



**HEPBURN SHIRE COUNCIL  
STATUTORY MEETING OF COUNCIL  
MINUTES**

**TUESDAY 12 NOVEMBER 2019**

**DAYLESFORD TOWN HALL**

**6:00PM**

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# MINUTES

TUESDAY 12 NOVEMBER 2019

Daylesford Town Hall  
Vincent Street, Daylesford  
Commencing 6:00PM

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EVAN KING  
CHIEF EXECUTIVE OFFICER  
12 NOVEMBER 2019

## 1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

We would like to acknowledge we are meeting on Jaara people country, of which members and elders of the Dja Dja Wurrung community and their forebears have been custodians for many centuries.

On this land, the Jaara people have performed age old ceremonies of celebration, initiation and renewal.

We acknowledge their living culture and their unique role in the life of this region.

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## 2. ACKNOWLEDGEMENT OF PAST MAYORS AND COUNCILLORS

We would like to acknowledge the past Mayors and Councillors of Hepburn Shire Council who are in attendance tonight.

We thank them for their dedication and contributions to the Hepburn Shire community.

They have helped shape Hepburn Shire Council into the high performing organisation that it is today.

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## 3. SAFETY ORIENTATION

Emergency exits and convenience facilities at the venue to be highlighted to members of the public in attendance.

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## 4. OPENING OF MEETING

The Statutory Meeting of Council has been called to conduct the business associated with the terms of office for the Mayor and the Deputy Mayor, the election of the Hepburn Shire Council Mayor and the Deputy Mayor for 2019/2020.

The Ordinary Meeting of Council for the month of November will be held on Tuesday 19 November 2019. Any normal Council business and public question time will be conducted at that time.

**PRESENT:** Cr Don Henderson, Cr Neil Newitt, Cr Greg May, Cr Licia Kokocinski, Cr John Cottrell, Cr Fiona Robson and Cr Kate Redwood AM

**IN ATTENDANCE:** Mr Evan King Chief Executive Officer, Mr Bradley Thomas Director Community and Corporate Services, Mr Bruce Lucas Director Infrastructure and Development Services, Ms Katherine Toom Coordinator Governance and Information, Ms Rebecca Smith Governance and Information Officer.

### STATEMENT OF COMMITMENT

“WE THE COUNCILLORS OF HEPBURN SHIRE  
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION  
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS  
OF THE COMMUNITY  
AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS  
OF THE CODE OF GOOD GOVERNANCE  
SO THAT WE MAY FAITHFULLY REPRESENT  
AND UPHOLD THE TRUST PLACED IN THIS COUNCIL BY THE  
PEOPLE OF HEPBURN SHIRE

#### 5. APOLOGIES

Nil.

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#### 6. DECLARATIONS OF CONFLICTS OF INTEREST

Under section 79C of the *Local Government Act 1989*, a Councillor does not have a Conflict of Interest if the matter relates to the election of the Mayor.

Nil.

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## 7. APPOINTMENT OF TEMPORARY CHAIRPERSON

Section 72 of the *Local Government Act 1989* specifies that the office of Mayor became vacant at 6:00am today, the day of election.

Pursuant to the provisions of Local Law No. 1 Meetings Procedures 2014 (the Local Law) and the *Local Government Act 1989* (the Act), the Chief Executive Officer must open the meeting at which the Mayor is to be elected and preside until the meeting elects a temporary Chairperson.

At any meeting to elect the Mayor, any Councillor may be appointed as a temporary Chairperson to deal with the receipt of nominations for the election of Mayor and to conduct the election of Mayor in accordance with the provisions of the Local Law.

The Chief Executive Officer will call for a motion to appoint a temporary Chairperson.

Following the election of the Mayor, the incoming Mayor shall assume the Chair to deal with the remaining matters before the meeting.

