

Minutes

Ordinary Meeting of Council

Held at 10:30am, Wednesday 26 February 2025
Council Chamber, Corryong Council Office
76 Hanson Street, Corryong, 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
76 Hanson Street, Corryong, Victoria
at 10:30am on Wednesday 26 February 2025**

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 10:34am.

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, Wortmann, Tolsher and Pitman

Officer Attendance:	Title:
Ms Phelps	Chief Executive Officer
Mr Heritage	Director Infrastructure and Environment
Mr Florence	Director Community and Planning
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.

Mr Phelps, Mr Florence and Ms Taylor advised of a material conflict of interest in relation to agenda item 9.6 'Chief Executive Officer Leave Request'.

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.

- Ordinary Council Meeting held on 29 January 2025

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 29 January 2025 be confirmed.

Council Resolution:

**CR TOLSHER
CR PITMAN**

**THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29
JANUARY 2025 BE CONFIRMED.**

CARRIED

6 Petitions and Joint Letters

Nil.

7 Public Question Time

In accordance with Council's Governance Rules, all questions must be submitted to Council in writing by 2.00pm on the day prior to the Council meeting.

An online form is available on Council's website, and a hard copy of the form is available at both the Tallangatta and Corryong Council offices.

Public Notice of Public Question Time was included in the advertisement for the Council meeting.

The CEO will advise of any Public Question Time submissions at the meeting.

7.1 Submitter: Matthew Spurgeon

Subject: Umbrellas in Hanson St

Questions:

1. Given we live in an extremely litigious world I seek clarity around the umbrellas in the main street of Corryong. Who is responsible for opening them up? Can anyone open them up? If I open one up in the morning and forget to close it at night and it gets vandalised, who is responsible? If I open one up and a wind storm comes along and destroys the umbrella, who is responsible? Who is responsible if the umbrella blows out of its mounting and hits a car or person? If your staff are responsible, then will they now be working Saturday Sunday and Public holidays?

Council Response:

As the submitter Mr Spurgeon was not present at the meeting, the CEO Ms Phelps advised that a response would be provided outside of the meeting.

7.2 Submitter: Catherine Ross

Subject: Maintenance of Corryong to Colac Colac bike track

Questions:

1. I am concerned with the maintenance of the Corryong to Colac Colac bike track. A number of these issues are not recent and if addressed have been just "bandaided".

There are 4 sections which I believe need urgent maintenance:

- A culvert crossing on the Corryong side of Pauline and Greg Hilliers.
- Damage to the asphalt on many sections of the track, especially the area between the abattoir and the creek crossing.
- The crossing across the creek next to the Colac Colac Bushland Reserve.
- The asphalt on the section between Corryong (Mittamatite) Caravan Park and the recently re-built house.

I regularly use the track – both walking and riding. It is a great asset to the area and has many regular users. I also observe the increasing number of visitors who use this as a means of connecting both caravan parks and Corryong. Many of the locals and visitors who use the track are younger children. The poorly maintained areas are a safety hazard and can detract from the overall experience.

I am very aware of the Council plan for the upgrade to the whole of the High Country Rail Trail which includes the Corryong to Colac Colac section. (I was involved with the working group established to develop the masterplan for this in 2020 and beyond.) I fully support this plan, but am concerned that this has also been an excuse to "wait for the big money" and not address maintenance issues. Photos and details of the areas described will be sent to info@towong... and also brought to the Council Meeting.

Council Response:

The Director Infrastructure and Environment, Mr Heritage advised that staff would inspect the track and prioritise works to ensure that the track is safe for users prior to the Man From Snowy River Bush Festival. Additional works to improve drainage and mitigate against future flooding events will also be factored into future Capital works programs.

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 15 January 2025 and 29 January 2025 are attached as follows:

1. Workshop Meeting Record - 15 January 2025 [**8.1.1** - 3 pages]
2. Workshop Meeting Record - 29 January 2025 [**8.1.2** - 3 pages]

Recommendation:

That the information be noted.

Council Resolution:

CR PITMAN
CR ANDERSON

THAT THE INFORMATION BE NOTED.

CARRIED

9 Organisational Improvement

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

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 Ordinary Council meeting on 29 January 2025.

Recommendation:

That the report be noted.

Attachment:

1. Action Sheet from Ordinary Council Meeting 18 December 2024 [9.1.1 - 1 page]

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 with all actions being completed.

Council Resolution:

CR ANDERSON

CR TOLSHER

THAT THE REPORT BE NOTED.

