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LATROBE CITY COUNCIL

MINUTES OF ORDINARY COUNCIL MEETING

HELD IN THE
NAMBUR WARIGA MEETING ROOM,
CORPORATE HEADQUARTERS, MORWELL
AT 7:00 PM ON 16 FEBRUARY 2009

PRESENT:

Cr Lisa Price, Mayor - Farley Ward
Cr Kellie O'Callaghan, Deputy Mayor - Burnet Ward
Cr Rohan Fitzgerald - Dunbar Ward
Cr Sharon Gibson - Merton Ward
Cr Sandy Kam - Galbraith Ward
Cr Bruce Lougheed - Tanjil Ward
Cr Graeme Middlemiss - Rintoull Ward
Cr Ed Vermeulen - Gonyah Ward
Cr Darrell White - Firmin Ward
Paul Buckley, Chief Executive Officer
Seona Conway, General Manager Organisational Excellence
Katie Garlick, Council Operations Administration Officer
Tim Johnson, General Manager Governance
Allison Jones, General Manager Economic Sustainability
Philip Marsh, General Manager Executive Projects
Peter Quigley, General Manager Built and Natural Environment Sustainability
Grantley Switzer, General Manager Recreational and Cultural Liveability
Michelle Franke, Manager Corporate Strategy
Liz Collins, Manager Finance

INDEX

OPENING PRAYER	4
APOLOGIES FOR ABSENCE	4
DECLARATION OF INTERESTS	4
ADOPTION OF MINUTES	4
PUBLIC QUESTION TIME	

NOTICES OF MOTION

6.1	2009/01 - NOTICE OF MOTION - COUNCIL ISSUES AND DISCUSSION SESSIONS	14
6.2	2009/02 - NOTICE OF MOTION - PUBLIC TOILETS IN MOE AND MONASH RESERVE, NEWBOROUGH	15

ITEMS REFERRED BY THE COUNCIL

CORRESPONDENCE

PRESENTATION OF PETITIONS

CHIEF EXECUTIVE OFFICER

ECONOMIC SUSTAINABILITY

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

11.3.1	DRAFT SKATE AND BMX PLAN - RELEASE FOR COMMUNITY CONSULTATION	17
11.3.2	ROAD MANAGEMENT PLAN 2009 - 2013	25

RECREATIONAL AND CULTURAL LIVEABILITY

COMMUNITY LIVEABILITY

GOVERNANCE

11.6.1	DECEMBER 2008 QUARTERLY FINANCE AND PERFORMANCE REPORT INCORPORATING MID YEAR REVIEW	31
11.6.2	REVIEW OF SPECIAL COMMITTEES	35
11.6.3	REVIEW OF COUNCIL DELEGATES AND COMMITTEES	44

ORGANISATIONAL EXCELLENCE

URGENT BUSINESS

TEA BREAK

ITEMS CLOSED TO THE PUBLIC

14.1	MEETING CLOSED TO THE PUBLIC	62
14.2	ADOPTION OF MINUTES	63
14.3	CONFIDENTIAL ITEMS	64
14.4	BAD DEBTS WRITE OFFS	65
14.5	SUPPLY AND DELIVERY OF ONE (1) 4WD ARTICULATED TOOL CARRIER WITH A FRONT END LOADER	68

CLOSED

1. Opening Prayer

The Opening Prayer was read by the Mayor.

Recognition of Traditional Landholders

The Recognition of Traditional Landholders was read by the Mayor.

Councillors stood for one minute of silence to remember the victims of the recent bush fires.

2. Apologies for Absence

There were no apologies.

3. Declaration of Interests

There were no declarations of interest.

4. Adoption of Minutes

The adoption of the Minutes of the Ordinary Council Meeting, held on 2 February 2009 (CM 284) relating to those items discussed in open Council, be deferred due to a problem with distribution, until the Ordinary Council Meeting to be held on 2 March 2009.

PUBLIC QUESTION TIME

5.1 FUTURE DEVELOPMENT OF MORWELL: REZONING OF LAND IN TONERS LANE

Bruce Bremner, Hon Sec, Traralgon City and Rural Community Development Association asked the following question:

Question

(The background to this question is quite extensive over many years – all of which would be known to Council, or available from its records – so is not included here.)

Given that the Municipal Strategic Statement is up for review, and that expansion of Morwell, like Traralgon, is constrained by reservations for possible future coal use, has Council considered, or will Council, consider rezoning land in Toners Lane, Morwell, for residential use?

(The Association understands that TRU Energy would not now oppose rezoning and that land could be made available for subdivision should re-zoning occur. Such rezoning would seem consistent with early “revitalization” objectives for Morwell, and may also have some relevance to the current emphasis on “transit cities”.)

Answer

The Chief Executive Officer paraphrased the question and responded that the question will be taken on notice with the answers provided in writing and also included in the Minutes of this meeting (see below).

16 February 2009

Mr Bruce Bremner
Honorary Secretary
Traralgon City & Rural Community Development Association Inc
PO Box 719
TRARALGON VIC 3844

Dear Mr Bremner

REZONING LAND IN TONERS LANE MORWELL FOR RESIDENTIAL USE

Thank you for your public question at the Ordinary Council Meeting held on 2 February 2009 regarding the possibility of rezoning land in Toners Lane Morwell for residential use, given the constraints in Traralgon and the current review of the Municipal Strategic Statement.

Planning Scheme Amendment C62 includes a revised Municipal Strategic Statement and structure plans for Churchill, Moe/Newborough, Morwell and Traralgon. It is important to note that the structure plans indicate the future strategic direction for land use in these towns but does not rezone the land. Amendment C62 was exhibited from October to December 2008 and a number of submissions were received.

The Morwell Structure Plan shows the Toners Lane area of Morwell as mostly outside the proposed township boundary, due to the existence of Environment Significance Overlay 1, urban coal buffer. There have been submissions received to Amendment C62 indicating that this land has potential for residential development. A response to these submissions will be provided by Council as part of the consideration of all submissions to Amendment C62 and will be part of the Council agenda and minutes at that time.

It is anticipated that Council will consider submissions to Amendment C62 within the next six to eight weeks.

If you require any further information, please contact Carol Jeffs, Manager City Planning and Development on 5128 5497.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lisa Price', written in a cursive style.

LISA PRICE
Mayor

5.2 PARKING BAYS – LATROBE CITY

Mr William Barber asked the following question:

Question

I note that within the City of Morwell the parking bays have a leg extended out in the street, which assist motorists to ensure they are correctly parked within their parking bay?

I understand that failing to park appropriately within the allotted parking bay can lead to an infringement notice by Local Laws.

Bearing in mind we have this good arrangement in Morwell, I wonder why it is not extended to other towns within the City of Latrobe? If this is a simple oversight, can it be rectified?

Answer

The Chief Executive Officer paraphrased the question and responded that the question will be taken on notice with the answers provided in writing and also included in the Minutes of this meeting (see below).

Our Ref: DataWorks 380497
LP:DM

18 February 2009

Mr William Barber
1 Dublin Place
TRARALGON VIC 3844

Dear Mr Barber

LINEMARKING OF PARKING BAYS

Thank you for your question received during public question time at the Ordinary Council Meeting on Monday, 16 February 2009.

The current Council arrangement of line marking parallel parking bays is due to maintaining the style that has existed in each town for many years. There are differing opinions regarding the style used in Morwell, with some people in favour while others find the look of the extended line messy.

Since the receipt of your public question, it has been decided that when remarking of parallel bays is required, the Morwell line marking style will be adopted across the whole municipality.

If you have any further enquiries regarding this matter please contact
Dean Morahan, Acting Manager Infrastructure Operations on 5128 5558.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lisa Price', with a stylized flourish at the end.

CR LISA PRICE
Mayor

5.3 COUNCIL CHANGES

Mr William Barber asked the following question:

Question

Firstly from the Gallery may I congratulate the Mayor, Councillors and Council Staff in their recent endeavours over the fires at both Boolarra and Churchill and regions.

My question requests that Council considers the following?

If it has not already agreed, will Latrobe City waive all planning and Council associated costs for planning applications and any Council changes to do with replacement dwellings, sheds, out houses etc, that may have been lost or severely damaged during the recent bush fires within the Municipality?

Answer

The Chief Executive Officer paraphrased the question and responded that Council has already put a system in place to waive the fees and charges for planning applications for those affected by the bush fires.

5.4 ANSWERS TO PREVIOUS QUESTION TAKEN ON NOTICE AT THE ORDINARY COUNCIL MEETING HELD ON 15 DECEMBER 2008

5.1 SAFEWAY (TRARALGON) CROSSOVERS

Bruce Bremner, Hon Sec, Traralgon City and Rural Community Development Association asked the following question:

Question

BACKGROUND: In February 2006 the following option was adopted by Council:

“Require the landowner, Denaroo Constructions Pty Ltd (via a “Notice to Comply”, issued pursuant to Latrobe City Local Law No 2/2005), to carry out the required works at their entire cost within a period to be determined by the General Manager City Infrastructure, and let them sort out responsibilities with Safeway under the terms of their lease.” This related to Safeway crossovers at both Seymour St and Hotham St.

