

Minutes

Ordinary Meeting of Council

Held at 10:30am, Wednesday 23 October 2024
Council Chamber, Tallangatta Council Office
32 Towong Street, Tallangatta, Victoria

Our Community Vision

Towong Shire will be the ideal place to be: welcoming, vibrant and diverse communities with quality facilities and services.

This information is available in alternative formats on request.

**Minutes for the Ordinary Meeting of Council held at
32 Towong Street, Tallangatta, Victoria
at 10:30 am on Wednesday 23 October 2024**

Commonly Used Acronyms

Abbreviation	Title
Council Officers	
CEO	Chief Executive Officer
DIE	Director Infrastructure and Environment
DCP	Director Community and Planning
DCOD	Director Corporate and Organisational Development
MF	Manager Finance
SAE	Senior Asset Engineer
Government/Organisation	
CH	Corryong Health (formerly Upper Murray Health and Community Services)
DFFH	Department of Families, Fairness and Housing
DJSIR	Department of Jobs, Skills, Industry and Regions
DTP	Department of Transport and Planning
DEECA	Department of Energy, Environment and Climate Action
GMW	Goulburn Murray Water
HRGLN	Hume Region Local Government Network
MAV	Municipal Association of Victoria
NECMA	North East Catchment Management Authority
NERPEN	North East Regional Procurement Excellence Network
NEW	North East Water
NEWRRG	North East Waste and Resource Recovery Group
RCV	Rural Councils Victoria
RDA	Regional Development Australia
RDV	Regional Development Victoria
THS	Tallangatta Health Service
VGC	Victorian Grants Commission
WBNC	Walwa Bush Nursing Centre

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The Mayor declared the meeting open, the time being 10:38 am.

1 Opening Prayer

“Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen.”

2 Councillor and Officer Presence at the Meeting

Councillor Attendance

Crs Whitehead, Anderson, Scales, Wortmann and Dikschei

Officer Attendance:	Title:
Ms Phelps	Chief Executive Officer
Ms Taylor	Director Corporate and Organisational Development

3 Apologies and Granting of Leave of Absence

Nil.

4 Disclosure of Conflicts of Interest

Section 130 of the Act requires that a ‘Relevant person’ (which means a person who is a Councillor, a member of a delegated committee who is not a Councillor or a member of Council staff) disclose any conflict of interest in the manner required by Council’s Governance Rules and exclude themselves from the decision making process in relation to the matter including any discussion or vote on the matter at any Council meeting.

Council’s *Governance Rules* state as follows:

A2 Obligations with regards to conflict of interest

Councillors, members of delegated committee, and Council staff are required to:

- a. Avoid all situations which may give rise to conflicts of interest;*
- b. Identify any conflicts of interest; and*
- c. Disclose or declare all conflicts of interest.*

A3 Disclosure of a conflict of interest at a Council meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she:

A3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or

A3.2 intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:

A3.2.1 advising of the conflict of interest;

A3.2.2 explaining the nature of the conflict of interest; and

A3.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

- a. name of the other person;*
- b. nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and*
- c. nature of that other person's interest in the matter, and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.*

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

There were no disclosures of any conflicts of interest.

5 Confirmation of Minutes

The minutes of the meetings listed below were circulated to Councillors following each respective meeting. Confirmation of the minutes is now sought.

- Special Council Meeting held 11 September 2024
- Ordinary Council Meeting held 25 September 2024

Recommendation:

That the Minutes of the Special Council Meeting held on 11 September 2024 and the Ordinary Council Meeting held on the 25 September 2024 be confirmed.

Council Resolution:

**CR SCALES
CR DIKSCH EI**

**THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 11
SEPTEMBER 2024 AND THE ORDINARY COUNCIL MEETING HELD ON THE 25
SEPTEMBER 2024 BE CONFIRMED.**

CARRIED

6 Petitions and Joint Letters

Nil.

7 Public Question Time

In accordance with Council's Governance Rules, Public Question Time will not be held during the election period. Any questions submitted will be addressed at the next Council meeting after the election period.

No Public Question Time submission were received.

