

Minutes



Wodonga Council minutes for the Special Meeting of the Council held in the Council Chamber – 104 Hovell St, Wodonga on June 15, 2018.

Present

Cr A Speedie (Mayor)

Cr K Bennett

Cr D Lowe

Cr R Mildren

Cr T Quilty (from 3.06pm).

In attendance




Ms P Harrington Chief Executive Officer

Ms N Klein Director Business Services

Ms D Mudra Director Community Development

Mr L Schultz Director Planning and Infrastructure

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1. Calling to order

The meeting was called to order at 3pm 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

Apologies were received from Cr Libby Hall and Cr John Watson.

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

Recording of council meeting

The 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. Officers reports for determination

6.1 Request to be heard - draft 2018-2019 Budget

4

7. Urgent business

8. Confidential urgent business

9. Close of meeting

		Minor (4)	Moderate (3)	Major (2)	Catastrophic (1)
		Brief, non-hazardous, or contained temporary pollution	Residual pollution requiring cleanup	Significant harm to the environment requiring restorative work	Irreversible damage to the environment
		Little to no impact on revenue or expenditure	Moderate impact on revenue or expenditure	Major impact on revenue or expenditure that will result in a council budget revision	Total impact on revenue or expenditure that may lead to the organisation being placed into administration
		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	Requires 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	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.	Would threaten the organisation's viability or would not allow the organisation to achieve its objectives
		Limited political/community sensitivity	Some political/community sensitivity and local media scrutiny and/or requires external audit	Results in significant political community sensitivity and media scrutiny and/or parliamentary questions	Results in extreme political/community sensitivity and media scrutiny or may result in a commission of inquiry or inquest
		No reputational damage. Resolved in normal operational management	Result in injury or health impacts that are reversible, but may require medical attention but limited on-going treatment	Results in life-threatening or serious injury which is irreversible requiring medical attention and on-going treatment	Results in death or permanent disability of one or more people
		May result in minor injury or reversible health damage which may be dealt with through primary First Aid	Minor technical non-compliances and breaches of regulations or law with potential for minor damages or monetary penalty.	Major compliance breach with potential exposure to large damages or awards.	Serious compliance breach with potential prosecution with maximum penalty imposed.
		Minor technical breach but no damages	Consequence		
		Significant	High	Extreme	Extreme
		Medium	Significant	High	Extreme
		Medium	Significant	High	High
		Low	Medium	Significant	High
		Low	Low	Medium	Significant
		Expected to occur in exceptional circumstances (i.e. 10 years)	High	Extreme	Extreme
		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 agreed.	Medium - Manage through usual procedures and accountabilities
		Low - Add treatments where appropriate	Low	Low	Low
		Response based on risk score	Low	Medium	Significant
Likelihood	Almost Certain (A)	Can be expected to occur in most circumstances (i.e. weekly)	High	Extreme	Extreme
	Likely (B)	Will probably occur in most circumstances in the future (i.e. monthly)	Significant	High	Extreme
	Possible (C)	May occur in some circumstances in the future (i.e. yearly)	Significant	High	High
	Unlikely (D)	Could occur at some time in the future, but doubtful (i.e. every 2-10 years)	Medium	Significant	High
	Rare (E)	Expected to occur in exceptional circumstances (i.e. 10 years)	Low	Medium	Significant

6.1 - Request to be heard - draft 2018-2019 Budget

Purpose of report

This Special Council Meeting is being held to hear from persons who have requested to be heard in support of a written submission under section 223 of the *Local Government Act 1989* (the Act) on the draft 2018-2019 Budget. This report explains the process to be followed.

Background

At its meeting of May 14, 2018 the Council resolved to give public notice of the draft 2018-2019 Budget. The public notice was given on Wednesday, May 16 and the period for submissions closed on Wednesday, June 13, 2018.

The section 223 process provides that a person making a submission is entitled to request that they be heard in support of their written submission. Five submissions were received, and one submitter, Michael Fraser, has requested to be heard. A copy of the submission from Mr Fraser is tabled.

The submitter has been advised that:

- *All councillors have received a copy of the submission.*
- *You will have up to 15 minutes to speak to the submission. The Chairperson may extend the period if it appears that the time allowed is insufficient where there is complexity in the submission.*
- *The comments, or a summary of them, may be included in a report to a future Council meeting at which a report on the section 223 process will be considered.*
- *Your comments should be in support of the written submission.*
- *Other than to clarify procedural matters through the Chairperson, there will be no opportunity to ask questions of the councillors.*
- *There will be no questions directed at you while you speak to the submission. The Chair or other councillors may ask questions once you have finished speaking to the submission in order to clarify or explore matters raised.*
- *You are requested to observe any directions that the Chairperson may give.*

Council Plan

Strategic objective	Strategy
Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.	Good governance and customer experience

6.1 - Request to be heard - draft 2018-2019 Budget (cont'd)

Council policy / strategy implications

The council has issued Guidelines on the section 223 process and this special meeting is being conducted in accordance with those Guidelines.

Risk and opportunity management implications

Risk description	C'quence	L'hood	Rating	Controls & treatments
Section 223 hearing is not held and council is in breach of the Act	1	E	Significant	Conduct the hearing in accordance with the requirements in the Act

Financial implications

There are no financial implications with holding this hearing, with all costs covered in the Council's operational budget for 2017-2018.

Environmental implications

There are no environmental implications associated with this report.

Social / cultural implications

There are no social / cultural implications associated with this report.

Legislative implications

This hearing is part of the legislative process by which council considers submissions received under section 223 of the Act.

Community engagement and internal consultation

This Special Council Meeting is a part of the legislated process involving a public call for submissions, and an opportunity to be heard.

Options for consideration

The Council is required by legislation to provide for submitters to be heard in support of section 223 submissions. This process complies with the resolution of the Council of May 14, 2018.

6.1 - Request to be heard - draft 2018-2019 Budget (cont'd)

Conclusion

The request to be heard is a right for any submitter who responds to a section 223 public notice on a proposed action by Council. This meeting will provide the opportunity for this to occur.

Attachments

Nil

Tabled papers

The following documents will be tabled at the meeting:

- Document A: Section 223 submission from Michael Fraser

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 - Narelle Klein

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

Manager Governance and Customer Focus - Spencer Rich

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

Governance Officer - Kevin Scully

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

Recommendation

That the presentation made in support of the section 223 submission from Michael Fraser be noted, and a summary of the presentation be included in a report on the section 223 process for the draft 2018-2019 Budget to the ordinary meeting of the Council scheduled for June 25, 2018.

Motion

Crs Kat Bennett / Tim Quilty

That the recommendation be adopted.

Carried

7 – Urgent business	
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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.

There was no urgent business.

8 – 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*.

There was no confidential urgent business.

9 – Close of meeting

- **Chairperson to close the meeting.**

There being no further business the meeting closed at 3.30pm.

Minutes confirmed this day of 2018.

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Chairperson