



ORDINARY MEETING OF COUNCIL MINUTES

held on Tuesday 11 February 2003
at the Richmond Town Hall

I. ATTENDANCE

Councillor Greg Barber
Councillor Sue Corby (Mayor)
Councillor Deborah Di Natale
Councillor Jenny Farrar
Councillor Jackie Fristacky
Councillor Li Lai
Councillor Kay Meadows
Councillor Gurm Sekhon

II. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Councillor Judy Morton

III. DECLARATIONS OF PECUNIARY INTEREST

Nil

IV. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

Moved: Councillor Fristacky **Seconded:** Councillor Lai

That the minutes of the ordinary meeting of Council held on 28 January 2003 be confirmed.

CARRIED

***Welcome to the City of Yarra.
Council acknowledges the
Wurundjeri community as the first
owners of this country.
Today, they are still the custodians
of the cultural heritage of this land.***

ORDINARY MEETING OF COUNCIL

FINANCE AND RESOURCES COMMITTEE RECOMMENDATIONS

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2.3	Amendment C55 to the Yarra Planning Scheme – Rezoning of Selected Open Space to Public Park and Recreational Zone – Request for Ministerial Exemption from Section 19 of the Planning and Environment Act 1987 (Public Notification) under Section 20(1)
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PETITIONS AND JOINT LETTERS

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GENERAL BUSINESS

ITEM		PAGE
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6.2	Punt Road and Kelso Street Intersection – Traffic and Safety Issues	

IV. CONFIDENTIAL BUSINESS REPORTS

The following items are deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act 1989*. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Di Natale

1. That this meeting be closed to members of the public, in accordance with section 89 of the *Local Government Act 1989*, as disclosure of any of the following matters to be considered may prejudice the Council or other persons.
2. That all information contained within the Confidential Business Reports section of this notice paper and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act 1989* until Council resolves otherwise.

CARRIED

PROCEDURAL MOTION

Moved: Councillor Meadows

Seconded: Fristacky

That the Council meeting resume in open session.

CARRIED

The Council meeting resumed in open session.

PROCEDURAL MOTION

Moved: Councillor Meadows **Seconded:** Fristacky

That the Council meeting be adjourned.

CARRIED

The Council meeting adjourned at 7:32pm.

The Council meeting resumed at 7:35pm.

PETITIONS AND JOINT LETTERS

5.1 276 Church Street, Richmond – Town Planning Application PL02/1203

A joint letter with 18 signatures has been received objecting to planning proposal PL02/1203 at 276 Church Street Richmond.

COUNCIL RESOLUTION

Moved: Councillor Meadows

Seconded: Councillor Lai

1. That the joint letter be received and be referred to the appropriate Officer for action.
2. That all signatories be regarded as individual objectors to the development application for the purposes of the assessment and for any future appeals.

CARRIED

PETITIONS AND JOINT LETTERS

5.2 King Park, Fitzroy

A petition with 51 signatures has been received from residents of Bell Street Fitzroy in support of the retention of the melaluca tree growing in the footpath outside King Park.

COUNCIL RESOLUTION

Moved: Councillor Sekhon

Seconded: Councillor Fristacky

That the petition be received and be referred to the appropriate Officer for action.

CARRIED

PUBLIC QUESTION TIME

Question (Norm Bassett)

1. *Our family terraces in Paterson Street are classified by both the Commonwealth and Victorian governments and are now listed on Council's heritage overlay without notification. Which body or bodies and regulations apply? and*
2. *My property at 299 Pigdon Street is classified by the Commonwealth, but not the Victorian government, nor is it specifically on Council's Heritage Overlay. What is the situation?*

Answer

The Director City Development took the questions on notice.

Question (Norm Bassett)

3. *Why without any consultation or advance notice was a bicycle lane painted in front of my house in Paterson Street particularly as there is little bicycle traffic in Paterson Street?*

Answer

The Acting Director City Development took the question on notice.

4. *What is happening with my request for the installation of a north/south bicycle lane in Garton Street to join up with Princes Park Drive bicycle lane and is there any more progress on the Park Street linear park bicycle track?*

Answer

The Acting Director City Development took the question on notice.

