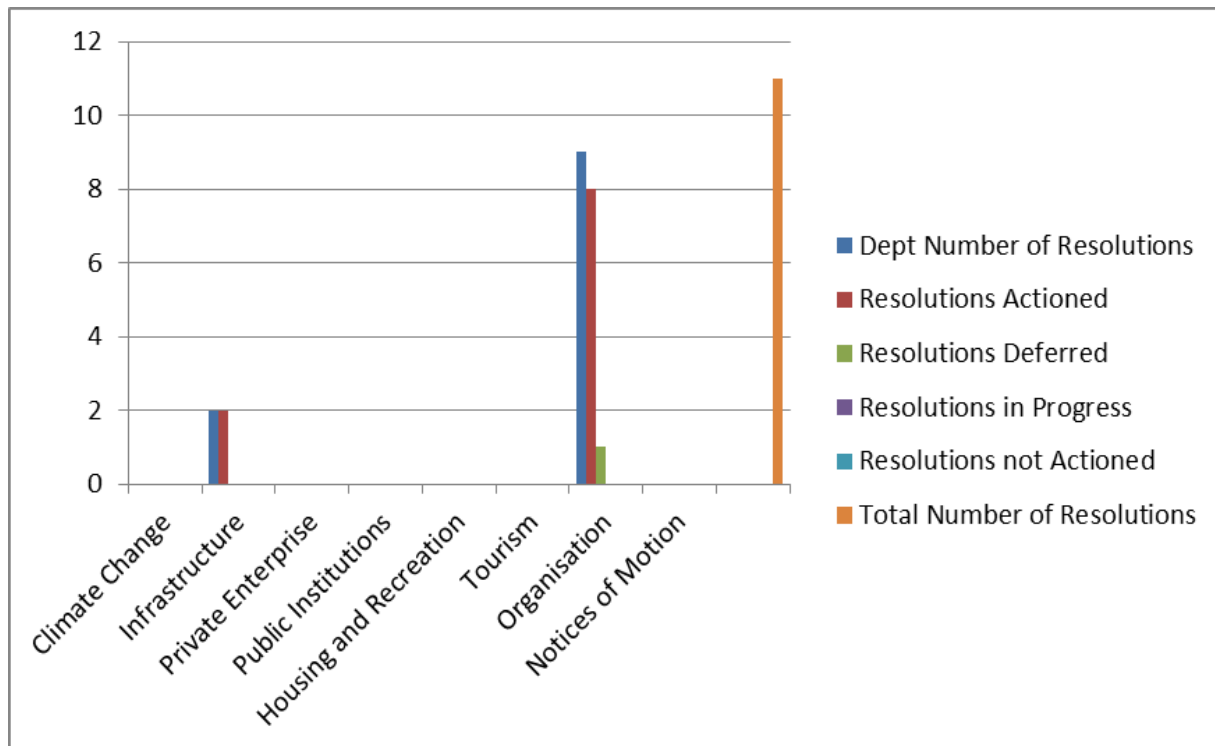
August 2013

Service Type	Logged Total	Open Total	Logged August	Open August	Logged 2013-2014	Open 2013-2014	Aged 0-30	Aged 31-60	Aged 61-90	Aged 91+	Open Outside Intervention
<i>Council Property</i>	355	43	45	13	88	23	11	12	12	8	18
<i>Engineering</i>	101	15	19	8	30	11	7	4	2	2	7
<i>Footpaths</i>	42	9	7	3	10	6	2	4	0	3	7
<i>Parks</i>	66	10	5	4	12	6	3	3	0	4	4
<i>Roads</i>	1,276	164	148	48	304	73	45	28	19	72	49
<i>Trees</i>	260	56	7	4	30	15	4	11	10	31	17
<i>Waste Management</i>	377	9	18	7	38	8	6	2	1	0	2
	2,477	306	249	87	512	142	78	64	44	120	104

<ul style="list-style-type: none"> Council Property Council Property Pest Control Public Art Public Lighting Safetyards Sign 	<ul style="list-style-type: none"> Engineering Engineering 	<ul style="list-style-type: none"> Footpaths Footpaths Furniture Road/Street/Footpaths 	<ul style="list-style-type: none"> Parks Park/Reserve Playground State Forest/National Park 	<ul style="list-style-type: none"> Roads Bridges Drainage Emergency Call Out Naturestrip Roads Traffic Lights 	<ul style="list-style-type: none"> Trees Tree 	<ul style="list-style-type: none"> Waste Management Waste Mngmt & Recycling
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ACTIONING OF COUNCIL RESOLUTIONS
COUNCIL MEETING – AUGUST 2013



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO
31 AUGUST 2013**

This Report is to advise the Senior Management Team, Councillors and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.

Council Meeting Date	Item No. Description & Recommendation	Action to Date
<i>There are no report resolutions with outstanding actions yet to be finalised</i>		

**REVIEW OF EXISTING COUNCIL POLICIES
AND ADOPTION OF NEW POLICIES**

Period of Review	Policy Name	Outcome
Aug / Sept	Council Recreation Plan Loans Program Policy	Refer Item 9.7.1
Aug / Sept	Hire of Public Halls Policy	Refer Item 9.7.2
Aug / Sept	Governance and Protocols Code Policy	Refer Item 9.7.3
Aug / Sept	Mayor and Councillors Correspondence Policy	Refer Item 9.7.4

RECORDS OF ASSEMBLIES OF COUNCILLORS

For period 10 August to 6 September 2013

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum

Date of Meeting: 13 August 2013

Time: 1.00 p.m. – 5.30 p.m.