CARRIED

Confirmed

9.2 Instrument of Appointment and Authorisation - Planning and Environment Act 1987 (DCOD)

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 update Council's Instrument of Appointment and Authorisation for Council staff responsible for planning administration, support and enforcement.

Summary:

Councils have an important role under the *Planning and Environment Act 1987* (the Act) in facilitating the use, development and protection of land in Victoria. Enforcement of compliance under the act is important to address any breaches under the Act, as well as to represent and enforce the best interests of the community. Authorised Officers may assist with planning enforcement activities, which are required to be authorised by Council through an Instrument of Appointment and Authorisation.

Recommendation:

That:

1. Council exercise the powers conferred by section 224(1) of the LGA 1989, section 313 of the LGA 2020 and section 147(4) of the Planning and Environment Act 1987 and the Council staff referred to in the Instrument of Appointment and Authorisation (attached at Appendix 9.2.1) be appointed and authorised as set out in the instrument; and
2. The Instrument comes into force immediately after the Common Seal of Council is affixed to the instrument and remains in force until varied or revoked as set out in the Instrument.

Attachment:

1. Instrument of Appointment and Authorisation - P&E Act - Joshua Muller and Justin Troy [9.2.1 - 1 page]

Background/History:

Instruments of appointment and authorisation are an important means of Council ensuring that its officers are appropriately authorised under the relevant Acts that Council administers.

Section 224(1) of *Local Government Act 1989* (LGA 1989) provides that a Council may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of any Act, regulation or local law which relates to the powers, duties or functions of Council. Other legislation, including the *Planning and Environment Act 1987*, also empowers a Council to delegate certain powers, duties or functions and appoint authorised officers.

Although the power to appoint authorised officers remains with the LGA 1989, the power to institute proceedings has transitioned to section 313 of the *Local Government Act 2020* (LGA 2020), meaning that staff who are likely to institute proceedings on behalf of Council require an authorisation under the LGA 2020.

To enable planning enforcement activities, it is proposed that additional officers be appointed to support the planning team. Turnover of staff has reduced the number of officers authorised to assist with these activities.

Council subscribes to the Maddocks Delegations and Authorisation Service (Maddocks) whereby templates are provided to assist Council to provide authorisations to staff in line with up-to-date legislative requirements. The attached Instrument has been prepared in line with the most recent template provided by Maddocks.

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

Section 147(4) of the *Planning and Environment Act 1987* specifies that authorised officers under this Act refer to those who the relevant planning authority has authorised in writing to carry out the relevant duty, function or power.

Section 224(1) of the *Local Government Act 1989* provides that a Council may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of any Act, regulation or local law which relates to the functions and powers of Council.

Section 313 of the *Local Government Act 2020* authorises officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in the applicable instrument.

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

Council could seek to retain the powers, duties and functions proposed for authorisation within this report. Authorisations have been proposed with a view to managing the administrative burden on Council, to focus on matters of the highest priority to the community.

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)):

Council has an annual subscription for Maddocks that is accounted for in Council's annual budget.

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:

Council utilises Maddocks to ensure that authorisations are comprehensive and compliant with legislative requirements. Increasing the number of appropriate staff able to assist with planning enforcement activities also reduces the risk of not being able to address potential planning breaches within our shire in a timely manner.

Officer's View:

It is the officer's view that the officers put forward for appointment can provide valuable assistance towards planning enforcement activities. Land use and development is regulated to ensure the best interests of the wider community are maintained, which protects the health and safety of both the environment and people in the area. Additional authorised officers will increase Council's capability to address planning enforcement issues moving forward.

Council Resolution:

CR WORTMANN

CR PITMAN

THAT:

- 1. COUNCIL EXERCISE THE POWERS CONFERRED BY SECTION 224(1) OF THE LGA 1989, SECTION 313 OF THE LGA 2020 AND SECTION 147(4) OF THE PLANNING AND ENVIRONMENT ACT 1987 AND THE COUNCIL STAFF REFERRED TO IN THE INSTRUMENT OF APPOINTMENT AND AUTHORISATION (ATTACHED AT APPENDIX 9.2.1) BE APPOINTED AND AUTHORISED AS SET OUT IN THE INSTRUMENT; AND**
- 2. THE INSTRUMENT COMES INTO FORCE IMMEDIATELY AFTER THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENT AND REMAINS IN FORCE UNTIL VARIED OR REVOKED AS SET OUT IN THE INSTRUMENT.**

CARRIED

9.3 Quarterly Budget Report (DCOD)

Disclosure of Interests (S.130):

This report was prepared by Mr Dylan Howard, Manager Finance.

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:

To present the Quarterly Budget Report in accordance with the requirements of the *Local Government Act 2020*.