QUESTION

Did the work take place? If not, perhaps now would be a good time for Council to pursue the matter (if work is not already completed or a condition of the recent planning permit) as Safeway will be extending the premises to include a liquor outlet, and, by their own admission, anticipate a 30% increase in patronage as a consequence. Perhaps improved lighting at the access/exit point in Hotham St near the corner with Breed St could be looked at the same time?

Answer

At the Ordinary Council Meeting held on 15 December 2008 the Chief Executive Officer paraphrased the question and responded that the question will be taken on notice with the answers provided in writing and also included in the Minutes of this meeting (see below).

Copy of letter included on the following page.

16 February 2009

Mr Bruce Bremner
Honorary Secretary
Traralgon City & Rural Community Development Association Inc
PO Box 719
TRARALGON VIC 3844

Dear Mr Bremner

TRARALGON SAFEWAY CROSSOVERS (DRIVEWAYS)

Thank you for your public question at the Ordinary Council Meeting held on 15 December 2008, requesting an update on the Traralgon Safeway crossovers to Seymour and Hotham Streets.

I advise that the works have not taken place as per the February 2006 adopted option by Council. Some negotiations have continued with Safeway and owners Denaroo Constructions Pty Ltd since that time.

As indicated in your question, the proposed redevelopment of the Safeway supermarket in Traralgon is an opportunity to improve the access points at Seymour and Hotham Streets. A notice of decision to grant a permit (subject to conditions) was issued for planning permit application 2007/170 and is now the subject of review by VCAT.

The Council resolution contains permit conditions to reconstruct the car park in accordance with Australian Standards and Council's engineering requirements. Discussions with Woolworths have confirmed that redevelopment of the crossovers on Seymour and Hotham Streets have been included in the project plan for the store extension and car park redevelopment. The appropriateness of lighting near the Hotham Street crossover can be evaluated at the same time that the crossover is redeveloped.

This matter is expected to be finalised in the near future as part of the VCAT review process.

If you require any further information, please contact Carol Jeffs, Manager City Planning and Development on 5128 5497.

Yours sincerely



CR LISA PRICE
Mayor

NOTICES OF MOTION

6.1 2009/01 - NOTICE OF MOTION - COUNCIL ISSUES AND DISCUSSION SESSIONS

CR GIBSON

MOTION

That Council holds one Issues and Discussion Session per month, which is open to the public; and one Issues and Discussion Session per month which is closed to the public for the purpose of discussing matters of a confidential nature.

Moved: Cr Gibson

Seconded: Cr Fitzgerald

That the Motion be adopted.

The Motion was put and LOST

Cr Gibson called for a division

For the Motion

Councillors Gibson, Fitzgerald and Kam

Against the Motion

Councillors Loughed, O'Callaghan, Vermeulen, Middlemiss, White, Price

The Mayor confirmed that the Motion was LOST

6.2 **2009/02 - NOTICE OF MOTION - PUBLIC TOILETS IN MOE AND MONASH RESERVE, NEWBOROUGH**

CR GIBSON

MOTION

That a report be presented to Council on:

- (a) the options of providing public toilets in the Moe CBD, due to some of the toilets included in the Public Toilet Strategy no longer being available; and
- (b) the options and financial implications of opening the public toilet in Monash Reserve, Newborough during daylight hours.

Moved: Cr Gibson

Seconded: Cr O'Callaghan

That the Motion be adopted.

CARRIED UNANIMOUSLY

BUILT AND NATURAL ENVIRONMENT SUSTAINABILITY

**11.3.1 DRAFT SKATE AND BMX PLAN - RELEASE FOR COMMUNITY
CONSULTATION**

AUTHOR: General Manager Built and Natural Environment Sustainability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present the draft Skate and BMX Plan February 2009 and to seek Council's approval to release the plan for community consultation.

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Liveability

To promote and support social, recreational, cultural and community life by providing both essential and innovative amenities, services and facilities within the municipality.

Community Outcome - Recreational Liveability

By enriching the vibrancy and diversity of community life through promoting and supporting recreational services and facilities in the municipality.

Strategic Actions - Recreation Liveability

- Assess and evaluate future recreational opportunities to address community aspirations;
- Encourage greater participation in all recreation pursuits;
- Increase the accessibility of Latrobe City's recreation and sporting facilities;
- Develop and maintain high quality recreation facilities in partnership with the community; and
- Promote active living and participation in community life.

Recreation and Leisure Strategy 2006 principle #5:

Generally, there shall be a focus on the consolidation of existing sporting facilities within the Region, and an emphasis on the provision of new (unstructured) recreational pursuits and open space use.

3. BACKGROUND

The Latrobe City Council Recreation and Leisure Strategy 2006 recommended that further work be undertaken to provide strategic justification for the improvement to recreation facilities and open space. Since the adoption of the strategy in 2006 Latrobe City Council has commenced a process of developing town based outdoor recreation plans to guide the overall improvement of recreation reserves across the municipality.

The Recreation and Leisure Strategy 2006 also identified the need to investigate the needs and requirements of specific sports and activities. To address this need the Playground Strategy and Public Open Space Plan were completed in 2007 and the Tennis and Soccer Facilities Plans were completed in June 2008.

Skating and BMX riding continue to be popular activities among young people. Skate boarding and BMX riding are unstructured recreational pursuits that, subject to the availability of facilities, allows participants greater flexibility than organised sporting competitions.

In recent years Latrobe City Council has received a number of requests for improvements to existing facilities or development of new facilities. A summary of the petitions received in relation to skate parks and the corresponding Council resolutions are detailed below.

March 2007

Petition requesting funding towards development of skate park at the Morwell Town Common.

Council resolved on 23 April 2007:

1. That funding not be provided for the construction of a skate park on Morwell Town Common, as it does not form part of the adopted Morwell Town Common development plan.
2. That the skate park review, to be undertaken in 2007/08, incorporate an assessment of the usage patterns of the skate park on the Valley Christian Centre site, as well as the identification and assessment of other potential Morwell sites.
3. That the head petitioner be advised of the above decisions and invited, along with other interested youth, to participate in the forthcoming skate park review.

January 2008

Two petitions requesting construction of skate park in Yinnar
129 signatures.

Council resolved on 3 March 2008:

1. That the two petitions requesting the construction of a skate facility for the Yinnar and District community be considered in the development of the Skatepark and BMX Track Plan.
2. That the Head Petitioners be informed of Council's decision in relation to the skate facility for the Yinnar and District petition.

August 2008

Petition requesting construction of skate park Glengarry 400
signatures:

1. That Council agrees to not lay the petition on the table, relating to the development of a skate facility in Glengarry, and agrees to deal with the petition at this Ordinary Council Meeting.
2. That the petition requesting the development of a skate facility in Glengarry be considered through the development and adoption of the skate park and BMX track plan.
3. That the head petitioner be advised of Council's decision in relation to the petition requesting the development of a skate facility in Glengarry.

The Victorian State Government 2001 Skate Facility Guide (the Guide) prepared by Sport and Recreation Victoria indicated that in the 10–16 years age group skateboarding and BMX riding was in the top 10 recreational activities. The Guide further identified the benefits of recognising skate and BMX as legitimate activities because they have:

“all the typical benefits of other recreation activities (physical, mental and social). There is, however, the added bonus that these activities target a population who often feel marginalised by typical recreation provision, and who are at an age where participation in team sports and physical activity may have started to decline.”

Currently within Latrobe City there are six skate facilities and seven BMX tracks that have been considered during the development of this plan.

Skate Parks	BMX Tracks
Boolarra	Churchill
Churchill	Glengarry
Moe	Morwell
Morwell	Newborough
Toongabbie	Traralgon
Traralgon	Tyers
	Yallourn North

The draft Skate and BMX Plan February 2009 has been developed to provide a strategic approach to addressing the current and future needs of skate and BMX activities within the municipality.

4. **ISSUES**

Due to the informal nature of the activity it is difficult to obtain considerable data on the rates of participation within the community.

The community consultation and stakeholder engagement process undertaken in the development of this plan identified a number of common themes. These themes were very important in the development of the key recommendations contained in the plan and support the approach to be taken when considering the provision of future facilities.

The common themes identified by the community and stakeholders included:

- The popularity of skating and BMX is increasing within the community as the unstructured nature of the activity is of particular appeal to young people;
- Existing facilities within Latrobe City are generally falling behind those of neighbouring towns and municipalities;
- Latrobe City needs a skate / BMX facility that would attract visitors and competition from outside the area;
- Skate and BMX facilities should, where possible, be located near residential areas;
- Facilities within the major towns require improving or replacement;
- There is a need for better support amenities to accompany skate and BMX facilities;
- Skate and BMX facilities need to be accessible to public transport as the majority of users do not have the means to get to these facilities otherwise;

- Facilities need to be properly maintained on an ongoing basis; and
- Small town communities have the capacity to assist Council in providing skate and BMX facilities.

To address existing issues and improve the provision of skate and BMX track facilities the draft Skate BMX Plan February 2009 recommends the actions identified in the following table:

Year	Action
2008/09	<ol style="list-style-type: none"> 1. Introduce a hierarchy of skate facilities to identify appropriate provision at regional, district and local level. 2. That resources and support be provided to assist the Glengarry community in the development of a local level skate facility. 3. Undertake a technical audit of all existing skate / BMX facilities to identify condition and amenity issues requiring attention and undertake improvement works. 4. Provide support to the Yinnar community to prepare a detailed project proposal for the establishment of a local level skate park for consideration in the 2009/10 budget.
2009/10	<ol style="list-style-type: none"> 5. That resources and support be provided to assist the Yinnar community in the development of a local level skate facility. 6. Continue works identified in technical audit to address condition and amenity issues at existing facilities. 7. Undertake a feasibility study to identify the most appropriate location for a regional skate / BMX facility in Latrobe City.