Attendees:

Councillors

Colleen Furlanetto
Malcolm Little
Alister Purbrick
Patrick Storer
Graeme Williams
Robin Weatherald

Officer/s

Chief Executive Officer
Director, Asset Services
Director, Corporate and Community
Director, Sustainable Development
Manager, Organisational Development

Apologies

Councillor Debra Swan

Matters discussed:

Declarations of Interest

1. Council Policies Review
 - Youth Development Policy
 - Arts and Culture Policy
 - Executive Organisational Policies
2. Planning Agenda Review
3. Euroa Hotel Planning Application for Upgrade of Facilities and Additional of Gaming Machines
4. Tree Stump in Seven Creeks Park
5. Assembly of Councillors
 - 5.1 Mayor & Chief Executive Officer Meeting Update / Other
 - 5.2 Councillors Meetings Attendances
 - 5.3 Matters raised by Councillors
 - 5.4 Australian Red Cross Centenary in 2014
 - 5.5 Living Libraries Infrastructure
 - 5.6 Costa Exchange Project
 - 5.7 Candidate for Palmer United Party seat of Murray, Catriona Thoolen – request to meet Council
 - 5.8 Proposal for Upgrade of Rail Crossings on behalf of State Government
 - 5.9 Black Caviar Statue Location

- 5.10 VLGA Councillors' Leadership Dinner (3 September 2013)
- 5.11 VLGA Essential Councillors Weekend (17-19 October 2013)
- 5.12 Proposed visit to Cobram Hotel
- 5.13 Smart Meters Cost Installation (approx. \$2,000)
- 5.14 Cr Weatherald
Indexing of Grants payable to Action Groups
- 5. Planning Committee
- 6. Special Council Meeting
 - Receiving/Hearing of submissions to Proposed Road Namings

Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
Item 5 / 6.1	Councillor Little	No

Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum

Date of Meeting: 20 August 2013

Time: 9.00 a.m. – 7.00 p.m.

Attendees:

Councillors

Colleen Furlanetto

Malcolm Little

Alister Purbrick (from 2.00 p.m.)

Debra Swan

Patrick Storer

Graeme Williams

Robin Weatherald

Officer/s

Chief Executive Officer

Director, Asset Services

Director, Corporate and Community

Manager, Organisational Development

Apologies

Director, Sustainable Development

Matters discussed:

Declarations of Interest

1. Sustainable Decision Making Workshop
2. Councillors Discussions
3. Agenda Review
4. Assembly of Councillors
 - 5.1 Mayor & Chief Executive Officer Meeting Update / Other
 - 5.2 Councillors Meetings Attendances
 - 5.3 Matters raised by Councillors
 - 4.4 2014 Victorian Honour Roll of Women – nominations
 - 4.5 Nagambie Men's Shed
 - 4.6 Cr Weatherald
Mayoral Chain
 - 4.7 Tree Stump in Seven Creeks Park – Outcome of Community Feedback from Euroa Farmers Market on Saturday 17 August 2013
 - 4.8 Kelly Estate Action Group Request
5. Council Meeting

Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum

Date of Meeting: 27 August 2013

Time: 1.00 p.m. – 4.30 p.m.

Attendees:

Councillors

Debra Swan
Colleen Furlanetto
Malcolm Little
Alister Purbrick
Patrick Storer
Graeme Williams
Robin Weatherald

Officer/s

Acting Chief Executive Officer
Director, Asset Services
Acting Director, Sustainable Development

Apologies

Chief Executive Officer
Director, Corporate and Community

Matters discussed:

Declarations of Interest

1. High Street, Nagambie, Proposal – briefing by consultants
2. Road Naming – briefing / update
3. Information and Communication Technology - briefing
4. Assembly of Councillors
 - 4.1 Mayor & Chief Executive Officer Meeting Update / Other
 - 4.2 Councillors Meetings Attendances
 - 4.3 Matters raised by Councillors
 - 4.4 Avenel Kids farm produce honesty box stall (article in Seymour Telegraph)
 - 4.5 Euroa Jumping Classic – request for attendance by Councillors / Officers on Friday 30 August 2013
 - 4.6 Flooding in cropping country
5. Annual Report – briefing / update on process
6. Community Grants Applications

Record of Meetings of Section 86 Committees of Council

Minutes of Meetings received in the August / September 2013 Period

Name of Committee	Date of Meeting
Violet Town Action Group	05/06/13
Moglonemby Hall Committee	25/06/13
Tablelands Community Centre	08/07/13
Longwood Community Centre	23/07/13
Violet Town Hall Committee	20/08/13

- 10. NOTICES OF MOTION**
- 11. CLOSURE OF MEETING TO THE PUBLIC**
- 12. URGENT BUSINESS**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT..... P.M.