GENERAL BUSINESS

6.1 Yarra Melbourne Regional Library Board - Community Advisory Committee Representative

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Sekhon

1. Council recognises the important contribution of community advisory committees as a means of community input towards decision making, providing a community perspective and to provide the opportunity for broader debate on issues of importance to the community. Council has accordingly supported the creation of new community advisory committees on traffic and parking management, the environment, planning and community development.
2. Council also notes the existence of a community advisory committee for the Yarra Melbourne Regional Library and the ongoing presence of a member of the Regional Library community advisory committee on the Yarra Melbourne Regional Library Board as the governing body of the Yarra Melbourne Regional Library Service.
3. Consistent with its policy on promoting the role of community advisory committees, Council supports the continued involvement of a representative of the Yarra Melbourne Regional Library Community Advisory Committee on the Yarra Melbourne Regional Library Board.

CARRIED

6.2 Punt Road and Kelso Street Intersection – Traffic and Safety Issues

COUNCIL RESOLUTION

Moved: Councillor Meadows

Seconded: Councillor Lai

That Council convene , as a matter of urgency, a meeting with VicRoads and residents in proximity to the intersection of Punt Road and Kelso Street, to discuss and seek a resolution to traffic and accident issues at that intersection.

CARRIED

DELEGATES REPORTS

Victorian Local Governance Association (VLGA)

Cr Farrar presented a report on a recent VLGA planning day held at the City of Stonnington. Some of the issues discussed were.:

cost shifting;
infrastructure;
Metropolitan strategy;
meeting the needs of the aging population;
bush fires;
councillor support and allowances.

She advised that the above issues will be further canvassed at a VLGA committee meeting in the near future.

Womens Participation in Local Government

Cr Farrar reported on a meeting of the Womens Participation in Local Government Coalition held in early February and general promotion of womens participation in local government activities, especially with the forthcoming council elections in 53 municipalities.

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Fristacky

That the reports be noted.

CARRIED

Yarra Aboriginal Advisory Group

Cr Sekhon reported that the Yarra Aboriginal Advisory Group recently met and discussed issues around Aboriginal reconciliation, more specifically:

The Yarra Reconciliation Plan (eg: signage, history); and

recognition that the City of Yarra contains the majority of aboriginal organisations statewide (eg: legal service and health service) and the contribution these organisations make to the Aboriginal community in general.

Cr Sekon also advised that advisory group member Mr Troy Austin was recently elected as an ATSIC commissioner.

COUNCIL RESOLUTION

Moved: Councillor Sekon

Seconded: Councillor Di Natale

That the report be noted.

CARRIED

QUESTIONS WITHOUT NOTICE

1. Question (Cr Meadows)

Will Council staff be allowed to leave work early to attend the Rally for Peace to be held on Friday 14 February 2003 commencing at 5.00pm?

Answer

The Chief Executive Officer advised that Council staff would be encouraged to participate in the Rally for Peace.

FINANCE & RESOURCES COMMITTEE MEETING

**Tuesday 4 February 2003
Richmond Town Hall**

ATTENDANCE

Councillor Greg Barber (Chairperson)
Councillor Sue Corby
Councillor Jenny Farrar
Councillor Jackie Fristacky
Councillor Li Lai

APOLOGIES

Nil

DECLARATIONS OF PECUNIARY INTEREST

Nil

1.1 Yarra City Plan – Second Quarter Report as at 31 December 2002

RECOMMENDATION

1. That the Yarra City Plan 2002/05 second quarter monitoring report as at 31 December 2002 be noted.
2. That future reports on the Yarra City Plan 2002/05 only be produced and be reported to a Council meeting on a quarterly basis.
3. That the report on outstanding actions in the Yarra City Plan 2001/04 as at 31 December 2002 be noted.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Farrar

Seconded: Councillor Fristacky

1. That the Yarra City Plan 2002/05 second quarter monitoring report as at 31 December 2002 be noted subject to amendment of item 145 (5.6.2) attached.
2. That future reports on the Yarra City Plan 2002/05 only be produced and be reported to a Council meeting on a quarterly basis.
3. That the report on outstanding actions in the Yarra City Plan 2001/04 as at 31 December 2002 be noted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Fristacky

That the Finance & Resources Committee recommendation be adopted.

CARRIED

See Attachment



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1.2 Council Contracts Awarded (over the value of \$50,000) - Monthly Report

RECOMMENDATION

That the monthly report on Council contracts awarded (over the value of \$50,000) be noted.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Lai

Seconded: Councillor Farrar

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Lai

That the Finance & Resources Committee recommendation be adopted.