Summary:

The quarterly budget report presented in the appendix demonstrates that Council has recorded a quarterly surplus of \$13.207 million to the end of December 2024. The reason for the unusually large surplus is the carried forward unexpended grants from prior year as well as 85% of the full year allocation of Federal Assistance Grants being paid in July. The expenditures to which these income items relate to have not been incurred to the full extent forecast. A more detailed analysis of the most important and material financial information is included in the attached report.

Recommendation:

That:

1. The report be noted; and
2. It be noted that the Chief Executive Officer has advised that a revised budget is not required.

Attachment:

1. Quarterly Budget Report as at 31 December 2024 [**9.3.1** - 8 pages]

Background/History:

This report provides a quarterly update on the financial performance of the organisation.

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

Section 97 of the *Local Government Act 2020* requires the following:

- (1) *As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.*
- (2) *A quarterly budget report must include –*
 - (1) *a comparison of the actual and budgeted results to date; and*
 - (2) *an explanation of any material variations; and*
 - (3) *any other matters prescribed by the regulations.*

This report meets the requirements of the Act.

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)):

Council has achieved a net operating surplus that is far higher than anticipated due to the timing of the receipt of the grants, however we are still forecasting a deficit to finish up for the year. It is not sustainable to maintain ongoing deficits into the future.

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

Not Applicable.

Council Plans and Policies:

Council Plans:
Not applicable.

Council 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:

Whilst the quarterly budget report presents a positive operating result and the cash position remains strong, a large portion of this is committed to projects (operating and capital) for which the funding was obtained.

Officer's View:

The organisation is still in a strong financial position, however a significant portion of Council resources are committed to budgeted capital works and services such as flood recovery funding. The presentation of the budget for 2024/25 highlighted that into the future, Council remains dependent on the receipt of one-off grant funding to support renewal of its aging infrastructure into the future. Significantly, the funding being supplied by State and Federal governments is more often tied to construction of new infrastructure, as opposed to the renewal of roads, bridges and drainage assets. An increase in untied government grant support is required to facilitate asset renewal, to the extent that Council requires. Consideration has been given to whether a revised budget is required as per section 97 of the LGA 2020 and it has been determined that a revised budget is not required.

Council Resolution:

**CR TOLSHER
CR WORTMANN**

THAT:

- 1. THE REPORT BE NOTED; AND**
- 2. IT BE NOTED THAT THE CHIEF EXECUTIVE OFFICER HAS ADVISED THAT
A REVISED BUDGET IS NOT REQUIRED.**

CARRIED

9.4 S6 Instrument of Delegation - Council to Members of Council Staff (DCOD)

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 update the Instrument of Delegation from Council to Members of Council Staff, to take into account legislative changes which were assented to or made between January 2024 and January 2025.

Summary:

The *Local Government Act 2020* (LGA 2020) provides all councils with the ability to delegate various elements of its powers, duties and functions to its staff. These delegations are formally recorded in the document, "s6 Instrument of Delegation from Council to Members of Council Staff" (instrument s6).

Council subscribes to the Maddocks Delegations and Authorisations service to ensure that its instrument s6 is up to date in accordance with all relevant legislation that may be delegated. Maddocks typically issues updates to its delegation template every six (6) months and has recently issued an update based on legislative changes which were assented to, or made, on or before January 2025. It is now timely for Council to adopt an updated instrument s6 to align with recent legislative changes. The updates in legislative changes are marked up in the Appendix on pages 32 and 99 of the attachment.

Recommendation:

That

1. Council exercise the powers conferred by legislation referred to in the s6 Instrument of Delegation to Members of Council staff (attached at Appendix 9.4.1);
2. There be delegated to members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument;
3. The instrument comes into force immediately after the Common Seal of Council is affixed to the instrument;
4. On the coming into force of the instrument, all previous delegations from Council to members of Council staff are revoked; and
5. The duties and functions set out in instrument s6 must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Attachment:

1. S 6 Instrument of Delegation to Members of Council Staff - DRAFT 2025 [9.4.1 - 132 pages]

Background/History:

The LGA 2020 provides that a Council can delegate to a member of its staff any power, duty or function of a Council under any Act other than certain specified powers. Various other Acts also empower a Council to delegate certain powers, duties or functions.

Council utilises the delegations service provided by the law firm Maddocks. The Maddocks template system is used by many councils and provides a mechanism to ensure that appropriate delegations are in place for Council staff and that they are up to date in accordance with any legislative changes. All of the relevant Acts affecting local government are outlined within the Maddocks templates.