8 Informal Meetings of Councillors

In accordance with Council's *Governance Rules*, a written summary of the matters discussed at each informal meeting of Councillors is to be tabled at the next convenient Council meeting and recorded in the minutes of that meeting.

The Meeting Records from the Informal Meeting of Councillors held on 11 September 2024 and 25 September 2024 are attached as follows:

1. Workshop Meeting Record 11 September 2024 [8.1.1 - 2 pages]
2. Workshop Meeting Record 25 September 2024 [8.1.2 - 2 pages]

Recommendation:

That the information be noted.

Council Resolution:

CR DIKSCHAI
CR ANDERSON

THAT THE INFORMATION BE NOTED.

CARRIED

9 Organisational Improvement

9.1 Action Sheet Report (CEO-06/06/0010)

Election Period Statement:

The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the *Local Government Act 2020*, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's *Election Period Policy*.

Disclosure of Interests (S.130):

This report was prepared by Mr Justin Troy, Coordinator Governance and Compliance.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to provide information.

Summary:

The attached report shows the progress made in relation to the resolutions from the 25 September 2024 Ordinary Council meeting.

Recommendation:

That the report be noted.

Attachment:

1. Action Sheet from Ordinary Council Meeting 25 September 2024 [9.1.1 - 2 pages]

Background/History:

Not applicable.

Relevant Law (s.9(2)(a)):

Not applicable.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not applicable.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

Not applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

Not applicable.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

Not applicable.

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

Not applicable.

Officer's View:

It is the officer's view that good progress has been made by the responsible officers.

Council Resolution:

**CR ANDERSON
CR DIKSCHAI**

THAT THE REPORT BE NOTED.

CARRIED

Confirmed

9.2 Annual Report 2023/24 (CEO 07/07/0001)

Election Period Statement:

The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the *Local Government Act 2020*, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's *Election Period Policy*.

Disclosure of Interests (S.130):

This report was prepared by Ms Narelle Taylor, Director Corporate and Organisational Development.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to present the *Annual Report 2023/24*.

Summary:

The *Local Government Act 2020* requires that councils prepare an Annual Report in respect of each financial year. This report must be presented by the Mayor at a Council Meeting open to the public. The *Annual Report 2023/24* has been prepared in line with legislative and regulatory requirements and is ready for presentation.

Recommendation:

That the *Annual Report 2023/24* as presented be approved and made available to residents, ratepayers and the general public.

Attachment:

1. Annual Report 2023-24 [9.2.1 - 144 pages]

Background/History:

Section 98 of *Local Government Act 2020* (the Act) requires that a Council must prepare an Annual Report in respect of each financial year, containing a report of the operations of the Council, an audited performance statement, audited financial statements, and copies of the auditor's reports on the performance statement and

financial statements.

Section 100 of the Act requires that the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at a Council meeting open to the public in the year of a general election, on a day not later than the day before election day.

The content of the *Annual Report 2023/24* has been prepared in accordance with legislative requirements and is now ready for presentation.

Operations of the Council

This year has been marked by the continued delivery of an expansive capital works program, with the delivery of these projects spanning multiple years across planning and execution phases. Projects of significance for this year have included:

- Corryong CBD Streetscape
- Mitta Mitta Streetscape upgrades
- Wisers Creek Road Upgrade

With our eyes firmly on the future, we continued and completed master planning exercises for Mt Elliot and Lake Hume as well as town-based place making for Bellbridge, Bethanga, Corryong, Mitta Mitta and Tallangatta. Collectively, these documents provide us with both a clear roadmap of community priorities but also the evidence required to help secure government funding to deliver on these plans.

Our Financial Statements for 2023/24 show that we recorded a deficit of \$2.5 million which was a \$4.8 million deficit less than budgeted. This was primarily due to:

- Receipt of an insurance settlement of \$1.5 million;
- Disaster recovery funding of approximately \$1 million;
- Interest income above budget of \$0.9 million.

Relevant Law (s.9(2)(a)):

The *Annual Report 2023/24* has been prepared in accordance with the requirements of sections 98 and 99 of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020* and is ready for presentation by the Mayor in accordance with section 100 of the *Local Government Act 2020*.