CARRIED

See Attachment



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1.3 Victoria Gardens – Place Name Proposal

RECOMMENDATION

1. That Council advertise the 'Victoria Gardens' place name proposal in local newspapers and seek public comment.
2. That Council notify the Yarra Aboriginal Advisory Committee and local historical societies concerning the proposal.
3. That a further report be presented to the April 2003 Council cycle.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Corby

Seconded: Councillor Farrar

1. That Council advertise the 'Victoria Gardens' place name proposal in local newspapers and seek public comment.
2. That Council notify and invite comment from the Yarra Aboriginal Advisory Committee, local historical societies and all other relevant organisations, in accordance with the Geographic Place Names Guidelines, concerning the proposal.
3. That a further report be presented to the May 2003 Council cycle.

CARRIED

MOTION

Moved: Councillor Meadows

Seconded: Councillor Lai

That Council not support the place name submission from Centro Properties Group and advise the applicant to pursue the matter with the Registrar of Geographic Place Names independently.

The Motion was Put and Lost.

A Division was called which resulted in:

For: Councillors Lai and Meadows.

Against: Councillors Barber, Corby, Di Natale, Farrar, Fristacky and Sekhon.

COUNCIL RESOLUTION

Moved: Councillor Di Natale

Seconded: Councillor Fristacky

1. That Council advertise the 'Victoria Gardens' place name proposal by Centro Properties Group in local newspapers and seek public comment.
2. That Council notify and invite comment from the Yarra Aboriginal Advisory Committee, local historical societies and all other relevant organisations, in accordance with the Geographic Place Names Guidelines, concerning the proposal.
- **3. That a further report be presented to the May 2003 Council cycle.

CARRIED

A Division was called which resulted in:

For: Councillors Barber, Corby, Di Natale, Farrar, Fristacky and Sekhon.

Against: Councillors Lai and Meadows.

1.4 2002/2003 Quarterly Financial Report – Period Ending 31 December 2002

RECOMMENDATION

That the financial report for the six months ended 31 December 2002, compiled on a seasonalised budget basis be noted by Council.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Farrar

Seconded: Councillor Corby

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Lai

That the Finance & Resources Committee recommendation be adopted.

CARRIED

See Attachment



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1.5 Capital Works – Quarterly Report – Period Ending 31 December 2002

RECOMMENDATION

That the report be noted.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Farrar

Seconded: Councillor Fristacky

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Lai

That the Finance & Resources Committee recommendation be adopted.

CARRIED

See Attachment



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**PLANNING & COMMUNITY DEVELOPMENT
COMMITTEE MEETING**

**Tuesday 4 February 2003
Richmond Town Hall**

ATTENDANCE

Councillor Sue Corby
Councillor Judy Morton (Chairperson)
Councillor Di Natale
Councillor Kay Meadows
Councillor Gurm Sekhon

APOLOGIES

Nil

DECLARATIONS OF PECUNIARY INTEREST

Nil

2.1 Urban Planning – Monthly Planning Appeals Report

RECOMMENDATION

That the report on Statutory Planning – Monthly Planning Appeals for October, November and December 2002 be noted.

PLANNING & COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor Corby

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Sekhon

Seconded: Councillor Farrar

That the Planning & Community Development Committee recommendation be adopted.

CARRIED

See Attachment



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2.2 Amendment C45 to the Yarra Planning Scheme – Removal of Public Acquisition Overlay (PAO1) at 149-153 Barkly Avenue and 451-459 Burnley Street, Burnley – Request for Ministerial Exemption from Section 19 of the Planning and Environment Act 1987 (Public Notification) under Section 20(1)

RECOMMENDATION

1. That Council:
 - (a) in accordance with Section 8 of the *Planning and Environment Act 1987* resolve to prepare Amendment C45 to the Yarra Planning Scheme to delete a Public Acquisition Overlay (PAO1) from 149 – 153 Barkly Avenue and 451- 459 Burnley Street, Burnley, and
 - (b) request Ministerial exemption from the notification provisions of Section 19 pursuant to Section 20(1) of the *Planning and Environment Act 1987*.
2. That VicRoads and the proponents of the Amendment be advised of Council's decision.

PLANNING & COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor Corby

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Sekhon

Seconded: Councillor Farrar

That the Planning & Community Development Committee recommendation be adopted.