In January 2025 Maddocks released updates to its template for "s6 – Instrument of

Delegation to Members of Council Staff". Council's instrument s6 was last considered and adopted at the January 2024 Council Meeting.

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

The recommendation in this report is made in accordance with the *Local Government Act 2020* and all other Acts which enable the delegation of Council powers, functions and duties to its staff. Instrument s6 has been drafted with respect to the authorities and the restrictions governing delegations as described in each of these Acts. Maddocks Delegations and Authorisations Service has been utilised to aid in ensuring compliance.

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

Option 1: Approve the suggested delegations included in the appendix. Delegations have been proposed with a view to managing the administrative burden on Council, this will enable Council to focus on matters of the highest priority to the community.

Option 2: Council could seek to retain various powers, duties and functions proposed for delegation within this report.

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)):

Council has an annual subscription to the Maddocks Delegations and Authorisations Service that is allowed for in Council's annual budget.

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:

Council utilises Maddocks Delegations and Authorisations service to ensure that delegations are comprehensive and in compliance with legislative requirements.

Officer's View:

Delegations have been proposed on the basis of responsibility being placed at the most appropriate level of knowledge and experience to facilitate Council carrying out its duties in the most efficient but responsible manner.

Council Resolution:

CR ANDERSON

CR PITMAN

THAT

- 1. COUNCIL EXERCISE THE POWERS CONFERRED BY LEGISLATION REFERRED TO IN THE S6 INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF (ATTACHED AT APPENDIX 9.4.1);**
- 2. THERE BE DELEGATED TO MEMBERS OF COUNCIL STAFF HOLDING, ACTING IN OR PERFORMING THE DUTIES OF THE OFFICES OR POSITIONS REFERRED TO IN THE ATTACHED INSTRUMENT OF DELEGATION, THE POWERS, DUTIES AND FUNCTIONS SET OUT IN THAT INSTRUMENT, SUBJECT TO THE CONDITIONS AND LIMITATIONS SPECIFIED IN THAT INSTRUMENT;**
- 3. THE INSTRUMENT COMES INTO FORCE IMMEDIATELY AFTER THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENT;**
- 4. ON THE COMING INTO FORCE OF THE INSTRUMENT, ALL PREVIOUS DELEGATIONS FROM COUNCIL TO MEMBERS OF COUNCIL STAFF ARE REVOKED; AND**
- 5. THE DUTIES AND FUNCTIONS SET OUT IN INSTRUMENT S6 MUST BE PERFORMED, AND THE POWERS SET OUT IN THE INSTRUMENT MUST BE EXECUTED, IN ACCORDANCE WITH ANY GUIDELINES OR POLICIES OF COUNCIL THAT IT MAY FROM TIME TO TIME ADOPT.**

CARRIED

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

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 October and December 2024.

Significant activities undertaken in this quarter included:

- All required actions to support the Victorian Electoral Commission (VEC) in the conduct of the Local Government elections, and the subsequent swearing in an induction of our elected representatives;
- An all-staff day which allowed us the opportunity to showcase the recent developments in our respective teams, including
 - A demonstration of the new excavator ;
 - The new emergency management and recovery trailers,
 - A catch-up with our Corryong outdoor staff that have been working hard in various roles to ensure the town and CBD streetscape is looking great.

Recommendation:

That the report be noted.

Attachment:

1. DCOD quarterly update [9.5.1 - 1 page]

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)):

Not applicable.

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 November Audit and Risk Committee meeting was held during the quarter, and the unconfirmed minutes from this meeting were made available to Council in the December Council meeting.

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 TOLSHER
CR PITMAN**

THAT THE REPORT BE NOTED.

CARRIED

Ms Phelps, Mr Florence and Ms Taylor left the meeting due to a material conflict of interest disclosed at item 4, the time being 10.50am.

9.6 Chief Executive Officer Leave Request (Mayor)

Disclosure of Interests (S.130):

This report was prepared by Cr Andrew Whitehead, Mayor.

At the time of preparation of this report, Cr Whitehead 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 seek approval for the Chief Executive Officer to take Annual Leave over the period specified in this report and to appoint an Acting Chief Executive Officer for that period.

Summary:

The Chief Executive Officer has requested Annual Leave for the period Monday 3 March 2025 to Friday 28 March 2025 inclusive.

The Chief Executive Officer has recommended that:

1. For the period 3 March to 16 March 2025 Mr Mark Florence, Director Community and Planning, be appointed to the role of Acting Chief Executive Officer; and
2. for the period 17 March to 28 March 2025 Ms Narelle Taylor, Director Corporate and Organisational Development, be appointed to the role of Acting Chief Executive Officer.