Options – Best Outcomes for the Community (s.9(2)(b)):

The Annual Report 2023/24 outlines the achievements of the Council during 2023/24

in support of the best outcomes for the community, including progress on Council Plan Priorities.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

The Annual Report 2023/24 is published on Council's website and the community will be notified through local newspapers, Council's eNewsletter and social media.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

The Annual Report 2023/24 reported a deficit of \$2.5 million. This reflects the expenditure of funding in this year where the associated income was received in prior years. Going forward, Council will be required to managed the Adjusted underlying surplus or deficit to break even to ensure Council's future financial sustainability.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not Applicable.

Council Plans and Policies:

Not applicable.

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

In line with the requirements of the *Local Government Act 2020*, Council's Performance Statement and Financial Statement, as included in the *Annual Report 2023/24*, have been subject to independent audit and the oversight by the Audit and Risk Committee to mitigate the risk of reporting errors.

Officer's View:

Councils Annual Report 2023/24 has been prepared in accordance with all relevant legislation and regulation and it is the officer's view that it is ready to be presented by the Mayor at this Council Meeting.

Council Resolution:

**CR SCALES
CR WORTMANN**

THAT THE ANNUAL REPORT 2023/24 AS PRESENTED BE APPROVED AND MADE AVAILABLE TO RESIDENTS, RATEPAYERS AND THE GENERAL PUBLIC.

CARRIED

9.3 Council Plan Priorities (DCOD-07/05/0022)

Election Period Statement:

The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the *Local Government Act 2020*, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's *Election Period Policy*.

Disclosure of Interests (S.130):

This report was prepared by Ms Narelle Taylor, Director Corporate and Organisational Development.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to provide information.

Summary:

In accordance with section 90 of the *Local Government Act 2020*, Council must prepare and adopt a Council Plan for a period of at least the next four financial years after a general election in accordance with its deliberative engagement practices. This report provides a quarterly update on the progress of the priorities in our *2021-2025 Council Plan*.

Recommendation:

That the report be noted.

Attachment:

1. Council Plan Priorities July - September 2024 [9.3.1 - 32 pages]

Background/History:

Each quarter Council officers provide an update to Council on the progress of the priorities listed in the Council Plan.

Relevant Law (s.9(2)(a)):

Not applicable.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not applicable

Sustainability Implications (s.9(2)(c)):

The Council Plan priorities included in the appendix are addressed in individual reports to Council, where sustainability information relevant for Councillor consideration is provided.

Community Engagement (s.9(2)(d)):

Community Engagement activities are included in the Council Plan Priorities. Progress against this priority is noted in the appendix to this report.

Innovation and Continuous Improvement (s.9(2)(e)):

Innovation and continuous improvement are built into the Council Plan Priorities, and we continue to progress this as noted in the appendix to this report.

Collaboration (s.9(2)(f)):

Collaboration and pursuing shared service opportunities are included in the Council Plan Priorities. Progress against this priority is noted in the appendix to this report.

Financial Viability/Budget Impact (s.9(2)(g)):

Not applicable.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

This is a quarterly report to provide an update on the progress of the Council Plan 2021-2025 priorities.

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

Not applicable.

Officer's View:

It is the Officer's view that despite the many challenges faced by the organisation since the adoption of the Council Plan, significant progress has been made since the adoption of the Council Plan in 2021, with many priorities having been delivered or substantially progressed.

Council Resolution:

CR WORTMANN

CR ANDERSON

THAT THE REPORT BE NOTED.

CARRIED

9.4 Corporate and Organisational Development Report (DCOD-06/01/0011)

Election Period Statement:

The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the *Local Government Act 2020*, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's *Election Period Policy*.

Disclosure of Interests (S.130):

This report was prepared by Ms Narelle Taylor, Director Corporate and Organisational Development.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of the report is to provide information.

Summary:

The attached report provides an overview of activities within the Corporate and Organisational Development team between July and September 2024.