CARRIED

See Attachment



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2.3 Amendment C55 to the Yarra Planning Scheme – Rezoning of Selected Open Space to Public Park and Recreational Zone – Request for Ministerial Exemption from Section 19 of the Planning and Environment Act 1987 (Public Notification) under Section 20(1)

RECOMMENDATION

1. That Council:
 - (a) resolve to prepare Amendment C55 to the Yarra Planning Scheme to rezone a number of existing parks to Public Park and Recreation Zone (PPRZ), in accordance with Section 8 of the *Planning and Environment Act 1987*,
 - (b) request a Ministerial exemption from the public notification provisions of Section 19 pursuant to Section 20(1) of the *Planning and Environment Act 1987*.
2. That the residents of Clifton Street who initiated concerns on the zoning of the Clifton Street Reserve, Clifton Hill and any other affected residents/ owners be advised of Council's decision.

PLANNING & COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor Sekhon

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Di Natale

1. That Council:
 - (a) resolve to prepare Amendment C55 to the Yarra Planning Scheme to rezone a number of existing parks to Public Park and Recreation Zone (PPRZ), in accordance with Section 8 of the *Planning and Environment Act 1987*,
 - (b) request a Ministerial exemption from the public notification provisions of Section 19 pursuant to Section 20(1) of the *Planning and Environment Act 1987*.
2. That the residents of Clifton Street who initiated concerns on the zoning of the Clifton Street Reserve, Clifton Hill and any other affected residents/ owners be advised of Council's decision.
- **3. That a further report be submitted to Council detailing the status of all other similar portions of Open Space that do not have the Public Park and Recreational Zoning and an indication of when rezonings may occur.

CARRIED

2.4 Melbourne 2030 – Planning for Sustainable Growth

RECOMMENDATION

1. That the above report be adopted as Council's response to Melbourne 2030 and the related Implementation Plans and the report be lodged by 28 February 2003.
2. That Council reserves the right to provide further details to the Department of Sustainability and Environment on its submission on Melbourne 2030 and the related draft Implementation Plans, particularly once it has considered the findings of the Population Capacity Study by FPD Savills (Vic) Pty Ltd.
3. That Council advise the Department of Sustainability and Environment that it wishes to be directly involved in the future assessment and implementation of Melbourne 2030 and the Implementation Plans, as adopted.

PLANNING & COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Di Natale

Seconded: Councillor Sekhon

1. That the report be adopted as Council's response to Melbourne 2030 and the related Implementation Plans.
2. That a working group comprising Councillors Fristacky, Farrar, Morton and Di Natale and relevant Council officers be established to finalise Council's response to Melbourne 2030 and the related Implementation Plans including taking into account the final findings of the Inner Region Population Capacity Study and that the report be submitted to the Minister for Planning by 28 February 2003.
3. That the final report be circulated to all Councillors and be made available on Council's website for access by members of the Yarra community.
4. That Council seek a meeting with the Department of Sustainability and Environment, Local Government Facilitator and representatives from the Melbourne 2030 Implementation Team to discuss Council's submission in more detail.
5. That Council reserves the right to provide further details to the Department of Sustainability and Environment on its submission on Melbourne 2030 and the related draft Implementation Plans.
6. That Council advises the Department of Sustainability and Environment that it wishes to be directly involved in the future assessment and implementation of Melbourne 2030 and the Implementation Plans, as adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Sekhon

Seconded: Councillor Farrar

That the Planning & Community Development Committee recommendation be adopted.

CARRIED

See Attachment



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COUNCIL BUSINESS REPORTS

3.1 Community Advisory Committees – Community Member Appointments

RECOMMENDATION

1. That Council appoint community members to the following Community Advisory Committees as follows:
 - (a) Traffic and Parking Management Community Advisory Committee;
(names to be inserted)
 - (b) Environment Community Advisory Committee;
(names to be inserted)
 - (c) Planning Community Advisory Committee; and
(names to be inserted)
 - (d) Community Development Advisory Committee.
(names to be inserted)
2. That Council adopts the revised terms of reference for the four community advisory committees as shown in Attachment 1.
3. That Council expresses its thanks to all applicants and that the above appointees be advised of arrangements for the initial meetings of the Community Advisory Committees.

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Fristacky

1. That Council appoint community members to the following Community Advisory Committees as follows:
 - (a) Traffic and Parking Management Community Advisory Committee;

Harry Barber;
Paul Ellis;
Ian Quick;
John McDonell;
Peter Ford;
David Bloom;
Kevin Gallagher;
John Beckwith;
Christopher Pound;

Rosemary Mason;
Richard Finch; and
John Jennings.

(b) Environment Community Advisory Committee;

Amanda Stone;
Geoff Browne;
Nicholas Williams;
Julian Bull;
John Cox;
John Quay;
Katherine McKeand;
Shane Power;
Gerard Healey;
James Kilby;
Ruth Clemens; and
Mary Kenneally.