Recommendation:

That:

1. The Chief Executive Officer be granted Annual Leave for the period Monday 3 March 2025 to Friday 28 March 2025 inclusive;
2. The appointment of Mr Mark Florence, Director Community and Planning to the position of Acting Chief Executive Officer for the period 3 March to 16 March 2025 be approved; and
3. The appointment of Mrs Narelle Taylor, Director Corporate and Organisational Development to the position of Acting Chief Executive Officer for the period 17 March to 28 March 2025 be approved.

Council Resolution:

CR ANDERSON

CR TOLSHER

THAT:

- 1. THE CHIEF EXECUTIVE OFFICER BE GRANTED ANNUAL LEAVE FOR THE PERIOD MONDAY 3 MARCH 2025 TO FRIDAY 28 MARCH 2025 INCLUSIVE;**
- 2. THE APPOINTMENT OF MR MARK FLORENCE, DIRECTOR COMMUNITY AND PLANNING TO THE POSITION OF ACTING CHIEF EXECUTIVE OFFICER FOR THE PERIOD 3 MARCH TO 16 MARCH 2025 BE APPROVED; AND**
- 3. THE APPOINTMENT OF MS NARELLE TAYLOR, DIRECTOR CORPORATE AND ORGANISATIONAL DEVELOPMENT TO THE POSITION OF ACTING CHIEF EXECUTIVE OFFICER FOR THE PERIOD 17 MARCH TO 28 MARCH 2025 BE APPROVED.**

CARRIED

Ms Phelps, Mr Florence and Ms Taylor returned to the meeting, the time being 10.53am.

9.7 Risk and OHS Bi-monthly Report (DCOD)

Disclosure of Interests (S.130):

This report was prepared by Ms Loren Murray, Manager Risk and Safety.

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 an update on Council's Risk and Occupational Health and Safety (OHS) strategy, performance, activities, and key initiatives for the reporting period.

Summary:

The Risk and OHS bi-monthly report provides a summary of the following:

- High level summary of incidents and injuries in the business and WorkCover claims
- High potential incidents and near misses (HPIs), that have occurred during the reporting period and details of the identified causes, recommended controls, and the progress of developing and implementing these controls to date.
- An insurance report on notable public liability claims that occurred during the reporting period
- Progress on close out of major hazards by site
- A high-level summary of the major projects underway and progress on systems development and implementation.

Recommendation:

That the Risk and OHS Bi-Monthly report be noted

Attachment:

Documents have been circulated to Councillors prior to the meeting.

Background/History:

The Risk and OHS report shows how Council is performing against its OHS strategic plan and accepted industry standards. Council's Risk and OHS management performance measures and indicators quantify the inputs, outputs, and outcomes of

a risk management system. They identify whether the risk management processes are implemented and working as intended; and if the risk management system is effective.

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)):

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)):

Innovations and improvements during this reporting period:

- The Risk Management Framework (RMF) has been developed in draft. A series of workshops with SMT, Risk Owners and Council have been planned to finalise the framework. The Audit and Risk Committee have endorsed the RMF approach.
- The Safety Information Management Software (IMS) business case has been approved by SMT and endorsed by the Audit and Risk Committee. A preferred software provider has been identified.

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

Not Applicable.

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

Budget requirements and availability have been confirmed, grant funding has been sought where possible, and all expenditure is being monitored and managed within agreed budget allocations.

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

Not Applicable.

Council Plans and Policies:

Council Plans:

This report supports the following Council Plan 2021-2025 priorities.

6. Organisational Improvement - Maintain a high performing customer-centred organisation that works with the community to develop and deliver priorities.

6.7 Provide a safe and healthy workplace for all Councillors and staff in a continually evolving environment

6.13 Continually improve the risk management and governance frameworks and practices

Council Policies:

Occupational Health and Safety Policy.

Risk Management Policy.

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:

Project activities are prioritised commensurate to the likelihood and impact of identified business and OHS risks.

Officer's View:

During the reporting period there has been a strong focus on the development of systems procedures that provide us a structured and systematic process for managing OHS compliance requirements.

There has also been a focus on identifying and closing out high risk hazards at our public facilities including swimming pools, the resource recovery centres and the saleyard infrastructure. While there are still many challenges related to these assets, tangible progress has been made.

There is a renewed focus on how the public interact with our new and existing assets and the strength of the safety in design process during the project management phases.

Last reporting period, there was a significant focus on building our training and

competency framework and training assets. The provision of training and instruction is a primary obligation under the Act.