5. FINANCIAL AND RESOURCES IMPLICATIONS

The draft and Skate BMX Plan February 2009 recommends that \$60,000 (from the 2008/09 capital works budget) plus surplus steel ramps from the Churchill Skate Park be allocated to supporting the Glengarry community in the development of a skate facility. The Plan recommends that \$40,000 from the 2008/09 capital works budget be directed to ensuring existing facilities are in good repair and meet minimum amenity standards.

The draft and Skate BMX Plan February 2009 recommends that \$60,000 (from the 2009/010 capital works budget) plus surplus steel ramps from the Churchill Skate Park be allocated to supporting the Yinnar community in the development of a skate facility. The Plan recommends that \$40,000 from the 2009/10 capital works budget be directed to ensuring existing facilities are in good repair and meet minimum amenity standards.

In 2009/10 a proposed recurrent budget allocation of \$20,000 will be used to complete site identification and investigation into the development of a regional skate / BMX facility in Latrobe City. A regional skate and BMX facility is identified in the draft Skate and BMX Plan February 2009 as having an establishment cost of \$500,000. The potential development of any new facilities will be subject to future consideration by Council.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

A total of 12 on site community meetings held in Toongabbie, Glengarry, Tyers, Yallourn North, Newborough, Moe, Boolarra, Yinnar, Churchill, Traralgon South, Traralgon, and Morwell. Meetings and briefings were also held with the Latrobe City Youth Councillors.

Details of Community Consultation / Results of Engagement:

A total of 173 people attended the onsite meetings to provide feedback on the usage and suitability of existing skate BMX facilities and to provide suggestions for improvement to the Skate Park and BMX track network.

7. OPTIONS

The options available to Council include;

1. Release the draft Skate and BMX Plan February 2009 for community consultation in line with Council's Community Engagement Policy;
2. Amend and release the draft Skate and BMX Plan February 2009 for community consultation in line with Council's Community Engagement Policy;
3. Decline to release the draft Skate and BMX Plan February 2009 for community consultation; or
4. Adopt the draft Skate and BMX Plan February 2009 without community consultation.

8. CONCLUSION

The provision of recreation facilities for the community is a key service provided by local government. The draft Skate and BMX Plan February 2009 identifies that the provision of skate and BMX facilities plays a vital role in the recreational needs of young people.

The draft Skate BMX Plan February 2009 recommends further detailed investigation of existing facilities and community and stakeholder consultation to better inform Council of the level of community support for skate and BMX facilities and the real costs of providing these facilities.

9. RECOMMENDATION

1. That Council releases the draft Skate and BMX Plan February 2009 for public comment in accordance with the community engagement strategy.
2. That Council receives written submissions on the draft Skate and BMX Plan February 2009 until 13 March 2009.
3. That a further report be presented to Council at the Ordinary Council Meeting to be held on 20 April 2009 on the results of the community consultation on the draft Skate and BMX Plan February 2009.

Moved: Cr Kam

Seconded: Cr White

- 1. That Council releases the draft Skate and BMX Plan February 2009 for public comment in accordance with the community engagement strategy.**
- 2. That Council receives written submissions on the draft Skate and BMX Plan February 2009 until 27 March 2009.**
- 3. That a further report be presented to Council at the Ordinary Council Meeting to be held on 20 April 2009 on the results of the community consultation on the draft Skate and BMX Plan February 2009.**

CARRIED UNANIMOUSLY

11.3.2 ROAD MANAGEMENT PLAN 2009 - 2013

AUTHOR: General Manager Built and Natural Environment Sustainability
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present to Council an amended Latrobe City Council Road Management Plan and to recommend that the plan be released for public comment as required under the *Road Management Act 2004 (Vic)*.

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective – Sustainability

To promote the responsible and sustainable care of our diverse built and natural environment for the use and enjoyment of the people who make up the vibrant community of the Latrobe Valley. To provide leadership and to facilitate a well connected, interactive economic environment in which to do business.

Community Outcome – Built Environment Sustainability

By developing clear directions and strategies through consultation with the community ensuring sustainable and balanced development.

Strategic Action – Infrastructure Maintenance

Develop and implement asset management strategies for Latrobe City infrastructure including whole-of-life maintenance requirements.

The Road Management Plan, for all Latrobe City Council maintained roads forms one part of this strategic action, along with the Asset Management Plans that have been and are being developed for all Latrobe City's infrastructure.

Policy No. GEN-CI 015 Asset Management Policy

3. BACKGROUND

Council developed a Road Management Plan (RMP) and adopted it in 2005 in response to the *Road Management Act 2004 (Vic)* (RMA).

The purposes of a road management plan are having regard to the principal object of road management and the works and infrastructure management principles:

- a) to establish a management system for the road management functions, which is based on policy and operational objectives and available resources; and
- b) to set relevant standards in relation to the discharge of duties in the performance of those road management functions.

While a road authority is not obliged to have a RMP, the RMA states that a road authority (of which Latrobe City Council is one) that has made a RMP must conduct a review of that plan in accordance with the regulations. The RMA states that a municipal council must commence a review of the RMP by 1 January 2009 and complete that review by 30 June 2009.

However due to some identified anomalies in the original RMP and some benefits for road users, a review of the RMP was conducted earlier than was required under the RMA and a revised RMP and related Register of Public Roads was presented to Council and adopted on 21 April 2008. While the 2008 review has made the task of reviewing and updating this draft easier, it has not obviated the need to conduct a review.

This RMP sets out the responsibilities of Council and other stakeholders including road users. Another key objective of this plan is to balance community expectations for service with the ability of Council to fund the capital and operational costs of its infrastructure. The road and path assets should provide an appropriate level of service that is fit for purpose, accessible, responsive and sustainable to the community in accordance with the Council Plan, Asset Management Policy and Asset Management Strategy.

The RMP is not an asset management plan. The long term asset management requirements will be detailed in the individual Asset Management Plans for each of the Bridge, Footpath and Road Asset Management Plans.

The *Road Management Act 2004 (Vic)* also clarifies the law relating to civil liability for the management of public roads.

4. ISSUES

The *Road Management Act 2004* requires Council to review its Road Management Plan at certain prescribed times. This legislated review must commence by 1 January 2009 and be completed by 30 June 2009.

The major review and subsequent adoption of the RMP on 21 April 2008 corrected a number of anomalies and this proposed revision is relatively minor with the road hierarchies and levels of inspection remaining the same. There are only two substantial changes made to this draft RMP and they relate to road traffic convex mirrors and roadside vegetation.

Following the release by VicRoads of Traffic Management Note No. 27 on the "*Installation of Convex Mirrors on Public Roads*", convex mirrors have now been addressed in the RMP.

Mirrors installed in the road reserve for the benefit of vehicles using private vehicular crossings are proposed to be the responsibility of the individual property owners and will be installed by Latrobe City Council at cost to the owners. At present some mirrors and installations have been paid for by residents and some by Latrobe City Council. Mirrors installed to improve sight distance at intersections of public roads will be installed and maintained by Latrobe City Council in accordance with the VicRoads traffic management note. An audit will be carried out to ascertain that existing mirrors conform to the criteria in Traffic Management Note No. 27 and it is proposed that those mirrors in locations that do not comply will be removed.

All reference to roadside vegetation has been removed from the RMP following a recommendation from Civic Mutual Plus, Latrobe City Council's insurers and their solicitors, DLA Phillips Fox. Trees are deemed to be non-road infrastructure in which case there is no statutory requirement for inspections. However the RMA does not remove the common law duties to inspect roadside vegetation, including nature strip trees. It is proposed that the future Tree Asset Management Plan will address the inspection regime that Latrobe City Council undertakes in this area.

5. FINANCIAL AND RESOURCES IMPLICATIONS

The current minor changes proposed in the amended Road Management Plan are not expected to have a financial impact on Council.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Council must give notice in the Government Gazette and in a newspaper circulating in the area (the Latrobe Valley Express), stating the purpose and general purport of the revised road management plan, where a copy of the proposed plan may be viewed and that any person may make a submission within the period specified in the notice. At least 28 days after the day on which a notice is published must be allowed for the making of submissions.

7. OPTIONS

Council has the following options available:

1. Advertise the Road Management Plan for public submissions. This is the preferred option as the *Road Management Act 2004 (Vic)* requires Council to review its Road Management Plan at certain prescribed times. This legislated review must commence by 1 January 2009 and be completed by 30 June 2009.
2. Amend and advertise the Road Management Plan for public submissions.

While a road authority is not obliged to have a RMP, the RMA states that a road authority that has made a RMP must conduct a review of that plan in accordance with the regulations. Therefore Council does not have the option of not conducting a review of the RMP.

8. CONCLUSION

Latrobe City Council currently has a RMP and has a legislated requirement to complete a review of that RMP by 30 June 2009. Some changes have been made to the RMP relating to roadside vegetation and convex mirrors and it is proposed that the amended RMP should now be advertised and released for community consultation in accordance with Council's Community Engagement Policy and Strategy and the *Road Management Act 2004 (Vic)*.

