Minutes

Wodonga Council minutes for the Special meeting of the council held in the Council Chamber – 104 Hovell St, Wodonga on December 20, 2019.

Present

Cr A Speedie (Mayor)
Cr B Mitchell (Deputy Mayor)
Cr L Hall
Cr D Lowe
Cr R Mildren
Cr J Watson

In attendance

Mr M Dixon Chief Executive Officer
Ms D Mudra Deputy Chief Executive Officer
Ms N Klein Director Finance and Systems
Ms S Hogg Acting Director Community Development
Mr L Schultz Director Planning and Infrastructure
1. **Calling to order**

   The meeting was called to order at 9am by the Mayor.

2. **Statement of acknowledgement**

   The Mayor read the following:
   *
   We acknowledge the traditional owners of this land on which we are meeting and pay our respects to their Elders past, present and emerging, and to those from other communities who are here with us today, for they hold the memories, the tradition and the culture of all Aboriginal and Torres Strait Islander People.

3. **Apologies and requests for leave of absence**

   An apology was received from Cr Kat Bennett.

4. **Declaration under Acts, Regulations, Codes or Local Laws**

   There were none.

5. **Declaration by councillors of any conflict of interest**

   There were no conflict of interest disclosures.

6. **Urgent business**

7. **Confidential business**

   7.1 Proposed sale of land at LOGIC

8. **Confidential urgent business**

9. **Close of meeting**
Live streaming and video recording of meeting

The council meeting will be live streamed on the internet and video recorded.

The video recording of the meeting will be uploaded online within 48 hours of the conclusion of the meeting, and be capable of repeated viewing.

The voices and images of those participating in the meeting, and in the gallery, may be captured as part of this recording.

Every care is taken to maintain the privacy of persons in the public gallery with the camera focussed on the Mayor, Councillors and Executive Officers.

However, persons in attendance at a public council meeting are advised that incidental capture of an image or sound of persons in the public gallery may occur. By remaining at the meeting persons give their consent to being filmed and the possible use of images and sound recordings in a live streaming or published video of the public council meeting.
<table>
<thead>
<tr>
<th>Environment</th>
<th>Minor (4)</th>
<th>Moderate (3)</th>
<th>Major (2)</th>
<th>Catastrophic (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Brief non-hazardous or contained temporary pollution</td>
<td>Residual pollution requiring cleanup</td>
<td>Significant harm to the environment requiring restorative work</td>
<td>Irreversible damage to the environment</td>
</tr>
<tr>
<td>Financial</td>
<td>Little to no impact on revenue or expenditure</td>
<td>Moderate impact on revenue or expenditure</td>
<td>Major impact on revenue or expenditure that will result in a council budget revision</td>
<td>Total impact on revenue or expenditure that may lead to the organisation being placed into administration</td>
</tr>
<tr>
<td>Service Delivery</td>
<td>Disruption to program, project or service with no downtime. May be dealt with by routine operations or management action and have limited impact on objectives</td>
<td>Require management initiated review and have some impact on the business unit's program, project or service, or on its strategic objectives. Temporary loss of key data</td>
<td>Would threaten the continuation of a business unit's program, project or critical service. Impact adversely on the Business Unit's strategic objectives. Irreversible loss of key data</td>
<td>Would threaten the organisation's viability or would not allow the organisation to achieve its objectives</td>
</tr>
<tr>
<td>Reputation</td>
<td>Limited political/community sensitivity No reputational damage. Resolved in normal operational management</td>
<td>Some political/community sensitivity and local media scrutiny and/or requires external audit</td>
<td>Results in significant political community sensitivity and media scrutiny and/or parliamentary questions</td>
<td>Results in extreme political/community sensitivity and media scrutiny or may result in a commission of inquiry or report</td>
</tr>
<tr>
<td>Safety</td>
<td>May result in minor injury or reversible health damage which may be dealt with through primary First Aid</td>
<td>Result in injury or health impacts that are reversible, but may require medical attention but limited ongoing treatment</td>
<td>Results in life-threatening or serious injury which is irreversible requiring medical attention and ongoing treatment</td>
<td>Results in death or permanent disability of one or more people</td>
</tr>
<tr>
<td>Legislative Compliance</td>
<td>Minor technical breach but no damages</td>
<td>Minor technical non-compliance and breaches of regulations or law with potential for minor damage or monetary penalty</td>
<td>Major compliance breach with potential exposure to large damages or awards</td>
<td>Sanction compliance breach with potential prosecution with maximum penalty imposed</td>
</tr>
</tbody>
</table>