Currently there is a compliance gap in this area that requires consideration. Progress on developing Safe Operating Procedures (SOPs) and training assets has been slow due to the availability of resources. A discussion is underway regarding the most effective resourcing structure, which will enable Council to meet its obligations.

The Risk Management Framework (RMF) has been drafted. The finalisation and implementation of this framework is not without its challenges. The management of business risk is a structured process that is underpinned by a calendar of risk management activities. The challenge will be embedding these activities into our calendars and our work culture and making them part of business as usual.

The investment in business technology is proving to be a deciding factor in the functions ability to meet its objectives. The business case has been approved for the implementation of a Safety Information Management System (IMS). This software is a key stone in Council's ability to meet its OHS legal obligations and deliver an effective safety program. Like all initiatives, the who, when and how of implementation is the challenge.

The safety IMS will also support the Human Resource function to meet some of its critical work process needs, especially in the areas of training and induction. However, what has become clear during this process is that the safety IMS cannot meet all the needs of the HR function. For example, the safety IMS cannot deliver a recruitment, onboarding and workforce tracking solution. Currently, the manual administration of these HR activities requires a dedicated employee. Leveraging business technology will be a game changer in these arenas.

Council Resolution:

**CR PITMAN
CR ANDERSON**

THAT THE RISK AND OHS BI-MONTHLY REPORT BE NOTED

CARRIED

9.8 CNC Loan Report (DCOD)

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 seek approval from Council for a variation to the CNC loan with Bank WAW to interest only for a period of six (6) months.

Summary:

In February 2019 it was resolved that Council agree to act as guarantor for a loan to the Corryong Neighbourhood Centre (CNC) up to a total of \$250,000 over seven (7) years to support the development of their social enterprise model.

Due to the financial challenges facing the CNC, they have requested our support for a variation to interest only loan repayments for a period of six (6) months.

Recommendation:

That Council approve a variation to the CNC loan with Bank WAW to interest only for a period of six months.

Attachment:

Nil.

Background/History:

The CNC provides a range of community services to the Upper Murray such as agency support for a range of government entities, youth services, writing workshops, internet and computer access, and education and training support. It operates under a social enterprise model, being a business that trades to intentionally tackle social problems, improve communities, and provide people with access to employment and training.

The CNC purchased the Corryong Bakery in 2016 and Upper Murray Rural Services in

2018. Owning and operating these business entities enables the CNC to collect a sustainable income stream to support the delivery of its local community services. These income streams have been supplemented by government funding and philanthropic grants.

In early 2019, the CNC requested financial support from Council to assist with their short-term needs while it built its operating cash flow, involving an interest-free loan of \$250,000 over seven years with no repayments until year three. It was resolved that instead of granting a loan directly, Council would act as guarantor for CNC to take out a loan with a bank.

Recent withdrawal of grant funding by Department of Families, Fairness and Housing for the Neighbourhood House program has exacerbated the financial challenges experienced by the CNC following several years of the bakery and garage businesses continuously recording operating losses.

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

Not applicable.

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

The following options are before Council for consideration:

- Approve the CNC's request to approach the bank for a loan variation to assist with operational cashflow; or
- Reject the CNC's request to approach the bank for a loan variation.

To support the ongoing availability of services provided by the CNC to the Upper Murray community, approving the loan variation is the recommended option, noting that if the loan is not able to be repaid in full, Council will bear the cost of the outstanding balance of the loan, currently sitting at \$112,000.

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

Social

The ongoing operation of the CNC provides for a range of social services to the community – providing this support to the organisation will enable the organisation to continue to operate and find alternative means of funding their existing liabilities.

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)):

Council are already exposed to the potential impact of CNC being unable to repay the bank WAW loan and likely will be recognising a provision for the loss of the outstanding loan amount. Providing approval for the CNC to seek a variation to the loan repayments is intended to lessen the risk of default in the long-term. It is unknown how successful this will be, however not providing it will likely increase the risk of default in the short term.

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:

As discussed above, Council is already exposed to the risk that the CNC default on their loan repayments and have to cover the outstanding loan amount. Providing approval for the CNC to seek a variation from Bank WAW is intended to lessen the risk of this happening. There is the risk of poor community sentiment being directed to Council if the request is denied.

Officer's View:

The value of social enterprises such as the CNC are difficult to quantify, but there is little doubt that it provides valuable services to the Upper Murray community.

Providing approval for the CNC to seek a variation to the loan repayments will not significantly increase the financial liability to which Council is exposed if the CNC do default on the loan. Conversely, if the CNC can take the interest-only period of six (6) months and reorganise their finances and continue to repay the loan in full, then this will significantly decrease Council's financial exposure. Therefore, on balance it is recommended to approve the CNC to seek a variation to the loan repayments.

