

# Minutes

for the Ordinary meeting of the council held in the Council Chamber – 104 Hovell St, Wodonga on September 28, 2015

## Present

Cr M Byatt

Cr M Fraser

Cr E Kerr

Cr L Mahood

Cr A Speedie

Cr J Watson

## In attendance

Ms P Harrington Chief Executive Officer

Mr N Klein A/Director Business Services

Ms D Mudra Director Community Development

Mr L Schultz Director Planning and Infrastructure



CITY OF WODONGA VIC

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## 1. Calling to order

In the absence of the Mayor the meeting was called to order at 9am by the Chief Executive Officer (CEO).

The CEO advised that in accordance with the Meeting Procedure Local Law she would be temporary Chairperson until the election of a Chairperson at item 4.

## 2. Statement of acknowledgement

The CEO 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

An apology was received from Cr Wangman.

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

### Election of Chairperson

The CEO called for nominations. Cr Speedie was nominated by Cr Fraser and seconded by Cr Watson. Cr Speedie accepted the nomination. There were no other nominations. In the absence of any other nominations Cr Speedie assumed the role of Chairperson.

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

There were no conflict of interest disclosures.

## 6. Confirmation of minutes of previous meeting

### Recommendation

That the minutes of the ordinary meeting of the council held on September 21, 2015, as circulated, be confirmed.

### Motion

Crs John Watson / Michael Fraser

That the recommendation be adopted.

**Carried**

**7. Delegates reports**

Nil 5

**8. Officers reports for determination**

8.1 Certification of Annual Financial Report and Performance Statement 9

**9. Officers reports for noting**

Nil 10

**10. Officers reports for information**

Nil 11

**11. Notices of motion**

Nil 12

**12. Petitions**

Nil 13

**13. Council seal**

Nil 14

**14. Urgent business**

**15. Question time and presentation of awards**

**16. Confidential business**

Nil 17

**17. Confidential urgent business**

**18. Close of meeting**

	Minor (4)	Moderate (3)	Major (2)	Outstanding (1)
<b>Opportunities</b>	<ul style="list-style-type: none"> <li>may change attitude or contribute to a change in attitude of small section of the community or organisation OR</li> <li>small reduction in expenditure/no impact on budget or minimal/no increase in income for the business units' project or program OR</li> <li>may improve or contribute to the improvement of capacity and/or efficiency of some business units OR</li> <li>may enhance or contribute to the enhancement of reputation with small section of the community OR</li> <li>may improve or contribute to the improvement of health/wellbeing of staff and/or sections of the community</li> </ul>	<ul style="list-style-type: none"> <li>change in small section of the community and/or organisational behaviours OR</li> <li>moderate reduction in expenditure or increase in income for the business unit project or program (by 15% to 30%) OR</li> <li>improvement of capacity and/or efficiency of some business units OR</li> <li>enhancement of reputation with a small section of the community OR</li> <li>some improvement in health/wellbeing of staff and/or sections of the community</li> </ul>	<ul style="list-style-type: none"> <li>significant changes in sections of the community or organisational behaviours OR</li> <li>significant reduction in expenditure for the business units' project or program (by 30% or more) OR</li> <li>significant improvement in capacity and/or efficiency of multiple business units OR</li> <li>significant enhancement of reputation with sections of the community OR</li> <li>significant improvement in health/wellbeing of staff and/or sections of the community</li> </ul>	<ul style="list-style-type: none"> <li>significant change in community and organisational behaviours OR</li> <li>significant improvement in organisational financial position OR</li> <li>significant improvement in organisational capacity and/or efficiency OR</li> <li>significant enhancement of reputation with all/most of the community OR</li> <li>significant improvement in health, wellbeing of all/most community members or staff</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>could require action to offset the impact on some aspect of a business units' program or project OR</li> <li>consequence may be dealt with by routine operations or management action OR</li> <li>limited impact on the business units' operational objectives OR</li> <li>limited political/community sensitivity OR</li> <li>management reporting required OR</li> <li>may result in minor injury or reversible health damage which may be dealt with through primary first aid OR</li> <li>no reputational damage</li> </ul>	<ul style="list-style-type: none"> <li>would not threaten a business units' program or project, but could result in a significant review OR</li> <li>some political/community sensitivity and local media scrutiny OR</li> <li>parliamentary questions OR</li> <li>require management initiated review OR</li> <li>some impact on the business units' objectives OR</li> <li>result in injury or health impacts that are reversible, but may require medical attention but limited on-going treatment</li> </ul>	<ul style="list-style-type: none"> <li>would threaten the continuation of a business units' program or project OR</li> <li>impact adversely on the achievement of a business units' strategic objectives OR</li> <li>result in significant political community sensitivity and media scrutiny OR</li> <li>ministerial intervention OR require external audit</li> <li>result in life-threatening or serious injury which is irreversible requiring medical attention and on-going treatment OR</li> <li>may significantly impact one or more of the organisations' objectives as outlined in the Council Plan</li> </ul>	<ul style="list-style-type: none"> <li>would threaten the organisations' viability OR</li> <li>result in extreme political/community sensitivity and national media scrutiny OR</li> <li>result in a commission of inquiry or request OR</li> <li>result in death or permanent disability OR</li> <li>would not allow the organisation to achieve its objectives according to the Council Plan</li> </ul>
<b>Likelihood</b>				
<b>Almost Certain (A)</b> Can be expected to occur in most circumstances (i.e. weekly)	Significant	High	Extreme	Extreme
<b>Likely (B)</b> Will probably occur in most circumstances in the future (i.e. monthly)	Medium	Significant	High	Extreme
<b>Possible (C)</b> May occur in some circumstances in the future (i.e. yearly)	Medium	Significant	High	High
<b>Unlikely (D)</b> Could occur at some time in the future, but doubtful (i.e. every 2-10 years)	Low	Medium	Significant	High
<b>Rare (E)</b> Expected to occur only in the most exceptional circumstances (i.e. 10 years)	Low	Low	Medium	Significant

