Ordinary Council Meeting Minutes

Mildura Rural City Council

5.00pm Wednesday 25 January 2017
Committee & Council Room
76 Deakin Ave, Mildura

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1 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

The Mayor read the Council prayer and paid respects to the traditional land owners.

2 OPENING AND WELCOME

The Mayor welcomed the public to this meeting.

3 PRESENT

Councillors

Cr Glenn Milne	Mayor
Cr Jason Modica	Deputy Mayor
Cr Greg Brown	
Cr Anthony Cirillo	
Cr Simon Clemence	
Cr Ali Cupper	
Cr Mark Eckel	
Cr Min Poole	
Cr Max Thorburn	

Officers

Matthew George	Acting General Manager Development
Martin Hawson	General Manager Community
Chris Parham	General Manager Corporate
Richard Sexton	Manager Corporate Administration

4 APOLOGIES

Nil

5 CONFIRMATION OF MINUTES

2017/0001

Moved: **Cr Simon Clemence**
Seconded: **Cr Min Poole**

That the Minutes of the Ordinary Council Meeting held on Thursday 15 December 2016 be confirmed as a correct record.

CARRIED

2017/0002

Moved: **Cr Simon Clemence**
Seconded: **Cr Min Poole**

That the Minutes of the Confidential Council Meeting held on Thursday 15 December 2016 be confirmed as a correct record.

CARRIED

6 CONFIRMATION OF ASSEMBLY OF COUNCILLORS

In accordance with Section 80A of the Local Government Act 1989 (the Act), records of Assemblies of Councillors must be reported at the next practicable Council meeting and recorded in the minutes.
An Assembly of Councillors is defined in Section 76AA of the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least on Council officer.

The record is therefore presented for Council's noting.

2017/0003

Moved: **Cr Simon Clemence**
Seconded: **Cr Min Poole**

That Council notes the Assembly of Councillors record from the meeting held on 8 December 2016.

CARRIED

RECORD OF ASSEMBLIES OF COUNCILLORS

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Council Forum 8 December 2016	Cr Glenn Milne Cr Jason Modica Cr Greg Brown Cr Mark Eckel Cr Simon Clemence Cr Min Poole Cr Anthony Cirillo	Gerard José, Chief Executive Officer Chris Parham, General Manager Corporate Martin Hawson, General Manager Community Andrew Millen, Acting General Manager Development Richard Sexton, Manager Corporate Administration	1. Mildura Airport P/L 2. Mildura Tourism/ Mildura Development Corporation single entity 3. Mildura Rural City Council Grants 4. Mildura Arts Centre Lift 5. Quarterly Financial Management Report 6. Councillor's questions	Nil

7 NOTIFICATION OF ABSENCE

Nil.

8 MAYORAL REPORT

8.1 MAYOR'S REPORT DECEMBER 2016

Summary

The following is a report on the activities and functions attended by the Mayor during the month of December 2016.

2017/0004

Moved: **Cr Simon Clemence**
Seconded: **Cr Min Poole**

That Council note the contents of this report.

CARRIED

9 COUNCILLORS REPORTS

9.1 COUNCILLORS' REPORT DECEMBER 2016

Summary

The following is a report on the activities and functions attended by Councillors during the month of December 2016.

2017/0005

Moved: **Cr Greg Brown**
Seconded: **Cr Anthony Cirillo**

That Council note the contents of this report.

CARRIED

NB: In addition, Cr Cirillo spoke regarding communication received from Mr Sam Testa of the local Department of Agriculture regarding fruit fly.

10 RESPONSES TO COUNCILLORS QUESTIONS

Nil

11 QUESTIONS FROM COUNCILLORS

11.1 CR ANTHONY CIRILLO FRUIT FLY PENALTIES

File Number: 12/12/01

"I received a call from Mr Sam Testa who works for the local Department of Agriculture and is responsible for the reporting of fruit fly infested fruits and trees. Sam has been working with our Local Laws Officer, Mr Sjaakie Adriaans, reporting instances of abandoned trees and fruit fly infested fruit, which Mr Adriaans is then responsible for and has been issuing notices to the responsible person which requires them to dispose of the fruit and/or the tree. Mr Testa has commended Mr Adriaans quick response and action to the reports however his concerns were that people were ignoring the notice because there is no consequences. My question is, does the Council have the power to enforce and create a penalty as the current laws stand, or can we as Councillors create a resolution to have such a penalty or fine created?"