Highlights in this quarter included:

- Completion of the Financial statements, Performance Reporting, and successful completion of the audit for financial year end 2024/25;
- Progress the creation of on our OHS management system framework and a risk management framework,
- Creation of a template for safe operating procedure (SOP) documentation. This template has been used to create an SOP for excavator operations and competency assessment to ensure staff are trained in safe work practises on this new piece of plant. This will save the organisation time and money, and ensure safety of our staff in their day-to-day work.
- Policy and procedure creation including Debt collection, Procurement and unreasonable Customer Conduct.

Recommendation:

That the report be noted.

Attachment:

1. Corporate and Organisational Development Report [9.4.1 - 2 pages]

Background/History:

The Corporate and Organisational Development Report is provided on a quarterly basis.

Relevant Law (s.9(2)(a)):

Corporate and Organisational Development activities and decisions have been made in accordance with the *Local Government Act 2020*.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not applicable.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

The Communications and Engagement team continues to support numerous community engagement activities in relation to community-facing projects and activities across the organisation. These activities are documented to Councillors in the monthly Communications and Engagement report.

Innovation and Continuous Improvement (s.9(2)(e)):

Our IT and Records Management team have progressed the transition from file servers to a cloud-based, in-place records management system.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

We have completed and adopted the Financial statements 2023/24, which highlights that with the progression and conclusion of Recovery-funded infrastructure projects,

and the associated expenditure, the future financial sustainability of Council will continue to be reliant on one-off capital grants to facilitate investment in any significant capital projects outside of asset renewal expenditure. A deficit of \$2.5 million was recorded for the financial year against a budgeted deficit of \$7.4 million

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

The activities of the Corporate and Organisational Development team during the quarter supported the *Council Plan 2021-2025* priorities as outlined in the Report on Council Plan Priorities.

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

The August Audit and Risk Committee meeting was held during the quarter, and the unconfirmed minutes from this meeting are made available to Council later in this agenda.

Officer's View:

The goals we set out to achieve during the quarter have been met and have progressed us towards our over-arching objectives of providing a high level of customer service to residents and support to the rest of the organisation.

Council Resolution:

**CR DIKSCHAI
CR SCALES**

THAT THE REPORT BE NOTED.

CARRIED

9.5 Office Closure 2024/25 Year End - New Year Period (CEO-07/05/0007)

Election Period Statement:

The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the *Local Government Act 2020*, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's *Election Period Policy*.

Disclosure of Interests (S.130):

This report was prepared by Ms Narelle Taylor, Director Corporate and Organisational Development.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to recommend staffing arrangements and office closures for the Year End-New Year period.

Summary:

In recent times Council offices, libraries and depots have closed one business day before Christmas Day until the first business day after New Year's Day. This has been in recognition that this is a time of year when large portions of staff would like to take this time to be with family and friends, and demand for Council services are lower. Following staff feedback that it would be preferable for some staff to take leave at alternate times during the year, it is recommended that staff are not required to take leave during this period .

Recommendation:

That:

1. The Council offices and libraries be closed to the public from 5.00pm on Monday 23 December 2024 until 8.30am Monday 30 December 2024;
2. The Corryong and Tallangatta Transfer Stations be closed on the public holidays; and
3. Arrangements be put in place for staff to return to their duties during the closure period should there be an organisational requirement to do so (eg. an emergency event).

Attachment:

Nil

Background/History:

In previous years the Council offices and libraries in Corryong and Tallangatta have been closed for one business day prior to 25 December and re-opened on the first business day after New Year's Day to allow staff to enjoy the holiday season with their family and friends, promoting and encouraging work/life balance. Following staff feedback that it would be preferable for some staff to take leave at alternate times during the year, it is recommended that staff are not required to take leave during this period.

The Corryong Landfill and Tallangatta Transfer Station are normally open on Thursdays and Sundays. As Boxing Day will fall on Thursday this year, it will be closed. The next available day to open is Friday 27 December. Given the proximity to the next scheduled operational day, being Sunday 29 December, we believe this will be sufficient to meet the needs of the community at this time.

Kerb-side waste collection services are contracted to Cleanaway and will continue in line with normal operations.