E – Council/CEO's attention immediately required. Possibly avoid undertaking the activity OR implement new controls  
 controls S – Manager's attention required. Ensure that controls are in place and operating and management responsibility is agreed. M - Manage through usual procedures and accountabilities L – Add treatments where appropriate

**Risk management legend**  
 NB: This table shows the legend to the codes used in some agenda reports.

<b>7 - Delegates reports</b>	
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Council has not received any Delegates reports for this meeting.

## 8.1 - Certification of Annual Financial Report and Performance Statement

### Purpose of report

To approve in principle the Annual Financial Report and Performance Statement for the year ended June 30, 2015, prior to their submission to the Auditor-General.

### Background

The Financial Statements for the year ended June 30, 2015 have been drafted and submitted to the Victorian Auditor-General's agent, Crowe Horwath, for audit.

The Comprehensive Income Statement for the year shows a surplus of \$18.883 million, (2013-2014 - \$2.980 million). This result was influenced by the following factors:

- Developers contributed \$10.796 million of non-monetary infrastructure assets during the year. In 2013-2014 developers contributed \$0.446 million of non-monetary infrastructure assets.
- Grant funds received during the year of \$16.649 million was higher than the previous year (2013-2014 - \$11.19 million) as a result of the Grants Commission grants for 2014-2015 not being prepaid at June 30, 2014 as in previous years and the grant for 2015-2016 being part prepaid on June 30, 2015, and more non recurrent capital grants received in 2014-2015 mainly attributed to the CBA development.

A detailed analysis between the final actual amounts to that of the budget will be carried out in conjunction with the first quarter review to form the basis of any necessary re-budgeting variances for 2015-2016.

The council is required to approve in principle the Annual Financial Report and the Performance Statement for the year ended June 30, 2015 prior to their submission to the Victorian Auditor-General. The council is also required to nominate two Councillors who will sign the Financial Statements and Performance Statement following the Auditor-General's review and any necessary alterations recommended by him. The Financial Statements and Performance Statement are also required to be signed by the Chief Executive Officer and the Principle Accounting Officer.

After receiving the signed Financial Statements and Performance Statement the Auditor-General will issue his report so that Council can forward to the Minister the complete Annual Report by September 30, 2015.

After the Annual Report has been submitted to the Minister, the council must give public notice that the Annual Report has been prepared and can be inspected.

**8.1 - Certification of Annual Financial Report and Performance Statement (cont'd)**

**Council Plan**

Strategic objective	Strategy	Key priority activity
We are innovative, responsive and responsible in the way we conduct business.	Responsible financial management.	Not applicable

**Council policy / strategy implications**

Not applicable.

**Risk and opportunity management implications**

Risk description	C'quence	L'hood	Rating	Controls & treatments
If the Financial Statements are not approved in principle the council will not be able to submit the Annual Report to the Minister by date of 30/09/15.	4	C	Low	The statements will need to be submitted later.