Matthew George, Acting General Manager Development took this question on notice.

11.2 CR MAX THORBURN MILDURA RECREATIONAL RESERVE PROJECT WORKS

File Number: 16/03/01

"What is the current progress on the recreational project works at the Mildura Recreational Reserve, have there been any unforeseen problems or obstacles which will delay part or any of the works to finish within the previous deadlines which were announced?"

Martin Hawson, General Manager Community advised that there were no delays to this project.

11.3 CR MAX THORBURN WALNUT AVENUE PEDESTRIAN CROSSING CLOSURE

File Number: 14/02/26

"Before the Walnut Avenue pedestrian railway crossing is closed in lieu of the opening of the Langtree Avenue link, can there be a report and community consultation on whether this is the best option of a pedestrian crossing to close or would it better to close the lesser utilised pedestrian crossing behind the Mildura Arts Centre theatre to satisfy the requirements of VicTrack?"

Matthew George, Acting General Manager Development took this question on notice.

11.4 CR MAX THORBURN 2017-2018 COUNCIL BUDGET

File Number: 02/01/06

"When can Councillors' put forward new items for consideration in the 2017-2018 Council budget?"

Chris Parham, General Manager Corporate Services advised that the budget process for 2017-2018 has commenced and staff are currently working through internal processes. Mr Parham stated that this matter will be presented to Council in February where Councillors will have the opportunity for input into the budget process.

11.5 CR MAX THORBURN MONSTER TRUCK SIGNS

File Number: 04/02/01

"Can we keep a record of the number of illegal signs displayed, advertising the Monster Trucks that have been removed and what are the penalties under our existing by-laws?"

Matthew George, Acting General Manager Development advised that a record is kept of all illegal Local Law activity in Council's record management system. Mr George took the second part of the question on notice.

11.6 CR MAX THORBURN MILDURA HARNESS RACING CLUB - CHAIR LIFT

File Number: 02/01/06

"Following the resolution of Council on the Tourism and Events Grants which called for an item to be further investigated, could the report into the Mildura Harness Club application for a chair lift at the Ray Hepworth Centre be presented in writing at the February Council forum?"

Chris Parham, General Manager Corporate Services advised that this matter will be included in the agenda for the February Council forum.

11.7 CR MARK ECKEL MONSTER TRUCK SIGNS

File Number: 04/02/01

"Further to Cr Thorburn's question in regards to the inappropriate signage of the Monster Trucks, are by-laws officers taking those signs down?"

Councillor Glenn Milne stated that he too has put this question to Council and was advised that the signs are being removed when Local Laws are made aware. Matthew George, Acting General Manager Development confirmed Cr Milne's response..

12 NOTICES OF MOTION

Nil

13 MANAGEMENT REPORTS

13.1 LIBRARY SERVICES REVIEW

Summary

The purpose of this report is for Council to consider the outcomes from the community engagement undertaken for the review of Library Services and consider recommended actions for future Library Services for residents of Irymple, Mallee Track and the Millewa.

2017/0006

Moved: Cr Greg Brown
Seconded: Cr Max Thorburn

That Council seek community feedback on the following recommended actions from the review of the Library Services before reporting back to Council.

i. Develop a place-based Library from Council's Ouyen Service Centre
ii. Develop a place-based Library Service from an existing building in Murrayville
iii. Deliver a weekly Pop-up Library Service to Underbool and Walpeup
iv. Deliver a weekly Pop-up Library Service to Werrimull and Lake Cullulleraine
v. Close the Irymple facility and develop an alternate Library Service model for the Irymple area, including an enhanced home library service, increase staff visits to Kindergartens and provide technology services and programs.