### RECOMMENDATION

7.1.1. That Council appoints Cr \_\_\_\_\_ to fulfil the position of temporary Chairperson until the Mayor is elected.

### MOTION

7.1.1. *That Council appoints Cr Kate Redwood AM to fulfil the position of temporary Chairperson until the Mayor is elected.*

**Moved:** Cr Licia Kokocinski

**Seconded:** Cr John Cottrell

**Carried**

Cr Kate Redwood AM assumed the Chair.

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## 8. ACKNOWLEDGEMENT OF PREVIOUS MAYOR FOR 2018/2019

### 8.1. PREVIOUS MAYOR'S REPORT 2018/2019

At the outset I would like to thank my colleagues for the way they have conducted themselves during my term as Mayor. I cannot recall having to restore order through acrimony or inappropriate behaviour. Sadly this is not the case with many councils throughout Victoria

Likewise, the staff from the CEO and throughout the organisation have been a pleasure to work with and have made my job very easy. Especially I note Michelle Dove, Personal Assistant to the CEO, who gives me reminders and helps with a very busy diary and Maria Abate who has attempted to keep me on the straight and narrow when it comes to dealing with the media. Keeping me on the straight and narrow is not an easy task.

The executive team have provided me with support and information so that I could go out and be informed when I speak. As I say this has been an organisation wide effort

I have been made very welcome by our residents and ratepayers throughout the Shire In return and hope that they feel I have given my best efforts to put this Shire at the forefront in all of the various forums that the job of Mayor demands.

It has made me very proud to lead an organisation that punches way above its weight in most areas of our operations and in particular the work of the future in the environment, our youth and the women in our communities.

The job of Mayor has expanded as we have embraced our neighbours in other Shires not only in the Grampians region but also those in the Loddon Campaspe. This has created a new layer of work and has only been possible by the Herculean efforts of our CEO Evan King It has truly been a team effort.

As I leave the office of Mayor it is with some sadness, as I do truly enjoy being part of the team that sees us moving to a position of trust with our counterparts in government. It is in this area that I really enjoy working and I think we have been able to build great relationships that really benefit our Shire. Relationship building is what the job is all about. Just reflecting on the words of former Ballarat Mayor Samantha McIntosh when she stated that she could not remember such a collaborative and trusted relationship. Despite what people say about local government not being involved in politics to me it is all about the politics of getting along with people and building trust. Nothing

to do with party politics as we know it though, it is the politics of the people in its very diverse forms

Another satisfying area is the trust we are building with the first Australians in our region the Dja Dja Wurrung people. We are at the head of the pack in the way we are engaging in this very important area.

I will continue to always give a cheery smile and a bit of horsing around and undertake to assist the work of our new Mayor and indeed anyone else who seeks my advice. Not sure if the new Mayor will shake their tail feathers at Chillout but then everybody is a bit different. I hope that I have provided a bit of fun and I do not really care if you laugh at me or with me as long as you laugh.

Lastly, there is someone very special in the gallery tonight and I must say that in many ways Hepburn Shire has had two for the price of one. So thank you to my partner and best friend Judy. The support you have given me could not be bought and I sincerely thank you.

Cr Don Henderson

### **RECOMMENDATION**

8.1.1. That Council receives and notes the previous Mayor's report for 2018/2019.

### **MOTION**

*8.1.1. That Council receives and notes the previous Mayor's report for 2018/2019.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr Licia Kokocinski

**Carried**

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### **8.2. VOTE OF THANKS TO PREVIOUS MAYOR**

Each Councillor and the Chief Executive Officer may express their thanks and appreciation to the outgoing Mayor for his term of office.

The temporary Chairperson will call upon Councillors who wish to express their appreciation to the outgoing Mayor.

Mr Evan King addressed Council and thanked the Mayor.  
Cr May addressed Council and thanked the Mayor.  
Cr Kokocinski addressed Council and thanked the Mayor.  
Cr Newitt addressed Council and thanked the Mayor.  
Cr Cottrell addressed Council and thanked the Mayor.  
Cr Robson addressed Council and thanked the Mayor.  
Cr Redwood AM addressed Council and thanked the Mayor.