### Consequence

<table>
<thead>
<tr>
<th>Likelihood</th>
<th>Almost Certain (A) Can be expected to occur in most circumstances (i.e. weekly)</th>
<th>Likely (B) Will probably occur in most circumstances in the future (i.e. monthly)</th>
<th>Possible (C) May occur in some circumstances in the future (i.e. yearly)</th>
<th>Unlikely (D) Could occur at some time in the future, but doubtful (i.e. every 2-10 years)</th>
<th>Rare (E) Expected to occur in exceptional circumstances (i.e. 10 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consequence</td>
<td>Significant</td>
<td>Medium</td>
<td>Medium</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>High</td>
<td>Significant</td>
<td>Significant</td>
<td>Significant</td>
<td>Significant</td>
</tr>
<tr>
<td></td>
<td>Extreme</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>Extreme</td>
<td>Extreme</td>
<td>Extreme</td>
<td>Extreme</td>
<td>Extreme</td>
</tr>
</tbody>
</table>

### Response based on risk score

- **Extreme** - Council/CEO's attention immediately required. Possibly avoid undertaking the activity OR implement new controls
- **High** - Director's attention required. Consider suspending or ending activity OR implement additional controls
- **Significant** - Manager's attention required. Ensure that controls are in place and operating and management responsibility is applied
- **Moderate** - Manage through usual procedures and accountabilities
- **Low** - Add treatments where appropriate
Clause 24 of the Council's Meeting Procedure Local Law (no. 1 of 2019) states:

If the agenda for an Ordinary meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

a) relates to or arises out of a matter which has arisen since distribution of the agenda; or

b) cannot safely or conveniently be deferred until the next Ordinary meeting or involves a matter of urgent community concern.

There was no urgent business.
**Closure of meeting to the public**

Section 89 (2) of the *Local Government Act 1989* provides that a council may resolve that a meeting be closed to members of the public if the meeting is discussing any of the following:

(a) personnel matters;
(b) the personal hardship of any resident or ratepayer;
(c) industrial matters;
(d) contractual matters;
(e) proposed developments;
(f) legal advice;
(g) matters affecting the security of Council property;
(h) any other matter which the Council or special committee considers would prejudice the Council or any person;
(i) a resolution to close the meeting to members of the public.

The item/s listed at item 16 were 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, the council may resolve to consider these issues in open or closed session.

**Recommendation**

That the meeting be closed to members of the public in order to consider matters pursuant to section 89(2) of the *Local Government Act, 1989*, and that the meeting be adjourned for two minutes to allow the public to leave the Chamber.

**Motion**

Crs Brian Mitchell / Danny Lowe

That the recommendation be adopted.  

Carried
7.1 - Proposed sale of land at LOGIC

Consideration of this item will be closed to members of the public as it contains matters listed under section 89(2) of the *Local Government Act 1989*:

(d) contractual matters;
(e) proposed developments.
Clause 24 of the Council's *Meeting Procedure Local Law* (no. 1 of 2019) states:

If the agenda for an Ordinary meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

a) relates to or arises out of a matter which has arisen since distribution of the agenda; or

b) cannot safely or conveniently be deferred until the next Ordinary meeting or involves a matter of urgent community concern.

A confidential urgent business item also needs to stipulate the reason for the matter being considered as confidential in accordance with section 89 (2) and section 89 (3) of the *Local Government Act* 1989.

There was no confidential urgent business.
• **Return to open council**

**Recommendation**
That the ordinary meeting of the council be resumed.

**Motion**
Crs John Watson / Danny Lowe
That the recommendation be adopted.

**Carried**

• **Adopt the 'in-camera' recommendations**

**Recommendation**
That the recommendations of the closed meeting of the council be adopted.

**Motion**
Crs John Watson / Libby Hall
That the recommendation be adopted.

**Carried**

• **Chairperson to close the meeting.**

There being no further business the meeting closed at 10.08am.

Minutes confirmed this ..................... day of .......................... 2020.

........................................
Chairperson