Submissions are required to be accepted for a minimum of 28 days after advertising the RMP in accordance with the *Road Management Act 2004 (Vic)*.

9. RECOMMENDATION

- 1. That Council invites public submissions in relation to the Draft Road Management Plan 2009 - 2013; and**
- 2. That Council considers the Draft Road Management Plan 2009 - 2013 and all submissions received at the Ordinary Council Meeting to be held on 20 April 2009.**

Moved: Cr Lougheed

Seconded: Cr Gibson

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

GOVERNANCE

11.6.1 **DECEMBER 2008 QUARTERLY FINANCE AND PERFORMANCE REPORT INCORPORATING MID YEAR REVIEW**

AUTHOR: General Manager Governance
(ATTACHMENT – YES)

1. PURPOSE

The purpose of this report is to present the December 2008 quarterly Financial and Performance Report for the information of Council.

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Governance

To ensure governance and leadership through a strong commitment and adherence to democratic and legislative requirements.

Community Outcome - Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action

Ensure compliance with the Local Government Act.

Policy No. GEN-COS-005 - Audit Policy

The Audit Policy details Latrobe City Council's requirement to maintain an Audit Committee of Council. The Audit Committee, assists Council in the discharge of its responsibilities for financial reporting, through the maintenance of a system of internal controls and audits.

The 2008/2009 adopted budget is the basis against which the actual performance is monitored.

3. **BACKGROUND**

Under the provisions of the *Local Government Act 1989* Section 138 (1), at least every three months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure to date is presented to Council. This report ensures compliance with this legislative requirement.

The attached report as at 31 December 2008 is provided for the information of Council and the community. The financial report compares budgeted income and expenditure with actual results for the first six months of the financial year. A status report on the Key Strategic Activities, adopted in the 2008/2009 budget is also attached.

4. **ISSUES**

The attached report, "Income Statement", shows the actual result for the six months ended 31 December 2008 compared with the budgeted year to date result. The report also provides a forecast for the full year financial result compared to the budgeted full year financial result.

Overall the report is showing a favourable year to date variance of \$2.454M. There are no significant year to date income variances. Some minor variances are shown for government grants, both operating and capital, due to the timing of receipt of grants for operating programs and capital projects. The favourable expenditure variance of \$1.153M primarily relates to employee costs being under budget by \$1.171M due to several vacant positions and the timing of the monthly remittance of superannuation payments. A detailed explanation of these variances is included in the attached report.

The "Income Statement" report forecasts that the result for the full financial year will be \$2.902M less than the original budget. The main contributing factor is expenditure for projects and programs that received funding in 2007/2008. The income received in 2007/2008 was included as part of the operating surplus for the year ended 30 June 2008 and therefore the projects are funded from this surplus. However there will be no significant variance in the 2008/2009 cash flow statement. Explanations of these variances are also included in the attached report.

5. FINANCIAL AND RESOURCES IMPLICATIONS

The attached report provides details of budget variances for both the six months to 31 December 2008 and the full financial year.

6. INTERNAL/EXTERNAL CONSULTATION

Council's Audit Committee, at a meeting held on 29 January 2009, recommended that Council receive the financial report.

Latrobe City General Managers and Divisional Managers have been consulted in the preparation of this report.

7. OPTIONS

The requirement to report on financial and key strategic actions quarterly is a statutory requirement, therefore the options that exist are:

1. Council receives and notes the financial and performance report for the quarter ending 31 December 2008, in accordance with the Local Government Act 1989; or
2. Council does not accept the report; or
3. Council seeks additional information.

8. CONCLUSION

The attached report provides financial details, as required by the *Local Government Act 1989*. The report indicates that Council is operating within the parameters of its 2008/2009 adopted budget. Variances arising from the timing of the receipt of grant revenues and the completion of the 2007/2008 capital works program in 2008/2009 indicate that a reduced operating surplus result will be achieved for the full year.

9. RECOMMENDATION

That Council receives and notes the financial and performance reports for the three months ended 31 December 2008, in accordance with the *Local Government Act 1989*.

Moved: Cr White

Seconded: Cr Loughheed

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

11.6.2 REVIEW OF SPECIAL COMMITTEES

AUTHOR: General Manager Governance
(ATTACHMENT – NO)

1. PURPOSE

The purpose of this report is to present to Council the findings of the review of special committees established under section 86 of the *Local Government Act 1989* (Vic).

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective – Governance

To ensure governance and leadership through a strong commitment and adherence to democratic processes and legislative requirements.

Community Outcome – Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action – Legislative Governance

Ensure compliance with the Local Government Act.

3. BACKGROUND

In July 2007 Council officers commenced a review of all committees established under section 86 of the *Local Government Act 1989* ("the Act").

Pursuant to section 86 of the Act, Council may establish one or more special committees made up of Councillors, Council staff or other persons.

Several special committees have been established by Latrobe City Council to enable a committee to effectively operate as if it were the Council; acting only within their delegated terms of reference.

Special committees can enable decisions to be made at the appropriate level. Often knowledge and interest in a particular council activity lies with people at a local level and they are delegated by council to act as a special committee for that function.

A formal decision at a council meeting is needed to delegate decision making powers. Because they are making decisions in the place of the council, special committees of council and nominated council officers with delegated authority are subject to strict controls and accountability.

This assumes that actions taken by the committee are actions which would ordinarily be the subject of a formal council decision or delegated decision by a council officer, had the powers not been delegated to a special committee.

Therefore, as the decision-making would ordinarily be decided within the context of a council meeting, or under formal council officer delegation, it is appropriate for particular committees to be subject to the same rules as councillors within a council meeting. These rules include declarations of conflict of interest, public notice of meeting schedules, completion of interest returns and strict meeting protocols.

In July 2007 Council had nine special committees pursuant to section 86 of the Act. In February 2008 Council formed its tenth special committee being the Churchill and District Intergenerational Community Hub Board.

The purpose and status of each committee is outlined in the following table:

Committee	Purpose	Status
Latrobe Regional Motorsport Complex Committee	To investigate, design and raise funds to develop a combined Latrobe Valley motor racing facility.	Special Committee of Council pursuant to Instrument of Delegation effective dated 17 January 1996 comprising one delegate from each of the following organisations: Council; Gippsland Car Club; Gippsland Go-Kart Club; Latrobe Valley Aero Club; Moe Speedway Club; Latrobe Drag Club; Latrobe Regional Chamber of Commerce; a Council Officer upon invitation of the Committee; and any other person by invitation.

Committee	Purpose	Status
Latrobe Regional Airport Board	To oversee the operations and development of the Latrobe Regional Airport and to ensure compliance with the airport licence issued under the Civil Aviation Regulations. The Board is Council's nominee to hold that airport licence.	Special Committee of Council pursuant to Instrument of Delegation dated 6 December 2004 comprising a Councillor; the Chief Executive Officer or delegate; and up to 5 individuals possessing skills and experience which will make a material contribution to the management and development of the airport.
The Yallourn North Community Housing Committee	To administer Council owned elderly persons units in Anderson Avenue, Yallourn North and to raise funds toward the future development of additional units for low income elderly persons in Yallourn North.	Special Committee of Council pursuant to Instrument of Delegation dated 17 August 1995 comprising up to 15 members of the community appointed by Council; a Council Officer upon invitation of the Committee; and any other person by invitation.
Moe Yallourn Rail Trail	The development and management of the Moe-Yallourn Rail Trail.	Special Committee of Council pursuant to Instrument of Delegation dated 2 June 1997 comprising one representative from each of the following: Council; Lowanna College; Yallourn Energy; Moe Development Group; a council officer; two community representatives; and any other person by invitation.
Crinigan Bushland Reserve Committee of Management	To oversee a capital works management and development program for the bushland reserve.	Special Committee of Council pursuant to Instrument of Delegation effective from 3 July 2006 comprising of Community representatives (5) and one delegate from each of the following organisations: Country Fire Authority; Latrobe Valley Field Naturalists; Maryvale Hospital; Department of Sustainability & Environment; Council; and any other person by invitation.
Mathison Park Advisory Committee	To assist with the planning, development, operations and maintenance of a community park containing international, national, state and Gippsland indigenous flora.	Special Committee of Council pursuant to Instrument of Delegation dated 6 March 2000 comprising 3 Councillors and the following community representatives: Friends of Mathison Park (2); Kurnai College (1); Monash University (1); Churchill & District Community Association (1).
Ollerton Avenue Bushland Reserve Committee of Management	To oversee a capital works management and development program for the Ollerton Avenue Bushland Reserve Moe.	Special Committee of Council pursuant to Instrument of Delegation effective from 1 June 2004 comprising of Community representatives (6) and one delegate from each of the following organisations: Latrobe Valley Field Naturalists; Lowanna Secondary College; Latrobe Valley Village; Council; and any other person by invitation.