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## 9. TERM OF MAYOR

Section 71 (2) of the *Local Government Act 1989* states that:

Before a Mayor is elected under this section, the Council **may** resolve to elect a Mayor for a term of two years.

This implies that Council must consider the Mayoral term before the election of the Mayor.

### RECOMMENDATION

9.1.1. That Council elects the Mayor for a term of one year.

### MOTION

9.1.1. *That Council elects the Mayor for a term of one year.*

**Moved:** Cr John Cottrell

**Seconded:** Cr Fiona Robson

**Carried**

## 10. ELECTION OF MAYOR

### 10.1. ELECTION OF MAYOR 2019/2020

The Office of Mayor is currently vacant. Any Councillor is eligible for election to the office of Mayor.

The *Local Government Act 1989* (the Act) section 71(1) states that Councillors must elect a Councillor to be the Mayor at a meeting of the Council that is open to the public. In accordance with the Act, the Mayor is to be elected after the fourth Saturday in October but not later than 30 November in each year.

The Act section 90(1)(ca) states that voting at a meeting that is open to members of the public must not be in secret. Voting at Council Meetings is by show of hands.

Nominations are to be called. When the Mayor is elected and has given his or her incoming speech, he or she will assume the Chair.

The aims of the position of Mayor are:

- To provide leadership in pursuing the objectives of the Council Plan and other strategic priorities of Council; and
- To be the ceremonial head at official civic and community functions.

The role of the Mayor includes:

- Liaising closely with the Chief Executive Officer to ensure effective relationships between Council and administration in pursuing Council goals;
- Creating and maintaining political stability;
- Embodying the community's democratic leadership and providing a symbol of democracy to the community;
- Leading, co-ordinating and providing guidance for the Council and Councillors;
- Chairing Council meetings to ensure adequate Council discussions and community debate on key issues and providing leadership and direction;
- Speaking publicly about local government's role and developments in the community; and
- Representing the municipality at key ceremonial occasions and in political forums.

### RECOMMENDATION

10.1.1. That Council pursuant to section 71 of the Local Government Act 1989 and section 15.1.1 of the Hepburn Shire Council Local Law No.1 Meeting Procedure 2014, declares Councillor \_\_\_\_\_ elected as Mayor of Hepburn Shire Council for the 2019/2020 term of office.

### MOTION

*10.1.1. That Council pursuant to section 71 of the Local Government Act 1989 and section 15.1.1 of the Hepburn Shire Council Local Law No.1 Meeting Procedure 2014, declares Cr Licia Kokocinski elected as Mayor of Hepburn Shire Council for the 2019/2020 term of office.*

**Moved:** Cr Licia Kokocinski

**Seconded:** Cr Don Henderson

**Carried unanimously**

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### 10.2. PRESENTATION OF MAYORAL MEDALLION

The Chief Executive Officer will present the Mayor with Mayoral Medallion.

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### 10.3. CONGRATULATORY REMARKS TO MAYOR

Each Councillor and the Chief Executive Officer may offer their congratulations to the Mayor.

Cr Don Henderson addressed Council in support of the new Mayor.

Cr May addressed Council in support of the new Mayor.

Cr Robson addressed Council in support of the new Mayor.

Cr Cottrell addressed Council in support of the new Mayor.

Cr Newitt addressed Council in support of the new Mayor.

Cr Redwood AM addressed Council in support of the new Mayor.

Mr Evan King addressed Council in support of the new Mayor.

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#### 10.4. INCOMING MAYORAL SPEECH

I want to thank my Councillor colleagues who have put their faith in me as a Councillor to lead this municipality.

I did not seek the position of Mayor, however after approaches from Councillor colleagues and others, I decided that I would have a go.