Council Resolution:

**CR PITMAN
CR WORTMANN**

**THAT COUNCIL APPROVE A VARIATION TO THE CNC LOAN WITH BANK WAW
TO INTEREST ONLY FOR A PERIOD OF SIX MONTHS.**

CARRIED

10 Community Wellbeing

10.1 Culture and Inclusion and Tallangatta Neighbourhood House Report (DCP)

Disclosure of Interests (S.130):

This report was prepared by Ms Danielle Brooke, Senior Community Development Officer – Culture and Inclusion and Ms Katherine Lanigan, Senior Community Development Officer – Tallangatta Neighbourhood House.

At the time of preparation of this report, the officers 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:

Noting recent changes and new positions to the structure of the Community Wellbeing team, this report provides an overview of Community Development activities across Culture and Inclusion for the period 1 August 2024 to 31 January 2025 and the Tallangatta Neighbourhood House for the period September 2024 to 31 January 2025. A summary of the key activities during this time is as follows:

Youth

- FReeZA event summary for 2024.
- Draft Towong Shire Council Youth Plan 2025 to 2029.

Inclusion activities

- Reconciliation Action Plan with Reconciliation Australia.
- LGBTQIA+ report

Community Wellbeing

- Commencement of strategic planning for Municipal Health and Wellbeing Plan 2025 – 2029.
- Wellbeing partnerships and collaboration.

Creative Arts

- Partnership engagement

Libraries Report

- Inclusive of Living Libraires Infrastructure Program funding application

Tallangatta Neighbourhood House

- Tallangatta Community Christmas
- Spring Sizzle Lunch – Fundraiser for National Brest Cancer Foundation

Recommendation:

That the report be noted.

Attachments:

- Culture and Inclusion Report – August 2024 – January 2025
- Tallangatta Neighbourhood House Report – September 2024 – January 2025

Background/History:

This report is provided every six months to inform Council and the community of progress and activity across culture, inclusion and the Tallangatta Neighbourhood House.

This report is based on the new structure of the Community Wellbeing Team with contribution from the following positions:

Manager Community Wellbeing (new position)

Senior Community Development Officer - Culture and Inclusion (new position). This position includes arts, culture, youth, Libraries and social inclusion.

Senior Community Development Officer - Tallangatta Neighbourhood House (existing position).

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)):

The culture, inclusion and Tallangatta Neighbourhood House activities support community wellbeing by promoting connectedness and engagement, as well as offering community members to develop skills, and to exhibit talents and expertise.

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

No economic, social or environmental sustainability factors for the municipal district is required to be promoted through this report.

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

Community engagement was conducted or will be conducted during the following:

- Development of the Towong Shire Youth Plan 2025-2029.
- During the preparation of the LGBTQIA+ Inclusion and Wellbeing report.

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

The new structure of the Community Wellbeing team is focused on improving the focus across culture, inclusion and overall community development within the Shire.

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

The Draft Youth Plan, Municipal Health and Wellbeing Plan, LGBTQIA+ report, Reconciliation Action Plan, Art plan, all feature stronger collaboration opportunities to engage and support community to enhance community social capital.

Collaboration with important partners within the community and outreach services in the Youth Space, Health Services, Schools, First Nations Groups, LGBTQIA+ community, Neighbourhood House and Centres will play a pivotal role in driving better health and community outcomes.

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

Budget requirements and availability have been confirmed, grant funding has been sought where possible, and all expenditure is being monitored and managed within agreed budget allocations.

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

Activities have been conducted in accordance with relevant state and national plans including:

- Children, Youth and Families Act 2005
- The Victorian State Government's Creative State 2016-2020
- Victoria's Gender Equality Act 2020
- Victorian Health and Wellbeing Act 2008

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

2. Community Wellbeing - Encourage and support all people in our Shire to be healthy, happy, connected and resilient.

2.6 Develop a strategy for arts and cultural offerings across the Shire

2.8 Renew the Youth Plan to embed the 'youth voice' in all aspects of service delivery

2.11 Support our communities to ensure that Shire places are welcoming to culturally and linguistically diverse (CALD) and LGBTIQA+ communities and are inclusive and connected

2.12 Build relationships and develop understanding of aboriginal people and consider the commitment to an ongoing reconciliation action plan process

Council 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:

While the position of Senior Community Development Officer - Culture and Inclusion was vacant during part of this period, engagement of consultants has enabled limited delivery of youth and culture programs to continue and progress.