The key dates for the 2024/25 Year End-New Year period are as follows:

- Wednesday 25 December 2024 – Christmas Day;
- Thursday 26 December 2024 – Boxing Day;
- Wednesday 1 January 2025 – New Year's Day; and

Council's "After Hours" emergency provider will take emergency calls from 5.00pm on Monday 23 December and refer them accordingly until the re-opening of the offices on Monday 30 December 2024.

It is noted that the Corryong Visitor Information Centre will be open through the period except for Christmas Day and Public Holidays.

Relevant Law (s.9(2)(a)):

No relevant laws are applicable with any Council decisions or actions required from this report.

Options – Best Outcomes for the Community (s.9(2)(b)):

Option 1

Approve the holiday closure for the period outlined in the recommendation above, with exception for the services for which we are able to provide staff, noting that all essential services and an After-Hours emergency service will be in operation, together with arrangements for staff to return to work should the need arise (eg. an emergency event).

Option 2

Approve the holiday closure, without the option for staff to work if preferred.

Option 3

Do not approve the holiday closure.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

Not applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

Not applicable.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

Not applicable.

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

The provision of the 'After Hours' service will ensure that any urgent matters are attended to together with the arrangements for staff to return to work should the need arise (eg. an emergency event).

It has been another busy year with ongoing challenges in recruiting for vacant positions, and so from a staff wellbeing perspective, a small break at year end will be welcomed by many.

Officer's View:

Many Government organisations and businesses close during the Year End-New Year period and it is a good time of year to provide for a small break, given the typically low volume of community requests.

Council Resolution:

**CR DIKSCHAI
CR ANDERSON**

THAT:

- 1. THE COUNCIL OFFICES AND LIBRARIES BE CLOSED TO THE PUBLIC FROM 5.00PM ON MONDAY 23 DECEMBER 2024 UNTIL 8.30AM MONDAY 30 DECEMBER 2024;**
- 2. THE CORRYONG AND TALLANGATTA TRANSFER STATIONS BE CLOSED ON THE PUBLIC HOLIDAYS; AND**
- 3. ARRANGEMENTS BE PUT IN PLACE FOR STAFF TO RETURN TO THEIR DUTIES DURING THE CLOSURE PERIOD SHOULD THERE BE AN ORGANISATIONAL REQUIREMENT TO DO SO (EG. AN EMERGENCY EVENT).**

CARRIED

10 Community Wellbeing

There are no Community Wellbeing reports to present this meeting.

11 Asset Management

There are no Asset Management reports to present this meeting.

12 Land Use Planning

There are no Land Use Planning reports to present this meeting.

13 Environmental Sustainability

There are no Environmental Sustainability reports to present this meeting.

14 Economic and Tourism Development

There are no Economic and Tourism Development reports to present this meeting.

15 Councillor Reports

An opportunity is provided for Councillors to table or present a Delegate's report.

Cr Dikschei provided a verbal report on his experience as a Councillor over the current term.

Council Resolution:

**CR DIKSCHAI
CR ANDERSON**

THAT THE REPORT BE ACCEPTED.

CARRIED

16 Urgent Business

In accordance with Council's Governance Rules, matters of urgent business can only be considered if:

- a) It relates to or arises out of a matter which has arisen since distribution of the agenda; and
- b) It cannot safely or conveniently be deferred until the next Council meeting; and
- c) The Council resolves to admit an item considered to be urgent business.

Nil.

Confirmed

17 Committee Minutes

17.1 Audit and Risk Committee Meeting Minutes - August 2024 (DCOD)

Election Period Statement:

The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the *Local Government Act 2020*, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's *Election Period Policy*.

Disclosure of Interests (S.130):

This report was prepared by {author-name}, Coordinator Governance and Compliance.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to provide information.

Summary:

As per section 8 of the Council Audit and Risk Committee Charter, the minutes of an Audit and Risk Committee meeting must be forwarded to the next ordinary meeting of Council, including a report explaining specific recommendations and key outcomes.