Committee	Purpose	Status
Sale of Goods from Council Properties Committee	The Committee is Council's nominee to receive applications and consider matters relating to the sale of goods from Council properties in accordance with adopted policy.	Special Committee of Council pursuant to Instrument of Delegation effective dated 5 August 2002 comprising two Councillors; one Council officer and other officers by invitation; and one representative each from Traralgon Chamber of Commerce; Morwell Chamber of Commerce; Moe Development Group; Latrobe Tourism Advisory Board.
Churchill & District Intergenerational Community Hub Board	To promote the development of community capacity building by planning effectively for the future of this facility, taking into consideration diverse and changing community needs.	Special Committee of Council pursuant to Instrument of Delegation dated 18 February 2008 comprising a Councillor; the Chief Executive Officer or delegate; and up to 5 individuals possessing skills and experience which will make a material contribution to the management and development of the Hub.
Demolition Works Committee	To report and consent on applications for demolition received under Section 29A of the Building Act 1993.	Special Committee of Council pursuant to S.86 of the Local Government Act 1989 established by resolution of Council on 3 September 2001 consisting of the Mayor and the Municipal Building Surveyor.

The purpose of the review was to:

- (a) determine if each special committee was strictly operating under the rules of the Act;
- (b) determine if it was appropriate for each committee to remain as a special committee under section 86 of the Act; and
- (c) determine and develop tools that may be valuable for council officers and councillors to ensure compliance with the Act.

The review consisted of a questionnaire sent to all relevant council officers, and subsequent meetings to determine how each committee meeting was conducted.

A presentation was made to relevant council officers and councillors on 19 May 2007 to discuss the initial findings and present a toolkit for use in subsequent special committee meetings. The purpose of the presentation was to also ask that council officers and councillors commence a discussion with committee members regarding their section 86 status.

At that time, Councillors requested that a similar presentation be made to committee members; this presentation was delivered to representatives of the section 86 committees on 1 September 2008.

Committee members were provided with the opportunity to ask questions regarding the benefits and disadvantages of remaining as section 86 special committees.

Throughout October, November and December 2008, Council's Legal Counsel also attended the special committee meetings of the Yallourn North Community Housing Committee, Yallourn North Rail Trail Committee, the Crinigan Bushland Reserve Committee of Management and the Mathison Park Advisory Committee; whereby committee members were provided with a further opportunity to have questions answered.

4. **ISSUES**

At the time the review commenced, Council was not legally obliged to review its section 86 committees. Rather, the review was initiated to accord with good governance principles so as to ensure that its powers and functions were being properly exercised and utilised.

However, since commencement of the review, the Act has been amended; and now requires Councils to review their delegation of powers to section 86 committees within 12 months of a general election. This review will satisfy the legislative requirement.

The review found that all special committees are successfully performing the functions in which they were initially established and are well supported by the many volunteers who, in some instances, have provided their knowledge and expertise for a number of years.

However, the review determined that the majority of special committees are currently operating as advisory or community committees as opposed to a committee established under section 86 of the Act. Advisory and community committees are not subject to the same rules under the Act.

In particular it was noted that the majority of special committees are not attended by the same special committee members who were originally delegated the powers and functions of council. Therefore, as a minimum requirement, Council would need to consider amending the committees' deeds of delegation to reflect the changes to the committees' composition.

The requirements under the Act are extremely burdensome for many committees and arguably do not improve the service that the committee provides. Furthermore, the onerous nature of the requirements is, at times, seen as a deterrent for many community-minded people from participating on a special committee.

It was noted that although well supported by the attending members, each committee expressed concerns about the low number of community volunteers on the committees themselves. They recognised that whilst individuals participated in events and activities organised by the committees, individuals were often reluctant to become involved in special committee meetings.

The Mathison Park Advisory Committee, Ollerton Avenue Bushland Reserve Committee of Management, the Moe Yallourn Rail Trail Committee and the Crinigan Bushland Reserve Committee of Management all expressed a preference to become advisory committees of council as opposed to special committees.

These committees understood that by revoking their special committee status, they could continue as advisory committees of council; benefiting from insurance coverage as volunteers where appropriate and enjoying the support of an attending council officer.

The Latrobe Regional Motorsport Complex Committee has expressed a preference to become a user group of council.

The Yallourn North Community Housing Committee was established to enable the development of 5 community houses on Council owned land in Yallourn North. The committee has successfully operated through the dedication of the committee for almost 20 years; the committee is in the final stages of constructing its fifth and final community house and it would be appropriate at this late stage to allow the committee to finalise its project under the auspice of being a special committee.

Council officers have reviewed the conduct of the Yallourn North Community Housing Committee and are satisfied that they are capable of operating under the rules regulated by the Act. The committee has indicated a preference to remain in their current form until the completion of the project; which is expected to be some time in 2009/2010.

The review determined that it would be appropriate for the Churchill and District Community Hub and the Latrobe Regional Airport Board to continue to operate as section 86 committees.

The Churchill and District Community Hub Board was established in 2008 for the purpose of allowing the community to have strategic direction over the facility and operate the facility with minimal direct Council intervention. Council would therefore require that actions taken by Board members adhere to the *Local Government Act 1989*.

The Latrobe Regional Airport Board essentially operates as a business and holds the licence to operate the airport under the Civil Aviation Regulations and it is therefore appropriate that it has the capacity to negotiate and enter into contracts in its own right. For this reason it would appear appropriate to subject them to the same requirements as the Council.

The Demolition Works Committee is required to make decisions which would have been presented to a meeting of council or decided by the Municipal Building Surveyor under delegation. Council has previously delegated its authority to decide applications for demolition under section 29A of the *Building Act 1993* to the Municipal Building Surveyor. This delegation gives the Municipal Building Surveyor the function of giving consent to a building permit for demolition in Council's capacity as responsible authority under the *Planning and Environment Act 1987*. It requires the Municipal Building Surveyor to give the same consideration to all applications as if they were Council itself; this would include consideration of the Heritage Study.

The Municipal Building Surveyor has not been delegated the authority to refuse an application for demolition and all such decisions would be brought before Council for resolution.

The current power delegated to the Municipal Building Surveyor is sufficient to ensure that all relevant matters contained within the *Building Act 1993* and the *Planning and Environment Act 1987* are considered prior to giving consent.

The Sale of Goods from Council Properties Committee was initially established to ensure that council property was not inappropriately used for commercial activities that conflicted with established businesses within the municipality. This committee would continue to operate well as an advisory committee rather than a special committee.

5. FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial implications arising from this review.

6. INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Council officers and councillors were spoken to individually and during two group presentations. Committee members were provided the opportunity to engage in the review process, through a formal presentation and discussions at their respective committee meetings.

Details of Community Consultation / Results of Engagement:

The majority of special committees have indicated a preference for their committees to become advisory committees and for their section 86 status to be revoked.

7. OPTIONS

Council may note this report and choose to not alter the status of any special committee; or Council may consider it appropriate to revoke the section 86 status of some or all of the special committees.

8. CONCLUSION

Section 86 committees should be established by council when the decisions to be made by that committee would ordinarily be considered by the council. In that circumstance, it is appropriate for Council to delegate certain powers and functions and requires strict adherence to the governance requirements under the *Local Government Act 1989*.

Therefore, committees which make decisions regarding legal interests in land should be constituted under the provisions of section 86 of the Act; as these decisions would ordinarily be decided by council. However, not all decisions currently made by council's special committees would ordinarily require a decision of council; rather they are operational decisions which could legitimately be made by an advisory committee.

The requirements placed on special committees are onerous and may negatively impact on the committees abilities to recruit new members. Given that council's delegations are to specific community members, a special committee is also restricted in its ability to alter its membership without seeking council's formal approval.

The review of special committees has determined that all but the Churchill and District Community Hub Committee, the Yallourn North Community Housing Committee and the Latrobe Regional Airport Board Committee should have their section 86 status revoked; this accords with the preference of the committee members.

It would be appropriate for these committees to formulate revised terms of reference and report to council for approval.

9. RECOMMENDATION

1. A. **That Council revokes its delegations under section 86 of the *Local Government Act 1989* (Vic) to the following committees:**
 - (i) **Mathison Park Advisory Committee;**
 - (ii) **Ollerton Avenue Bushland Reserve Committee of Management;**
 - (iii) **Sale of Goods from Council Properties Committee;**
 - (iv) **Demolition of Works Committee;**
 - (v) **Latrobe Regional Motorsport Complex Committee;**
 - (vi) **Moe Yallourn Rail Trail Committee;**
 - (vii) **Crinigan Bushland Reserve Committee of Management; and**
- B. **That a report be presented to Council following review of the committees' terms of reference.**
2. **That Council congratulates and thanks the members of all its section 86 special committees for their hard work and dedication to community service.**

Moved: Cr White

Seconded: Cr Middlemiss

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

11.6.3 REVIEW OF COUNCIL DELEGATES AND COMMITTEES**AUTHOR:** General Manager Governance**(ATTACHMENT – YES)****1. PURPOSE**

The purpose of this report is to present for Council's consideration proposed representatives to the various Council Committees and Community Organisations / Committees for the remainder of the 2008/09 Mayoral Term.

This report also seeks Council's consideration for the dissolution of Glendonald Park Advisory Committee.

2. POLICY IMPLICATIONS

This report is consistent with Council's Latrobe 2021 vision document and the Council Plan 2008-2012.

Latrobe 2021 and Council Plan 2008-2012

Strategic Objective - Community Capacity Building

To empower the community through enhancing community advocacy, leadership, partnerships, inclusiveness and participation.