(c) Planning Community Advisory Committee; and

Michelle Quigley;
Sivvy Orr;
Roberta Plackett;
Helen Weston;
Ian Wood;
Sally Harvey;
Rod Cullen;
Fred Allen;
Megan Goulding;
Craig Rossetti;
Geoff Barbour;
Laurie Raftery; and
Chris Goodman.

(d) Community Development Advisory Committee.

Irene Irvine;
David Buller;
Geanette Urbanvic;
Georgina Phillips;
Alan Gurner;
Sam Gaylard;
Noreen Moore;
Evelyn Howarth;
Helen Molyneux;
Michael Kheirallah;
Anne Durbridge; and
Ian Mack.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Di Natale

Seconded: Councillor Barber

1. That Council adopts the revised Terms of Reference as amended for the four community advisory committees as shown in Attachment 1.
2. That Council expresses its thanks to all applicants and that the above appointees be advised of arrangements for the initial meetings of the Community Advisory Committees.

CARRIED

See Attachment



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3.2 Support for the East Timorese Asylum Seekers in Yarra

RECOMMENDATION

1. That Council endorses the following public statement with regards to the East Timorese asylum seekers.
2. Yarra City Council:
 - (a) acknowledges the substantial contribution members of the East Timorese community have made to the Victorian community over many years;
 - (b) expresses its support for the East Timorese asylum seekers living in Yarra and in the wider metropolitan area who are in the process of being served with deportation orders by the federal government;
 - (c) extends its support to those affected families, some of whom are facing having their family permanently separated because of the Federal Government's decision to deport individual members in some instances;
 - (d) advocates for and supports any State Government action in assisting these East Timorese families in their efforts to remain in Victoria;
 - (e) commends the individuals, businesses and community organisations that are supporting the East Timorese people affected by the deportation orders;
 - (f) calls on the Federal Minister for Immigration to grant a favourable assessment on each application, considering the unique and compelling reasons that this group of East Timorese Victorians have for remaining Australia;
 - (g) calls on the State Government and Victoria's Federal Parliamentary representatives to formally and actively support this motion.
3. That Council endorses the draft Advocacy Strategy attached to this report; and
4. That Council endorses a joint Council collaboration and action to support the East Timorese asylum seekers as outlined in this report.

COUNCIL RESOLUTION

Moved: Councillor Meadows

Seconded: Councillor Lai

1. That Council endorses the following public statement with regards to the East Timorese asylum seekers.
2. Yarra City Council:
 - (a) acknowledges the substantial contribution members of the East Timorese community have made to the Victorian community over many years;

- (b) expresses its support for the East Timorese asylum seekers living in Yarra and in the wider metropolitan area who are in the process of being served with deportation orders by the federal government;
 - (c) extends its support to those affected families, some of whom are facing having their family permanently separated because of the Federal Government's decision to deport individual members in some instances;
 - (d) advocates for and supports any State Government action in assisting these East Timorese families in their efforts to remain in Victoria;
 - (e) commends the individuals, businesses and community organisations that are supporting the East Timorese people affected by the deportation orders;
 - (f) calls on the Federal Minister for Immigration to grant a favourable assessment on each application, considering the unique and compelling reasons that this group of East Timorese Victorians have for remaining Australia;
 - (g) calls on the State Government and Victoria's Federal Parliamentary representatives to formally and actively support this motion.
3. That Council endorses the draft Advocacy Strategy attached to this report; and
 4. That Council endorses a joint Council collaboration and action to support the East Timorese asylum seekers as outlined in this report.
 5. That Council investigate its own system of fees and charges for services to this community and seek to waive those fees and charges until this issue is resolved.

CARRIED

IV. CONFIDENTIAL BUSINESS REPORTS

The following items are deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act 1989*. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor Meadows

Seconded: Councillor Farrar

1. That this meeting be closed to members of the public, in accordance with section 89 of the *Local Government Act 1989*, as disclosure of any of the following matters to be considered may prejudice the Council or other persons.
2. That all information contained within the Confidential Business Reports section of this notice paper and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act 1989* until Council resolves otherwise.

CARRIED

PROCEDURAL MOTION

Moved: Councillor Sekhon

Seconded: Councillor Barber

That the Council meeting resume in open session.

CARRIED

The Council meeting resumed in open session at 9:30pm.

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The Council meeting closed at 9:31pm.

Confirmed this 11th day of March 2003

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Mayor