An Audit and Risk Committee meeting was held on 16 August 2024. The unconfirmed minutes were circulated to Councillors prior to the meeting.

Resolutions made by the Committee, other than those 'for noting' were as follows:

Risk Management Update

THAT THE ADOPTION OF HPI AS A WORKPLACE HEALTH AND SAFETY KPI AND AN ONGOING REPORTABLE MATTER IN THE COMMITTEE AND COUNCIL REPORTS IS ENDORSED.

Initiatives and Innovations

THAT THE PROJECT PRIORITIES AND THE CONTENT OF THE INTRODUCTION TO THE OHSMS FRAMEWORK PAPER BE ENDORSED.

Financial Reporting Update

THAT THE ACTIONS TAKEN IN ADVANCE OF THE YEAR END AUDIT OF FINANCIAL STATEMENTS BE ENDORSED.

Policy Review

THAT FEEDBACK PROVIDED BY THE COMMITTEE FOR THE PUBLIC TRANSPARENCY POLICY BE RECEIVED, NOTING THE COMPUTER AND MOBILE DEVICE USE POLICY WILL BE REVIEWED AS PART OF THE BROADER INFORMATION TECHNOLOGY UPLIFT IN POLICIES.

Recommendation:

That the unconfirmed Audit and Risk Committee Minutes and Resolutions from 16 August 2024 meeting be noted.

Council Resolution:

**CR WORTMANN
CR ANDERSON**

THAT THE UNCONFIRMED AUDIT AND RISK COMMITTEE MINUTES AND RESOLUTIONS FROM THE 16 AUGUST 2024 MEETING BE NOTED.

CARRIED

17.2 OHS Committee Meeting Minutes - September 2024 (DCOD-06/04/0212)

Election Period Statement:

The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the *Local Government Act 2020*, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's *Election Period Policy*.

Disclosure of Interests (S.130):

This report was prepared by Mr Wayne Carter, Occupational Health and Safety Officer.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to provide information.

Summary:

The unconfirmed minutes of the Occupational Health and Safety Committee meeting held on 5 September 2024 have been provided to Councillors prior to the meeting.

Recommendation:

That the unconfirmed minutes for the Occupational Health and Safety Committee meeting held on 5 September 2024 be noted.

Council Resolution:

**CR DIKSCHAI
CR SCALES**

THAT THE UNCONFIRMED MINUTES FOR THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING HELD ON THE 5 SEPTEMBER 2024 BE NOTED.

CARRIED

18 Council Policies

There are no policies for review or adoption.

19 Sealing of Documents

Nil.

20 Confidential

Section 66 of the *Local Government Act 2020* declares that meetings are to be open to the public unless the following specified circumstances apply:

1. *A Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.*
2. *The circumstances are –*
 - a) *the meeting is to consider confidential information; or*
 - b) *security reasons; or*
 - c) *it is necessary to do so to enable the meeting to proceed in an orderly manner.*
3. *If the circumstance specified in subsection (2)(b) or (2)(c) applies, the meeting can only be closed to the public if the Council or delegated committee has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.*
4. *For the purposes of subsection (3), the arrangements may include provision to view the proceedings on the Internet or on closed circuit television.*
5. *If a Council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection –*
 - a) *the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of confidential information in section 3(1); and*
 - b) *an explanation of why the specified ground or grounds applied.*

As defined in section 3(1) of the Local Government Act 2020 "confidential information" means the following information

- a. Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- b. Security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- c. Land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- d. Law enforcement information, being information which if released would be reasonably likely to prejudice the investigation in an alleged breach of the law or the fair trial or hearing of any person;
- e. Legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- f. Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- g. Private commercial information, being information provided by a business, commercial or financial undertaking that –
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- h. Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);
- i. Internal arbitration information, being information specified in section 145;
- j. Councillor Conduct Panel confidential information, being information specified in section 169;
- k. Information prescribed by the regulations to be confidential information for the purposes of this definition; and

Information that was confidential information for the purposes of section 77 of the Local Government Act 1989.

Nil.

21 Closure of Meeting

There being no further business, the Mayor declared the meeting closed, the time being 11:01 am.