AMENDMENT

Moved: Cr Ali Cupper
Seconded: Cr Jason Modica

That Council seek community feedback on the following recommended actions from the review of the Library Services before reporting back to Council.

i. Develop a place-based Library from Council's Ouyen Service Centre
ii. Develop a place-based Library Service from an existing building in Murrayville
iii. Deliver a weekly Pop-up Library Service to Underbool and Walpeup
iv. Deliver a weekly Pop-up Library Service to Werrimull and Lake Cullulleraine
v. Defer closer of the Irymple facility for 12 months and develop an alternate Library Service model for the Irymple area, including an enhanced home library service, increase staff visits to Kindergartens and provide technology services and programs.

The Amendment was put and LOST

The original motion was then put

Moved: **Cr Greg Brown**
Seconded: **Cr Max Thorburn**

That Council seek community feedback on the following recommended actions from the review of the Library Services before reporting back to Council.

i. **Develop a place-based Library from Council's Ouyen Service Centre**
ii. **Develop a place-based Library Service from an existing building in Murrayville**
iii. **Deliver a weekly Pop-up Library Service to Underbool and Walpeup**
iv. **Deliver a weekly Pop-up Library Service to Werrimull and Lake Cullulleraine**
v. **Close the Irymple facility and develop an alternate Library Service model for the Irymple area, including an enhanced home library service, increase staff visits to Kindergartens and provide technology services and programs.**

CARRIED

13.2 ADOPTION OF S5 INSTRUMENT OF DELEGATION

Summary

In accordance with Section 98(1) of the *Local Government Act 1989* (the Act), Council may, by instrument of delegation, delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act.

This report presents the S5 Instrument of Delegation from Council to the Chief Executive Officer for adoption.

2017/0007

Moved: **Cr Max Thorburn**
Seconded: **Cr Anthony Cirillo**

That Council:

(i) revoke the S5 Instrument of Delegation from Council to the Chief Executive Officer executed by Council on 24 March 2016;
(ii) adopt the S5 Instrument of Delegation from Council to the Chief Executive Officer as presented, subject to changing condition 5.1 to read "awarding a contract exceeding the value of $250,000"; and

(iii) authorise, once adopted, all powers be delegated to members of Council staff holding, acting in or performing the duties of officers or position referred to in the attached instrument of delegation.

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S5. Instrument of Delegation to Chief Executive Officer

Mildura Rural City Council

Instrument of Delegation

to

The Chief Executive Officer

Document Control Page

Document Information

	Information
TRIM File Number	18/02/05
Document Owner	General Manager Corporate Services
Last Update	January 2017

Document History

Version	Issue Date	Changes
0.1	27 May 2010	Minor wording change to include 'or future Act'.
0.2	March 2013	No changes – reviewed in accordance with Section 98(6) of the *Local Government Act 1989*
1.0	June 2013	Removal of reference to impartiality by Valuers as no longer relevant
2.0	February 2014	Insertion of Condition 5
3.0	February 2015	Insertion of word 'act" in condition 5
4.0	September 2015	Amendments to section 4.1 to reflect change to financial delegation
5.0	March 2016	Reference to appointment of Acting Chief Executive Officer
6.0	January 2017	Instrument of Delegation review by new Council

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 ("the Act") and all other powers enabling it, the Mildura Rural City Council ("Council") delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on Wednesday 25 January 2017.

2. the delegation

   2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

   2.2 is subject to any conditions and limitations set out in the Schedule;

   2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

   2.4 remains in force until Council resolves to vary or revoke it.

3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL of the **MILDURA RURAL CITY** **)**

COUNCIL was affixed hereto by authority of the **)**

Council in the presence of: **)**

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

25 JANUARY 2017 **DATE**

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act or future Act.

Conditions and Limitations

4. in their absence, the Chief Executive Officer must not appoint a person to be acting Chief Executive Officer for a continuous period of more than four weeks.