Community Outcome - Legislative Compliance

By ensuring adherence to legislative requirements.

Strategic Action - Community Capacity Building

Support community-based programs to promote greater community empowerment.

3. BACKGROUND

Previously, Council has reviewed the appointment of delegates on various Council Committees and working groups, community committees and other associations annually for the duration of each Mayoral Term. However, this practice is only customary and there is no statutory reason why Council could not consider appointing delegates for a longer term.

Accordingly, Council could consider appointing delegates until the 2012 General Election as continuous representation may foster committee stability and forward planning.

The attached document shows the current delegates for the 2007/08 Mayoral Term (as revised following the internal restructure in August 2008) and the proposed delegates for the remainder of the 2008/09 Mayoral Term.

In addition, the following information is provided with regard to each Committee listed within that document:

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
1. COUNCIL (SPECIAL*) COMMITTEES <i>*pursuant to Section 86 of the Local Government Act 1989</i>		
Latrobe Regional Airport Board	To oversee the operations and development of the Latrobe Regional Airport and to ensure compliance with the airport licence issued under the Civil Aviation Regulations. The Board is Council's nominee to hold that airport licence.	Monthly as advertised – 8.30am in the Airport Terminal.
The Yallourn North Community Housing Committee	To administer Council owned elderly persons units in Anderson Avenue, Yallourn North and to raise funds toward the future development of additional units for low income elderly persons in Yallourn North.	Annual AGM; other meetings during the year convened on an as needs basis.
Churchill & District Intergenerational Community Hub Board	To promote the development of community capacity building by planning effectively for the future of this facility, taking into consideration diverse and changing community needs.	2 nd Tuesday each month @4.30pm - Churchill & District Community Hub.
2. COMMITTEE PURSUANT TO OTHER LEGISLATION		
Audit Committee (Pursuant to s.139 of the Local Government Act 1989)	To assist in the discharge of responsibilities for financial reporting, maintaining a reliable system of internal controls and fostering the organisation's ethical development.	Meets 4 times a year.
Municipal Emergency Management Planning Committee (Emergency Management Act 1986)	To prepare an emergency management plan to ensure an adequate response to the community for all emergencies. [Statutory Committee]	Meeting on 7/4/09 & 13/10/09 in McFarlane Burnet Room, Traralgon.
Gippsland Regional Waste Management Group	To facilitate and foster best practices in waste management in the region pursuant to the functions and powers under the Environment Protection Act 1970.	Next Meeting 5 & 6 February 2009 at Century Inn. Meetings bi-monthly.

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
Gippsdown Reserve Committee of Management Inc.	A Committee of Management [COM] appointed by the Minister for Environment and Climate Change for a term of 3 years under the <i>Crown Land (Reserves) Act 1978</i> which is responsible for the development and management of the Heritage Park. Cr Price's Ministerial appointment to the COM as Council's representative expired on 22/08/05 and no Councillor has been appointed since. Notwithstanding, there has continuously been a Councillor delegate on this Committee each Mayoral Term since 2006, given Council's vested interest. The Minister appointed a new triennial Committee in September 2008. There is no requirement for Council to have representative on the COM, but it can still nominate a Councillor to join with the support of the current COM.	The Committee sets its own meeting schedule.
Walhalla Tourist Railway Committee of Management	The Walhalla Tourist Railway Reserve [comprising Crown Land reserves between Walhalla & Erica] is managed by a skill-based Committee of Management [COM] triennially appointed by the Minister for Environment and Climate Change under the <i>Crown Land (Reserves) Act 1978</i> . Cr Middlemiss' Ministerial appointment expired on 31/03/08 and no other Councillor sought nomination in his place. The Minister appointed a new triennial Committee in April 2008. There is no requirement for Council to have representative on the COM, but it can still nominate a Councillor to join with the support of the current COM.	The Committee sets its own meeting schedule.
3. COUNCIL ADVISORY / FUNDED COMMITTEES		
<i>** subject to prior resolution of Council on 16 February 2009 in relation to the Special Committees of Council.</i>		
**Latrobe Regional Motorsport Complex User Group	Established to investigate, design and raise funds to develop a combined Latrobe Valley motor racing facility. At a meeting held 1/7/08 with the proposed motor sport complex users it was agreed for the s.86 committee to be revoked & to be classed as an informal user group pending the development proceeding further.	<i>To be determined.</i>
**Moe Yallourn Rail Trail	To maintain, develop and manage the Moe-Yallourn Rail Trail.	2 nd Tuesday each month @5:00pm -Moe Library Meeting Room.
**Crinigan Bushland Reserve Committee of Management	To maintain, develop and manage the bushland reserve.	3 rd Thursday each month @5:00pm - Maryvale Private Hospital.
**Mathison Park Advisory Committee	To assist with the maintenance, planning, and development of a community park containing international, national, state and Gippsland indigenous flora.	1 st Tuesday each month @7:00pm - Latrobe Leisure Churchill.

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
**Ollerton Avenue Bushland Reserve Committee of Management	To maintain, develop and manage the bushland reserve.	2 nd Tuesday each month @6:30pm - Moe Library Meeting Room.
**Sale of Goods from Council Properties Committee	To receive applications and consider matters relating to the sale of goods from Council properties in accordance with adopted policy.	Meetings of this committee take place on an as needs basis.
**Demolition Works Committee	To report and consent on all applications for demolition received under Section 29A of the Building Act 1993.	Meetings generated by application.
Edward Hunter Heritage Bushland Reserve Committee	To maintain, develop and manage the bushland reserve.	3 rd Thursday each month @7:30pm - Moe Library Meeting Room.
Latrobe Safety and Wellbeing Network	To minimise hazards and conditions which lead to harm or fear of harm for all citizens of Latrobe City by developing, implementing and maintaining effective community safety strategies.	Currently inactive: to reconvene.
Morwell Centenary Rose Garden	To provide advice and assistance with the development, management and maintenance of the Rose Garden.	2 nd Friday each month @9:00am - Morwell Senior Citizens (Maryvale Cres).
Gambling Accreditation Charter – Community Fund Advisory Committee	To oversee the Latrobe City Council's "Gambling Accreditation Charter" adopted 3 May 1999.	Annually in September meetings usually at HQ.
Oldsmobile Management Committee	To oversee the restoration, display and use of a 1908 Oldsmobile motor vehicle bequeathed by Rolland Hill vehicle owner and former car dealership owner.	Meetings of this committee take place on an as needs basis.
Latrobe City International Relations Committee	To promote, co-ordinate and foster friendship, communication and understanding between people of Latrobe and other nations.	Every two months on 2 nd Wednesday of the month. Next meeting is scheduled to be held @ 5.30 pm on 11/2/09 in Nambur Wariga.
War Memorials Advisory Committee	To identify and advise on matters relating to establishment, care and preservation of war memorials in Latrobe.	Meetings previously held every 6 months; now convened on an as needs basis.
Newman Park Development Plan Steering Committee	Provide advice and oversee the development of Newman Park.	Wednesday meetings @5:00pm - Traralgon Service Centre Meeting Room: 25/2/09; 27/5/09; 26/8/09; 25/11/09.
Morwell Town Common Development Plan Steering Committee	Oversee the development of the Morwell Town Common in line with the development plan adopted by Council on 5 September 2005.	Wednesday meetings @5:00pm – HQ Brataualong Room: 4/3/09; 3/6/09; 7/10/09.
Latrobe Leisure Moe Newborough User Group	To share information with the user groups regarding the operations of the Leisure Facility.	LL Newborough Scheduled quarterly – held as required.

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
Latrobe Leisure Morwell User Group	To share information with the user groups regarding the operations of the Leisure Facility.	LL Morwell Scheduled quarterly – held as required.
Latrobe Leisure Traralgon Sports Stadium User Group	To share information with the user groups regarding the operations of the Leisure Facility.	Meets every 6 weeks at the Stadium. Next meeting 25/02/09 @7.00pm.
Latrobe Leisure Churchill User Group	To share information with the user groups regarding the operations of the Leisure Facility.	LL Churchill Scheduled quarterly – held as required.
Latrobe Regional Gallery Advisory Committee	To provide advice to Council regarding the development and promotion of and community involvement in the Latrobe Regional Gallery. Committee also participates in decisions regarding the acquisition of artworks for inclusion in the Gallery Collection.	Meets monthly (except January) on 3rd Wednesday each at Latrobe Regional Gallery. Next meeting 18/2/09 @6.00pm.
Latrobe City Venues User Group	To share information with other users, Councillors and council staff regarding Latrobe City Halls and Venues. The meetings provide useful information and feedback regarding facility operational and maintenance issues. The venue user group meetings are split into Major and Minor Venue User Groups.	Wednesday Meetings. Minor Venues - 4/3/09; 3/6/09; 2/9/09; 11/11/09. Major Venues- 18/3/09; 17/6/09; 16/9/09; 25/11/09.
Latrobe Tourism Advisory Committee	To maximise tourism opportunities, establish links with the tourism industry, develop tourism infrastructure and disseminate information.	1st Wednesday of every month (except January) @5.30pm - Usually PowerWorks.
Glendonald Park Advisory Committee	To provide advice and direction to Council on the management and development of Glendonald Park.	<i>Lapsed</i>
Australia Day Advisory Committee	To provide a cross-functional Committee to engage the Latrobe community in both contributing to & sharing the community pride that Australia Day generates throughout our municipality each year. To provide high level guidance, recommendations and strategic direction to ensure that community needs and expectations are represented and met.	The next meeting date has not been set. Meetings of this committee take place on an as needs basis.
4. <u>COMMUNITY COMMITTEES</u>		
Disability Reference Committee	To act in an advisory capacity to Council on service provision and local issues relating to the needs of people with a disability.	Meets bi-monthly usually 3 rd Thursday of even months. Venue - HQ Nambur Wariga or Function Room Traralgon (alternating).
Roadsafe Latrobe Community Road Safety Council	To develop local community road safety initiatives that support State and Local Government road safety programs.	Meetings held bi-monthly on 1 st Tuesday of the month @10:00am at VicRoads Traralgon.