Again, I thank my Councillor colleagues and I will tirelessly to advance the Shire and continue to work towards it reaching its potential in many spheres – agriculture, social and community issues, environment, economy and of course, to continue to lead in the mitigation of climate change.

As I see the role, an important component will be providing leadership by ensuring good governance practices. On this issue, I appreciate that 2020 will be a challenging year – we await with anticipation the completion of the Local Government Inspectorate’s investigation of the Rex Hub matter and the tabling of its findings, conclusions and recommendations. Planning will continue to be an important issue, and we have lots of work both with the development and implementation of a Planning Scheme and internally as a Council to oversee these matters.

As the political leader of Council, I commit myself completely to finishing the job of instituting contemporary governance and accountability governance structures and processes.

On the accountability issue, this should not be interpreted as rolling over on every demand made by interest groups. We have to remember that for every passionately put position is an equally and just as passionately put opposite position. Council’s role is to make the best decisions it can based on the laws of our Parliaments, evidence presented, balance risk of doing something and not doing something, and ultimately making a judgement on the best course of action for the longer term.

Our previous Mayor, Cr Don Henderson has turned relationship building into quite an art form. He, and I sure others will support this, saw the importance of development good relationships at every level of government, politics, the community, and other councils and I will continue this course.

To our CEO, Mr Evan King and his marvellous team of Directors, Managers and Council staff, I look forward to continue our good working relationship and I have total confidence in our CEO to deliver on Councils plans.

So, now we have the Deputy Mayor's position to fill and then we continue on with our work.

Cr Licia Kokocinski

**RECOMMENDATION**

10.4.1. That Council receives and notes the Mayor's inaugural speech.

**MOTION**

*10.4.1. That Council receives and notes the Mayor's inaugural speech.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Neil Newitt

**Carried**

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**10.5. THE MAYOR TAKES THE CHAIR**

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## 11. DEPUTY MAYOR

Council may elect a Deputy Mayor.

The aims of the position of Deputy Mayor are:

- To assist the Mayor to carry out his or her day to day duties as and when required; and
- To carry out the functions of Mayor in his or her absence.

Council has an obligation under section 73(3) of the *Local Government Act 1989* (the Act) to appoint a Councillor as an Acting Mayor in the instance that there is a vacancy in the Office of the Mayor or the Mayor is otherwise absent.

Councils often elect and appoint a Deputy Mayor to serve this purpose under section 73(3) of the Act after they have elected the Mayor. In the absence of the Mayor, the Deputy Mayor will become the Acting Mayor and in accordance with section 73(4) of the Act '*may perform any function or exercise any power conferred on the Mayor*'. For example, it will be the role of the Deputy Mayor to chair any meetings of Council in the absence of the Mayor.

In the instance where Council resolves not to appoint a Deputy Mayor and there is an absence of the Mayor, the Council will need to appoint an Acting Mayor in accordance with section 73(3) of the Act.

An election for the position of Deputy Mayor is conducted at the discretion of the Council. An election of a Deputy Mayor will be conducted in the same manner as that for an election of the Mayor.

### RECOMMENDATION

11.1.1. That Council resolves to elect a Deputy Mayor for a term of one year.

**MOTION**

11.1.1. *That Council resolves to elect a Deputy Mayor for a term of one year.*

**Moved:** Cr Kate Redwood

**Seconded:** Cr Fiona Robson

**Carried**

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## 12. ELECTION OF A DEPUTY MAYOR

### 12.1. ELECTION OF DEPUTY MAYOR FOR 2019/2020

*Local Law No. 1 Meeting Procedures*, section 15.3 provides that to elect a Deputy Mayor, the provisions for election of the Mayor will apply to the election of the Deputy Mayor with all necessary adaptations.

Nominations for the position of Deputy Mayor to be called.

#### RECOMMENDATION

12.1.1. That Council pursuant to section 15.3 of Council's Local Law No.1 Meeting Procedures 2014, declares Cr \_\_\_\_\_ elected as Deputy Mayor of Hepburn Shire Council for the 2019/2020 term of office.