The delegate must not determine the issue, take the action or do the act or thing

5. if the issue, action, act or thing is an issue, action, act or thing which involves

    5.1 awarding a contract exceeding the value of $250,000.00;

    5.2 making a local law under Part 5 of the Act;

    5.3 approval of the Council Plan under s.125 of the Act;

    5.4 adoption of the Strategic Resource Plan under s.126 of the Act;

    5.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;

    5.6 adoption of the Auditor's report , Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;

    5.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;

    5.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;

    5.9 appointment of Councillor or community delegates or representatives to external organisations; or

    5.10 the return of the general valuation and any supplementary valuations;

6. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;

7. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

8. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

    8.1 policy; or
    8.2 strategy

    adopted by Council; or

9. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act, or otherwise; or

10. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

13.3 ADOPTION OF S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATIONS

Summary

The *Planning and Environment Act 1987* requires Council to appoint authorised officers by way of a S11A Instrument of Appointment and Authorisation. This report seeks Councils adoption of two S11A Instruments. These instruments also allow the officers to commence legal proceedings in Councils name.

2017/0008

Moved: **Cr Simon Clemence**
Seconded: **Cr Greg Brown**

That Council adopt the S11A Instrument of Appointment and Authorisation documents for the following staff:

(i) Bonnie Pettett, Environmental Sustainability Coordinator

(ii) Joanne Robinson, Environment Sustainability Biodiversity Officer

CARRIED

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation
(*Planning and Environment Act* 1987 only)

for

BONNIE PETTETT
ENVIRONMENTAL SUSTAINABILITY COORDINATOR

25 JANUARY 2017

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

BONNIE PETTETT

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act* 1987 – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 232 of the *Local Government Act* 1989 authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Council on 25 January 2017.

THE COMMON SEAL of the **MILDURA RURAL CITY** **)**

COUNCIL was affixed hereto by authority of the **)**

Council in the presence of: **)**

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

..... **DATE**

S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Mildura Rural City Council

Mildura Rural City Council

Instrument of Appointment and Authorisation
(*Planning and Environment Act* 1987 only)

for

JOANNE ROBINSON
ENVIRONMENTAL SUSTAINABILITY BIODIVERSITY OFFICER

25 JANUARY 2017

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

JOANNE ROBINSON

By this instrument of appointment and authorisation **Mildura Rural City Council –**

1. under section 147(4) of the *Planning and Environment Act* 1987 – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that act; and

2. under section 232 of the *Local Government Act* 1989 authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

(a) comes into force immediately upon its execution;

(b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Council on 25 January 2017.

THE COMMON SEAL of the **MILDURA RURAL CITY** **)**

COUNCIL was affixed hereto by authority of the **)**

Council in the presence of: **)**

)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

..... **DATE**

13.4 QUARTERLY FINANCIAL MANAGEMENT REPORT - 31 DECEMBER 2016

Summary

This report presents Council's draft financial position for the period ending 31 December 2016 through a number of standard reports that have been prepared using generally accepted accounting principles.

In summary, these reports show:

- a surplus of $37.603 million
- capital expenditure of $12.776 million
- cash and cash equivalents balance of $29.081 million
- investments greater than 90 days of $4.758 million.

2017/0009

Moved: Cr Anthony Cirillo
Seconded: Cr Mark Eckel

That Council note the contents of the Quarterly Financial Management Report for 31 December 2016.

CARRIED

13.5 SETTING OF MAYORAL AND COUNCILLOR ALLOWANCES

Summary

Following a public submission process, Councillors are now required to formally set allowances for the Mayor and Councillors for the current four year Council term.

2017/0010

Moved: Cr Greg Brown
Seconded: Cr Ali Cupper

That Council resolves to set the following allowances:

(i) the allowance for the Mayor to be set at $74,655.00 per annum;
(ii) the allowance for Councillors be set at $24,127.00 per annum.