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
Regional Fire Prevention Committee – Region 9 & 10	A statutory Committee to oversee the Municipal Fire Prevention Plan and liaise with local fire authorities. Reps from each brigade & Regional HQ meet with Gippsland Water, DSE, HVP Plantations & any other interested parties to discuss fire tracks, issues raised by brigades, etc.	Meetings held quarterly in March, June, Sept. & Dec. The last meeting was @7.30pm Tuesday 9/12/08 - Function Room Traralgon.
Regional Aboriginal Justice Advisory Committee (RAJAC)	To develop Regional Aboriginal Justice Plans and to monitor the local and regional implementation of the Royal Commission into Aboriginal Deaths in Custody and the Victorian Aboriginal Justice Agreement.	Meetings held bi-monthly across the region.
Latrobe City Litter Prevention Task Force	This task force was formed during the establishment of the Gippsland Regional Waste Management Group. The task force has been responsible for raising awareness of dumping and use of reusable shopping bags in the past. The future format of the group will be project based rather than scheduled meetings.	Will meet on an as needs basis.
Friends of the Traralgon Railway Reservoir Conservation Reserve	To maintain, develop and manage the conservation reserve.	4 th Tuesday each month @7:30pm - Kath Teychenne Centre.
Traralgon Creek Neighbourhood Improvement Plan Steering Committee	The Traralgon Creek NEIP was established in 2006 and is a plan developed with all parts of the community including residents, special interest groups, local industry, local government and other agencies such as EPA and the West Gippsland Catchment Management Authority. The committee has developed and Action Plan which seeks to achieve a number of key objectives.	Meets quarterly from 5:30pm-7:30pm @ Traralgon South. Meeting dates set in Committee. Next Meeting: 18/02/09
Morwell River Neighbourhood Improvement Plan Steering Committee	The Morwell River NEIP was established in 2007 and is a plan developed with all parts of the community including residents, special interest groups, local industry, local government and other agencies such as EPA and the West Gippsland Catchment Management Authority. The committee has developed and Action Plan which seeks to achieve a number of key objectives.	Meets quarterly from 7:30pm-9:30pm @ Yinnar. Meeting dates set in Committee. Next Meeting tentatively: 26/02/09
TRU Energy Yallourn Environmental Review Committee	Oversees the environmental performance of the TRUenergy power station. Includes updates on progress on Environmental Improvement Plan and environmental performance summary report.	Strzelecki Room Every 3 months – usual start 12:30pm, except 11/2/09 (11:45am start). 20/5/09; 19/8/09; 18/11/09.
Loy Yang Power Environmental Review Committee	Oversees the environmental performance of the Loy Yang power station. Includes updates on progress on Environmental Improvement Plan and environmental performance summary report.	Wirwirndook Room Every 3 months Dates still to be confirmed. 5pm – 7pm.

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
International Power Hazelwood Environmental Review Committee	Oversees the environmental performance of the Hazelwood power station. Includes updates on progress on Environmental Improvement Plans and other related projects.	24/2/09 -10:15am start; 12:30pm lunch; meeting @ 1:00pm. 26/5/09 -12:30pm start for lunch; meeting @ 1:00pm. 25/8/09 -12:30pm lunch, meeting @ 1:00pm. And 24/11/09.
Gippsland Sports Academy	The GSA provides opportunities for talented, young sports people to reach their potential in their chosen sport and personal life.	Board meeting every second month (4 th Thursday). Sub committee meetings as required. Venue - Yallourn TAFE
Gippsland Group Training	Largest employer of apprentices in Victoria. Provides guaranteed employment for young people in a broad range of apprenticeships /traineeships and hires those young people to employers for varying periods of time.	Meets bi-monthly at various venues: 19/03/09; 21/05/09; 16/07/09; 17/09/09; 15/10/09 AGM in Morwell; & 26/11/09. Next meeting: 19/03/09 @3:00pm in Hallam.
Walhalla Goldfields Restoration Society Inc.	The Society operates and manages the tourist train & associated railway infrastructure. <i>(Note: separate entity to the Walhalla Tourist Railway COM).</i>	The Committee sets its own meeting schedule.
Australian Paper Community Environmental Consultative Committee	Oversees the environmental performance of the Australian Paper Mill. Includes updates on progress on Environmental Improvement Plans and other related projects.	Next Meeting 19/2/09.
Baw Baw Latrobe Local Learning & Employment Network	To provide strategic advice to the network in regard to training and employment for young people.	3 rd Thursday each month @4.00pm at the Technology Centre in Traralgar.
Community Building Initiative Steering Committee	To chair the CBI steering committee.	Bi-monthly usually Tuesday @9:00am at Traralgon Police Station.
Traralgon CBD Safety Group	To chair the meeting and support programs and projects that decreases the incident of anti social behaviour in the Traralgon CBD.	Bi-monthly in Traralgon (either at the police station or service centre).
Morwell CBD Safety Group	To chair the meeting and support programs and projects that decreases the incident of anti social behaviour in the Morwell CBD.	Bi-monthly on Tuesday or Wednesday @5:45pm at Morwell Police Headquarters.

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
Traralgon Recreation Reserve and Showgrounds User Group Committee	Provide advice in the development, maintenance and usage of the reserve.	Wednesdays @7:00pm - Traralgon Fire Brigade Building at the Rec Reserve: 11/2/09; 13/5/09; 12/8/09; 11/11/09.
Callignee and Traralgon South Sporting and Facility User Group	To maintain, develop and manage the sporting reserves and facilities.	Meeting Tuesday 24/2/09 @ 7:30pm - Traralgon South Recreation Reserve sporting pavilion. 3 more meeting dates for 2009 to be decided upon at first meeting.
5. COUNCIL WORKING GROUPS		
Link Editorial Committee	To review and suggest editorial content for forth coming issues of Link.	Quarterly ahead of each issue of <i>Link</i> .
Cultural and Linguistic Diversity Policy Reference Group	To review and monitor the use of the Cultural and Linguistic Diversity Policy.	Meetings held quarterly at HQ.
Community Engagement Reference Group	Convened on an as need basis to review and monitor the community engagement (consultation) policy and associated strategy as required.	Meetings scheduled in line with set review period.
Loy Yang Power Latrobe Community Soundshell Management and Advisory Committee	To provide strategic direction for the future development of the Soundshell and ensure that community needs and expectations are met and to consider functions and events which are proposed to held at the Soundshell.	Generally 1 st Tuesday of the month. First meeting for 2009 @6.00pm on 10/2/09 - McFarlane Burnet Room Traralgon.
Chief Executive Officer Performance Review Committee	Consisting of Mayor and two Councillors with Fiona McAlister from FM Consulting to review the CEO achievement against Performance Plan.	Two reviews held each year - Interim review with committee only; Annual review involving full Council.
Coal Land Use Planning Committee	To review and monitor the implications of coal related land use planning matters.	Meets as required. Average 4 times per year.
Latrobe City Hyland Highway Municipal Landfill Community Advisory Committee	The purpose of this committee is to act as a sounding board and advocate for the community bringing issues of concern to the attention of Latrobe City Council in relation to construction and operation of the Latrobe City Hyland Highway Landfill. To act as a conduit for communication between Latrobe City Council and the community. To review environmental reports and participate in the development and rehabilitation of the site.	Meeting as required - alternating between Traralgon South Community Hall and Traralgon Civic Centre.
Integrated Planning and Wellbeing Committee	To facilitate coordinated service planning and encourage partnerships that lead to improved outcomes for the community.	Meetings held quarterly – Fridays @8:30am in the Nambur Wariga Room.