#### MOTION

12.1.1. *That Council pursuant to section 15.3 of Council's Local Law No.1 Meeting Procedures 2014, declares Cr John Cottrell elected as Deputy Mayor of Hepburn Shire Council for the 2019/2020 term of office.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Don Henderson

**Carried unanimously**

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### 12.2. INCOMING DEPUTY MAYOR'S SPEECH

Cr John Cottrell addressed the meeting.

#### RECOMMENDATION

12.2.1. That Council receives and notes the Deputy Mayor's inaugural speech.

**MOTION**

12.2.1. *That Council receives and notes the Deputy Mayor's inaugural speech.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Greg May

**Carried**

### 13. OFFICER REPORTS

#### 13.1. REVIEW OF COUNCILLOR REPRESENTATION ON COMMITTEES, BOARDS AND EXTERNAL BODIES

##### DIRECTOR COMMUNITY AND CORPORATE SERVICES

*In providing this advice to Council as the Coordinator Governance and Information, I Katherine Toom have no interests to disclose in this report.*

##### PURPOSE

The purpose of this report is for Council to update Councillor representation on committees, boards and external bodies.

##### BACKGROUND

On an annual basis, following the appointment of the Mayor and Deputy Mayor, Council reviews Councillor representation on Special and Advisory Committees of Council, and external bodies and makes amendments where required. Despite a few minor changes over the past year, the last full review was performed in November 2018.

##### ISSUE/DISCUSSION

Consistent with previous years, it is now an appropriate time to review and update these appointments in consultation with Councillors. The preferred representation to Committees by Councillors and staff for the next twelve months is outlined below.

<b>Organisation/Committee</b>	<b>Suggested Representative 2019/2020</b>
<b>External Bodies</b>	
Committee of Management for DELWP (26 Committees)	All Councillors Represent their ward at these meetings when required
Municipal Association of Victoria	Cr John Cottrell
Victorian Local Governance Association	Cr Fiona Robson

<b>Organisation/Committee</b>	<b>Suggested Representative 2019/2020</b>
Grampians Central West Waste and Resource Recovery Group Forum	Cr Kate Redwood AM
World Heritage Listing of the Victorian Goldfields Region Steering Committee	Cr Neil Newitt Alternate: Cr Don Henderson Manager Community and Economic Development
Central Highlands Councils Victoria	Mayor
Loddon Campaspe Councils Victoria	Mayor
<b>Council Advisory Committees</b>	
Audit and Risk Advisory Committee (two positions)	Mayor Cr John Cottrell
Municipal Emergency Management Planning Committee	Cr Greg May
Public Art Advisory Committee	Annual Ward Councillor on Rotation: Cr John Cottrell for the installation project already in progress for Holcombe Ward Cr Kate Redwood AM for the installation project to commence for Birch Ward
Mineral Springs Reserves Advisory Committee	Cr Fiona Robson
International Women's Day Organising Committee	Cr Kate Redwood AM for the planning of IWD 2020 event

<b>Organisation/Committee</b>	<b>Suggested Representative 2019/2020</b>
	Cr Licia Kokocinski for the planning of IWD 2021 event
White Ribbon Committee	Cr Greg May Cr Don Henderson Cr Kate Redwood AM
Reconciliation Action Plan Advisory Committee	Mayor
Disability Advisory Committee	Cr John Cottrell Cr Fiona Robson

### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Many of these committees have been established to advise Council, or for Council to provide input, in the development of policy and strategy.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

### **RISK IMPLICATIONS**

Councillor representation is required on committees, boards and external bodies to ensure that public views are incorporated into the decision-making process.

### **ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS**

Effective community engagement provides the opportunity for Hepburn Shire community members to influence Council decisions and where appropriate play a partnership role in the planning and implementation of those decisions.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The purpose of these committees, boards and external bodies is to achieve effective community and stakeholder engagement both internally and externally.