CARRIED

13.6 USE OF THE LAND FOR A RESTRICTED RECREATION FACILITY (PERSONAL TRAINING AND YOGA STUDIO) - 7 PEVENSEY GROVE, MILDURA

Summary

Date Received:	8 August 2016
Subject Property:	7 Pevensey Grove MILDURA (Lot 77 PS 333453D P.E.R.)
Proposed Use/Development:	Use of the land for restricted recreation facility (personal training and yoga studio).
Zone:	General Residential Zone
Overlays:	Nil
Applicant:	Kate Tankard
Application Triggers:	Clause 32.08-2 Use
Relevant Provisions:	Clause 11.02-3 Structure Planning Clause 17.01-1 Business Clause 32.08 General Residential Zone Clause 52.06 Car Parking Clause 65 Decision Guidelines Clause 66 Referral and Notice Provisions
Objections Received	13

The application seeks approval for a restricted recreation facility at 7 Pevensey Grove Mildura. The use will involve the running of numerous classes in the shed at the rear of the property. Classes will include, yoga and meditation. Proposed class times are Monday 5.15pm - 7.15pm, Tuesday 6.30am – 7.15am, Wednesday 5.45pm – 6.45pm, Thursday 6.30am – 7.15am and 5.50pm – 6.40pm. A boxing class on Fridays from 5.30pm – 6.30pm was included in the original application however the applicant has advised this class has been cancelled.

The use has been operating for several months and came to Council's attention through a complaint from an adjoining land owner.

Council has received 13 objections to date. The key issues that were raised in the objections are:

- Traffic
- Noise

The majority of the objectors had no issue with the use of the land but expressed concerns regarding the request for a car parking waiver given the increased volume of traffic in the street already experienced. Several objectors did raise concerns regarding the lack of sound proofing of the shed and the noise generated by clients entering and existing the site (particularly for the 6.30 am classes).

Consultation was undertaken and included:

- Mediation was undertaken on Tuesday 25 October 2016. While discussions were held regarding methods of reducing traffic issues (eg staggering classes, parking in Eighth Street and walking to the site and line marking to prevent cars

parking close to the intersection) no resolution was reached and no objections were withdrawn.

- The applicants did advise that they have purchased land in a Mixed Use Zone (Orange Avenue) and will eventually move the business to its new premises. GSD Architects have been engaged to submit a planning application for this property, however it will be approximately 12-18 months before the new premises will be up and running.

The application was presented to Council's Planning Referral Committee on 7 November 2016. The PRC recommended approval of the application subject to stringent conditions regarding hours of operation, noise and a limited time permit.

2017/0011

Moved: Cr Mark Eckel
Seconded: Cr Ali Cupper

That Council having caused notice of Planning Application No. 005.2016.00000254.001 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of Clause 32.08-2 of the Mildura Planning Scheme in respect of the land known and described as 7 Pevensey Grove MILDURA (Lot 77 PS 333453D P.E.R.) for Use of the land for restricted recreation facility (personal training and yoga studio), in accordance with the endorsed plans, with the application dated 5 August 2016, subject to the following conditions:

i. **The use as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the Responsible Authority.**

ii. **The use may only operate between 6.30am and 8pm.**

iii. **Class sizes and seminars must be restricted to a maximum of 12 participants.**

iv. **Class times must be staggered with a minimum of 15 minutes between each class.**

v. **Shed door and windows must be kept closed at all times during classes.**

vi. **No classes are to be undertaken outside the shed.**

vii. **Onsite car parking is to be made available.**

viii. **This permit will expire 2 years from the date of issue.**

Permit Note

The use must comply with the Environment Protection (Residential Noise) Regulations 2008.

CARRIED

14 URGENT BUSINESS

14.1 CR MAX THORBURN MOTOR SPORTS BUSINESS CASE

File Number: 1415/14

Summary

Councillor Max Thorburn raised the matter of the Motor Sports Business Case.
2017/0012

Moved: Cr Max Thorburn
Seconded: Cr Mark Eckel

That Council admit the matter to Urgent Business.

CARRIED

2017/0013

Moved: Cr Max Thorburn
Seconded: Cr Greg Brown

That the Motor Sports Business Case be presented to Council for a decision at the February 2017 Ordinary Council Meeting.

CARRIED

15 OTHER MATTERS

Nil.

16 PUBLIC QUESTIONS

16.1 PASSENGER TRAIN

File Number: 15/08/02

"*Can Council request the Mallee Regional Partnership to conduct a scoping study, instead of a feasibility study, into the return of our 24 year missing passenger train please?*

Can we ask those Councillors who support this community's request for our passenger train to put their hands up and also to seek monthly meetings with relevant Ministers to ensure that they act in the best interest of their community?