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
Municipal Strategic Statement Working Group	To provide guidance on the consultation process for the MSS review, provide policy guidance on the content of revised draft MSS prior to presenting to the full Council, and review submissions from exhibition of planning scheme amendment.	Meets as required. Average of 4 times per year with more intensity in MSS review years – 2008 and 2011.
Jumbuk & Yinnar South Community Timber Traffic Working Party	To undertake consultation to identify the communities' preferred option in relation to the timber haulage routes in the Jumbuk Road, Middle Creek Road and Upper Middle Creek Road area.	Meets on an as needs basis.
Latrobe City Climate Change Consultative Committee	The purpose of this committee is to promote the activities and leadership displayed in Latrobe City in addressing Climate Change, to act as an advocate fro the community and stakeholders in bring to the attention of Latrobe City issues and concerns, to review initiates and activities and provide advice to the community in relation to the climate change issue.	Meetings to be quarterly.
Rail Freight Working Group	To provide guidance to the development of rail freight infrastructure in the City.	No regular schedule. Meets on an as needs basis during business hours at HQ.
6. ASSOCIATIONS		
Victorian Local Governance Association (VLGA)	Its role is to assist local governments to maintain peace, order and good governance in the municipal districts of Victoria.	N/A
Municipal Association of Victoria (MAV)	Peak advocacy body for Victorian Local Government Council to promote and improve community awareness, inter-government cooperation.	Twice a year in Melbourne.
Green Inc. Board	Board established to foster the development of ecologically sustainable and complementary technologies in the Gippsland region.	Bi-monthly @ Green Inc.
Timber Towns Victoria (Committee)	Advocacy group for Council's in Victoria with special interest in the wood, pulp and paper industries.	Meets every two months for two to four hours in Melbourne.
MAV Strategic Environment Advisory Group	To provide advice to MAV on environmental issues of importance to local government and the needs and issues of members in relation to environmental outcomes.	MAV to advise on meeting schedule.
South East Australian Transport Strategy (SEATS)	Advocacy group for the development of transport infrastructure in the South East Australian region.	Meets every 2 to 3 months at venues from southern NSW to Narre Warren. Meetings are held over two days and include an overnight stay.
Regional Cities Victoria	Group of Mayors and CEOs to lobby government and undertake projects to benefit regional Victoria.	Meets every 2 months in Melbourne.

COMMITTEE	SUMMARY	2009 STANDARD MEETING SCHEDULE & USUAL VENUE
Gippsland Local Government Network (GLGN)	The Gippsland Local Government Network (GLGN) is an alliance of six Gippsland Councils who represent the collective interests of Gippsland and work cooperatively on issues and projects of mutual interest.	Bi-monthly for Mayors & CEOs; Bi-monthly CEOs only.
West Gippsland Catchment Management Authority – Central Catchment Ecosystem Advisory Group [CCEAG]	Advisory group designed to update and consult the community and other stakeholders in relation to the projects that the Ecosystem Unit within the WGCMA are undertaking within the Central catchment area.	5 meetings a year @ WGCMA Building, Hotham St Traralgon. Meetings dates to be confirmed.
Alliance of Councils for Rail Freight Development	To encourage an increase in the use of rail for transporting freight in Victoria.	Meets around every two months for two to four hours in Melbourne.

4. ISSUES

Council is responsible for participating in various Council committees and groups. To ensure that the Committees and groups remain relevant, it is important to review Council's representation periodically, but especially following a General Election.

The following changes have been made to the various committees detailed in the Council Delegates and Committees document for the 2007/08 Mayoral Term:

(a) Committees added to the list:

- Edward Hunter Heritage Bushland Reserve Committee;
- Morwell Town Common Development Plan Steering Committee;
- Latrobe City Venues User Group;
- Australia Day Advisory Committee;
- Gippsland Sports Academy;
- Community Building Initiative Steering Committee;
- Traralgon CBD Safety Group;
- Morwell CBD Safety Group;
- Traralgon Recreation Reserve and Showgrounds User Group Committee;
- Callignee and Traralgon South Sporting and Facility User Group;
- Jumbuk & Yinnar South Community Timber Traffic Working Party;
- Latrobe City Climate Change Consultative Committee;
- Rail Freight Working Group; and
- Alliance of Councils for Rail Freight Development.

(b) Committees deleted (or to be deleted) from the list:

- Glendonald Park Advisory Committee;
- Eva West Memorial Scholarship Committee;
- Traralgon South / Callignee Landcare Group;
- Gippsland Community Leadership Program;
- Lake Narracan User Group;
- Morwell River Wetlands Committee;
- Community Environment Working Group;
- Traralgon Bypass Working Group;
- Gippsland Education Board;
- Minister for Planning & MAV - Melbourne 2030 Portfolio Representative; and
- MAV Professional Development Advisory Committee.

In relation to the inoperative Glendonald Park Advisory Committee, a resolution of Council will be necessary to formally dissolve it and revoke its status as an official Advisory Committee of Council by reason of the Terms of Reference approved by Council on 1 September 2003.

(c) Proposed reclassification of Committee:

- Subject to the preceding resolution of Council regarding the review of special council committees, to revoke each committees' Special Committee status:
 - Moe Yallourn Rail Trail;
 - Crinigan Bushland Reserve Committee of Management;
 - Mathison Park Advisory Committee;
 - Ollerton Avenue Bushland Reserve Committee of Management;
 - Latrobe Regional Motorsport Complex Committee;
 - Sale of Goods from Council Properties Committee; and
 - Demolition Works Committee.
- Latrobe City Hyland Highway Municipal Landfill Advisory Committee.

(d) The following name changes should also be noted:

- Churchill & District Community Hub Board (established as the *Churchill & District Intergenerational Community Hub Board*);
- Latrobe Regional Motorsport Complex User Group (previously called the *Latrobe Regional Motorsport Complex Committee*);

- Latrobe Safety and Wellbeing Network (previously called the *Latrobe Safety Committee*);
- Coal Land Use Planning Committee (previously called the *LV2100 Committee*).

This report is based on the premise that Council will accept the recommendations made in the preceding report entitled *Review of Council Special Committees* [Item 11.6.2].

5. **FINANCIAL AND RESOURCES IMPLICATIONS**

Any potential financial implications are expected to be within budget allocations and relate directly to meeting attendance and travel claim costs.

Potential resource implications for appointed delegates would include a time commitment to attend respective committee meetings.

6. **INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used:

This is a procedural report and no external consultation has been engaged.

Prior to the preparation of this report the attached listing of committees was provided to the Executive Team and Senior Leadership Team for consideration.

Details of Community Consultation / Results of Engagement:

Following the appointment of Council Delegates, the respective organisations and committees will be advised.

It is also proposed to make the attached document available to the public via Council's website.

7. **OPTIONS**

Council may either decline to appoint a delegate to a specific committee and/or appoint additional or other person(s) as the Council delegate(s).

Council has the option to appoint delegates for any length of time during the term of the Council.

Council may wish to reactivate the Glendonald Park Advisory Committee and/or deem it necessary for it to retain its current status as an official Advisory Committee of Council.

8. CONCLUSION

The Glendonald Park Advisory Committee was unworkable and no longer operates. Therefore, it is recommended that Council formally dissolves this Committee and revokes its status as an Advisory Committee of Council.

Should this be approved by Council, the attached *2008-2009 Council Delegates and Committees 09 DEL-1* document is presented for Council to make appointments for the remainder of the 2008/09 Mayoral Term.

9. RECOMMENDATION

1. That Council dissolves the Glendonald Park Advisory Committee and revokes its status as an Advisory Committee of Council pursuant to the Terms of Reference adopted by Council on 1 September 2003.
2. That Council appoints the designated representatives to the various committees detailed in the *2008-2009 Council Delegates and Committees 09 DEL-1* document for the remainder of the 2008/09 Mayoral Term.
3. That the Committees, Associations and working groups be advised of the Councillor and officer appointments for the remainder of the 2008/09 Mayoral Term.
4. That the *2008-2009 Council Delegates and Committees 09 DEL-1* document be accessible to the public via Council's website.
5. That Council acknowledges the work performed by its current and former committees and thanks its members for their contribution.

Moved: Cr Kam

Seconded: Cr Gibson

1. That Council dissolves the Glendonald Park Advisory Committee and revokes its status as an Advisory Committee of Council pursuant to the Terms of Reference adopted by Council on 1 September 2003.
2. That Council appoints the designated representatives to the various committees detailed in the *2008-2009 Council Delegates and Committees 09 DEL-1* document, as amended, for the remainder of the 2008/09 Mayoral Term.
3. That the Committees, Associations and working groups be advised of the Councillor and officer appointments for the remainder of the 2008/09 Mayoral Term.
4. That the *2008-2009 Council Delegates and Committees 09 DEL-1* document be accessible to the public via Council's website.
5. That Council acknowledges the work performed by its current and former committees and thanks its members for their contribution.

CARRIED UNANIMOUSLY

Moved: Cr Kam

Seconded: Cr Lougheed

That Council publish a list of Council's own committees meeting dates and times on Council's website.

CARRIED UNANIMOUSLY

URGENT BUSINESS

12. URGENT BUSINESS

Moved: Cr Kam

Seconded: Cr Gibson

That Cr Kam be permitted to introduce an item of Urgent Business.

CARRIED UNANIMOUSLY

Moved: Cr Kam

Seconded: Cr Gibson

That the Chief Executive Officer present a written report and recommendations to Council at the next Ordinary Council Meeting to be held on 2 March 2009, addressing the possibility of the following:

1. **Waiving of Council land rates for the next financial year for those directly affected by the bush fire tragedy.**
2. **Free access to Council sport and leisure facilities.**
3. **Chief Executive Officer develop a draft eligibility criteria for items 1 and 2.**
4. **Any other items that the Council might deem to be of assistance to those affected.**

CARRIED UNANIMOUSLY

13. TEA BREAK

Adjournment of Meeting

The Mayor adjourned the Meeting at 8.34 pm for a tea break.

Resumption of Meeting

The Mayor resumed the Meeting at 8.47 pm.

Meeting Closed to the Public

The Meeting closed to the public at 8.47 pm.