## CONCLUSION

The review of Councillor representation on committees, boards and external bodies, provides strong and diverse Council representation on behalf of the Hepburn Shire community.

## OFFICER'S RECOMMENDATION

13.1.1. That Council appoints the following councillors to the listed committees, boards and external bodies:

Organisation/Committee	Representative 2019/2020
<b>External Bodies</b>	
Committee of Management for DELWP (26 Committees)	All Councillors Represent their ward at these meetings when required
Municipal Association of Victoria	Cr John Cottrell
Victorian Local Governance Association	Cr Fiona Robson
Grampians Central West Waste and Resource Recovery Group Forum	Cr Kate Redwood AM
World Heritage Listing of the Victorian Goldfields Region Steering Committee	Cr Neil Newitt Alternate: Cr Don Henderson Manager Community and Economic Development
Central Highlands Councils Victoria	Mayor
Loddon Campaspe Councils Victoria	Mayor
<b>Council Advisory Committees</b>	
Audit and Risk Advisory Committee (two positions)	Mayor Cr John Cottrell

<b>Organisation/Committee</b>	<b>Representative 2019/2020</b>
Municipal Emergency Management Planning Committee	Cr Greg May
Public Art Advisory Committee	Annual Ward Councillor on Rotation:  Cr John Cottrell for the installation project already in progress for Holcombe Ward  Cr Kate Redwood AM for the installation project to commence for Birch Ward
Mineral Springs Reserves Advisory Committee	Cr Fiona Robson
International Women's Day Organising Committee	Cr Kate Redwood AM for the planning of IWD 2020 event  Cr Licia Kokocinski for the planning of IWD 2021 event
White Ribbon Committee	Cr Greg May Cr Don Henderson Cr Kate Redwood AM
Reconciliation Action Plan Advisory Committee	Mayor
Disability Advisory Committee	Cr John Cottrell Cr Fiona Robson

13.1.2. That Council officers notify the relevant groups of the Councillor representations for the 2019/2020 period

**MOTION**

13.1.1. *That Council appoints the following councillors to the listed committees, boards and external bodies:*

<b>Organisation/Committee</b>	<b>Representative 2019/2020</b>
<b>External Bodies</b>	
Committee of Management for DELWP (26 Committees)	All Councillors Represent their ward at these meetings when required
Municipal Association of Victoria	Cr John Cottrell
Victorian Local Governance Association	Cr Fiona Robson
Grampians Central West Waste and Resource Recovery Group Forum	Cr Kate Redwood AM
World Heritage Listing of the Victorian Goldfields Region Steering Committee	Cr Neil Newitt and Cr Don Henderson Manager Community and Economic Development
Central Highlands Councils Victoria	Mayor
Loddon Campaspe Councils Victoria	Mayor
<b>Council Advisory Committees</b>	
Audit and Risk Advisory Committee (two positions)	Mayor Cr John Cottrell
Municipal Emergency Management Planning Committee	Cr Greg May
Public Art Advisory Committee	Annual Ward Councillor on Rotation: Cr John Cottrell for the installation project already

	in progress for Holcombe Ward Cr Kate Redwood AM
Mineral Springs Reserves Advisory Committee	Cr Fiona Robson
International Women's Day Organising Committee	Cr Kate Redwood AM for the planning of IWD 2020 event Cr Licia Kokocinski for the planning of IWD 2021 event
White Ribbon Committee	Cr Greg May Cr Don Henderson Cr Kate Redwood AM
Reconciliation Action Plan Advisory Committee	Mayor
Disability Advisory Committee	Cr John Cottrell Cr Fiona Robson
<i>13.1.2. That Council officers notify the relevant groups of the Councillor representations for the 2019/2020 period</i>	

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Fiona Robson

**Carried**

**14. CLOSE OF MEETING**

The meeting closed at 6:41pm.

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