Can we ask that a Councillor be appointed to ensure the return of our 24 year missing passenger train and to liaise with communities and government at all levels?

Who told Minister Pulford that the communities along the passenger rail – Mildura to Melbourne – just couldn't be bothered about our passenger train?"

Chris Parham, General Manager Corporate Services advised that due to the length of questions and statements received, it would be impossible to provide an immediate answer. Therefore these questions will be reflected in the minutes together and responses provided back to the author.

16.2 C89 REZONED LAND

File Number: 13/02/81

"C89 rezoned land around the Irymple Primary School near the Irymple Secondary School to LDRZ2 at a minimum of 1 acre size. Do Councillors understand that that State planning law states that if LDRZ can be serviced right away, the minimum lot size should logically be half acre? Why the variation? This is against Council's vision of encouraging and allowing children to walk to school does it not?

Martin Hawson, General Manager Community stated that in regard to whether Councillors understood the planning law, this was a question for individual Councillors to answer if they wanted to. Mr Hawson advised that"the C89 has been through an exhaustive process and is a responsibility of the State Government to administer the approval process. Council only deals with the strategic aspects to formulate recommendations which are then submitted to the State for consideration. In this instance, the Minister chose not to agree with our recommendation in its entirety, therefore the question really should be directed to the State Government for clarification on the amendments".

16.3 LIBRARY SERVICES REVIEW

File Number: 12/14/26

"Has Council looked at the Wentworth, Dareton and Buronga libraries? They work well with an even smaller population than Mildura area. Perhaps the savings can be found in Councillors overseas travel?

Martin Hawson, General Manager Community advised that extensive benchmarking has been undertaken with other Victorian libraries however he was not aware whether the stated locations were specifically looked at. Mr Hawson advised "This is because we are subject to Victorian funding but we could certainly look at this in the next phase of consultations. Mr Hawson further stated that "yes, Irymple is expanding however statistics indicate that the vast majority of the population in Irymple aren't necessarily using the Irymple library, but rather the Mildura or Red Cliffs libraries. So whilst Irymple is expanding significantly, the patronage of the library continues to decline".

CONFIDENTIAL BUSINESS

5.57pm

2017/0014

Moved: Cr Greg Brown
Seconded: Cr Mark Eckel

The meeting move into Confidential to deal with:

- **Contractual matters;**
- **Any other matter which the Council or special committee considers would prejudice the Council or any person;**

CARRIED

17 CONFIDENTIAL REPORTS

17.1 SECTION 89(2)(H) - (ANY OTHER MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON)

- **COUNCILLOR PORTFOLIOS AND COMMITTEES**

17.2 SECTION 89(2)(H) - (ANY OTHER MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON)

- **APPOINTMENTS TO MILDURA TOURISM AND ECONOMIC DEVELOPMENT (SINGLE ENTITY) BOARD OF DIRECTORS**

17.3 SECTION 89(2)(D) - (CONTRACTUAL MATTERS)

- **TENDER AWARD - PROVISION OF DEBT RECOVERY SERVICES (MUNICIPAL ASSOCIATION OF VICTORIA) - DR8410-2015**

17.4 SECTION 89(2)(D) - (CONTRACTUAL MATTERS)

- **TENDER AWARD - PROVISION OF LOAN BORROWINGS - CONTRACT 1617/31**

17.5 SECTION 89(2)(D) - (CONTRACTUAL MATTERS)

- **TENDER AWARD - SUPPLY OF THREE 6X4 10 CUBIC METRE TIPPER TRUCKS - CONTRACT 1617/20**

17.6 SECTION 89(2)(D) - (CONTRACTUAL MATTERS)

- **TENDER AWARD - MAV PLAYGROUND EQUIPMENT - CONTRACT 1516/41**

18 CLOSURE

There being no further business the meeting closed at 6.12pm.

Date of Confirmation: 23 February 2017

Signed: _____

Chairperson