Wodonga Council minutes for the Special meeting of the council held in the Council Chamber – 104 Hovell St, Wodonga on March 8, 2019.

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

In attendance
Ms D Mudra Acting Chief Executive Officer
Ms N Klein Director Business Services
Ms K Davies 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 the land on which we are meeting. We pay our respects to their Elders and to Elders from other communities who may be here today.*

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

   There were no apologies or requests for leave of absence.

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

   **Recording of council meeting**

   The acting CEO advised that the council’s Meeting Procedure Local Law states that audio, video, or still image recording devices are not to be used, unless prior approval has been given by the chairperson or by council. Members of the public gallery were requested to observe this requirement.

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

   There were no conflict of interest disclosures.

6. **Urgent business**

7. **Confidential business**

   7.1 Appointment of the Chief Executive Officer

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 a critical service. Impact adversely on the Business Units strategic objectives. Unrecoverable 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 and 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_request for audit of the organisation’s activities</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 on-going treatment</td>
<td>Sanction compliance breach with potential prosecution with maximum penalty imposed.</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></td>
</tr>
</tbody>
</table>

**Consequence**

<table>
<thead>
<tr>
<th>Likelihood</th>
<th>Almost Certain (A)</th>
<th>Likely (B)</th>
<th>Possible (C)</th>
<th>Unlikely (D)</th>
<th>Rare (E)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Response based on risk score</td>
<td>Significant</td>
<td>High</td>
<td>Extreme</td>
<td>Extreme</td>
<td>Extreme</td>
</tr>
<tr>
<td></td>
<td>Medium</td>
<td>Significant</td>
<td>High</td>
<td>High</td>
<td>Extreme</td>
</tr>
<tr>
<td></td>
<td>Medium</td>
<td>Significant</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>Low</td>
<td>Medium</td>
<td>Significant</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>Low</td>
<td>Low</td>
<td>Medium</td>
<td>Significant</td>
<td>Significant</td>
</tr>
</tbody>
</table>

Extremes - Council/CEO's attention immediately required. Possibly voiding 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 agreed.
Medium - Manage through usual procedures and accounts
Low - Add treatments where appropriate
Clause 23 of the council's Meeting Procedure Local Law (no. 1 of 2009) 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.
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 Kat Bennett / Brian Mitchell

That the recommendation be adopted.  

Carried
7.1 - Appointment of the Chief Executive Officer

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:

(a) personnel matters;
(d) contractual matters.
Clause 23 of the council's Meeting Procedure Local Law (no. 1 of 2009) 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.
• Return to open council

Recommendation
That the ordinary meeting of the council be resumed.

Motion
Crs Kat Bennett / 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 Kat Bennett / John Watson
That the recommendation be adopted.

Carried

• Chairperson to close the meeting.

There being no further business the meeting closed at 9.15am.

Minutes confirmed this ...................... day of ................................. 2019.

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