**Financial implications**

There are no financial implications.

**Environmental implications**

There are no environmental implications.

**Social / cultural implications**

There are no social / cultural implications.

**Legislative implications**

Sections 131 to 135 of the Local Government Act 1989 specify the requirements of Council for preparing and submitting its Annual Report to the Minister.

**Community engagement and internal consultation**

The council's Annual Financial Report and Performance Statement for the year ended June 30, 2015, were submitted to the council Audit Committee meeting of September 17, 2015, and the Audit Committee recommends to the council that the statements be adopted.

## 8.1 - Certification of Annual Financial Report and Performance Statement (cont'd)

### Options for consideration

1. Do nothing – not recommended as the Council will not be able to lodge its Annual Report to the Minister by the due date
2. Approve in principle the Annual Financial Report and Performance Statement – recommended.

### Conclusion

The tabled Annual Financial Report and Performance Statement be approved in principle.

### Attachments

Nil

### Tabled papers

The following documents will be tabled at the meeting:

- Document A: Annual Financial Report 2014-2015
- Document B: Annual Performance Report 2014-2015

### Declaration of conflict of interests

Under section 80C of the *Local Government Act* 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino

In providing this advice, I have no interests to disclose in this report.

Manager Finance - Narelle Klein

In providing this advice as the report author, I have no interests to disclose in this report.



**8.1 - Certification of Annual Financial Report and Performance Statement (cont'd)**

**Recommendation**

That the Annual Financial Report and Performance Statement for the year ended June 30, 2015 be approved in principle, and that councillors Speedie and Fraser be designated signing councillors for the purpose of formally signing the 2014-2015 Annual Financial Report and the Performance Statement.

**Motion**

Crs Michael Fraser / John Watson

That the recommendation be adopted.

**Carried**

<b>9 - Officers reports for noting</b>	
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Council has not received any Officers reports for noting for this meeting.

<b>10 - Officers reports for information</b>	
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Council has not received any Officers reports for information for this meeting.

<b>11 - Notices of motion</b>	
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Council has not received any Notices of motion for this meeting.

<b>12 - Petitions</b>	
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Council has not received any Petitions for this meeting.

<b>13 - Council seal</b>	
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Council has not received any documents requiring the attachment of the Council seal for this meeting.

<b>14 – Urgent business</b>	
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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.

**15 - Question time and presentation of awards**

Clause 61 of the council's Meeting Procedure Local Law (no. 1 of 2009) states:

- 61.1 There shall be a public question time at every Ordinary meeting to enable members of the public to submit written questions to Council.
- 61.2 Public Question Time will have a duration as determined by Council from time to time.
- 61.3 Questions submitted to Council must be prefaced by the name and address of the person submitting the question and generally be in a form approved or permitted by Council.
- 61.4 Persons submitting questions must be present in the gallery at the time the question is due to be read, or the question will not be addressed by Council.
- 61.5 No person may submit more than two questions at any one meeting.
- 61.6 If a person has submitted two questions to a meeting, the second question:
  - a) may, at the discretion of the Chairperson, be deferred until all other persons who have asked a question have had their questions asked and answered; or
  - b) may not be asked if the time allotted for public question time has expired.
- 61.7 A question may be disallowed by the Chairperson if the Chairperson determines that it:
  - a) relates to a matter outside the duties, functions and powers of Council;
  - b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - c) deals with a subject matter already answered;
  - d) is aimed at embarrassing a councillor or a member of Council staff;
  - e) relates to personnel matters;
  - f) relates to the personal hardship of any resident or ratepayer;
  - g) relates to industrial matters;
  - h) relates to contractual matters;
  - i) relates to proposed developments;
  - k) relates to matters affecting the security of Council property; or j) relates to legal advice;
  - l) relates to any other matter which Council considers would prejudice Council or any person.
- 61.8 Questions will be answered either at the Council meeting or as soon as possible after the Council meeting, subject to such policy or guidelines that Council may adopt from time to time.
- 61.9 No debate on questions asked or answers given is permitted.

**Presentation of awards**

Since the awards for September were presented at the ordinary meeting of September 21, 2015, there will be no presentation of Awards at this meeting.



<b>16 - Confidential business</b>	
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Council has not received any Confidential business for this meeting.

**17 – Confidential urgent business**

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*.

**18 – Close of meeting**

There being no further business the Chairperson, Cr Speedie, declared the meeting closed at 9.10am.

Minutes confirmed this ..... day of ..... 2015

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Chairperson