It is expected that the next six months will be productive with the recent commencement of the Senior Community Development Officer - Culture and Inclusion and support provided by the newly appointed Manager Community Wellbeing.

Council Resolution:

CR PITMAN

CR WORTMANN

THAT THE REPORT BE NOTED.

CARRIED

Confirmed

10.2 Grant Application - Living Libraries Infrastructure Program (DCP)

Disclosure of Interests (S.130):

This report was prepared by Mr Michael Stanton, Manager Community Wellbeing.

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 seek approval to apply for funding up to \$250,000 through the State Government Living Libraries Infrastructure Program (LLIP) for an internal renovation of the Corryong Elyne Mitchell Library.

Summary:

The report seeks Council approval for pursuing funding through the Victorian Government Living Libraries Infrastructure Program 2024-2025 for a minor internal renovation of the Corryong Elyne Mitchell Library. The Corryong Library is a valued community asset offering a range of services for residents and visitors and this has been identified as a much-needed project.

The LLIP is well established and the 2024/25 Program includes grants of between \$10,000 - \$1M to support library projects which enhance the role of libraries in strengthening communities and encouraging community participation.

In assessing grant applications, projects will be supported that deliver benefits to the community and aim to improve engagement and access to learning opportunities including accessibility, flexibility, provide space to increase learning opportunities/programs and include principles of environmentally sustainable design.

Internal improvements to the Corryong library have been identified as a priority with \$20,000 allocated via the Council Support Fund towards the development of a design, planning and costings of an internal renovation of the library with Eames Architects recently appointed to complete this work.

The detail of the design work will be finalised in early March following community consultation and the development of a report inclusive of concept design and costings, however we anticipate that total project cost to be \$250,000. There is no contribution required from Council in order to apply for this funding.

Recommendation:

That the Chief Executive Officer be authorised to submit an application to the Living Libraries Infrastructure Fund for up to the amount of \$250,000 for the Corryong Library Internal Renovation Project.

Attachment:

Nil.

Background/History:

The Corryong Library is a well-used community asset with good visitation numbers and a membership which is slowly increasing. The library operates as an important Community Hub facilitating community engagement through activities such as Story Time, Premier's Reading Challenge (grant funded), book clubs, key social and inclusive events, school programs, author talks and ongoing Library initiatives.

The Library provides gaming and family spaces during school holidays, and workspace and resources for travellers and locals for work, study, or leisure needs. Visitors utilise our spaces, Wi-Fi, technology, reading materials, and friendly staff assistance.

Internal improvements to the Corryong library have been identified previously and as part of the recovery program \$20,000 was allocated via the Council Support Fund towards the development of a design and planning of an internal renovation of the library.

Following a recent Request for Quotation process Towong Shire has engaged Eames Architects to carry out community consultation, develop a design concept, and costings. This work will take place through February and March with the works developed to assist in our proposed funding application to the Living Libraries Infrastructure Program (LLIP).

The LLIP enables Victorian councils and regional library corporations to deliver new or renewed library infrastructure for their communities and includes grants of between \$10,000 - \$1M. Under this program Towong Shire is described as a small rural Council and therefore not required to contribute towards the project as part of the application process.

The aim of the Corryong Library upgrade is to undertake minor works as an internal renovation, cosmetic in nature with small remodelling elements or upgrades. This will be to deliver a creative, innovative space that supports different programming and learning activities and improve the facility for community use, accessibility and

program deliverability. Additionally, to upgrade permanent fixtures and fittings critical to the efficient, effective and flexible delivery of library service.

Applications for the LLIP are due on March 14 and the project is expected to be up to \$250,000.

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)):

Several options are proposed for consideration, with Option 1 considered the preference in terms of achieving the best outcome for the community.

1. That Council approves the submission of a grant application to the Victorian Government's LLIP in March 2025 for up to the maximum grant of \$250,000 to fund the internal renovation of the Corryong Library.
2. That Council does not make a submission to the Victorian Government's LLIP and instead seeks alternative funding through other sources, with the aim of securing a higher level of funding for a larger scale development of the Corryong Library.
3. That Council does not pursue the internal renovation of the Corryong Library project.

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

Economic

The improved facilities provided by the renovation are not expected to increase on-going maintenance and operating costs. The project construction is expected to use local contractors, providing a positive impact on the local economy.

Social

The Corryong Library is a well-used community asset, and the proposed upgrades include improved and varied programming and learning activities further promoting the Library as a social hub and focus for the community.

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

Eames Architects have carried out community consultation as part of the works they have been engaged for. This engagement includes an online survey, a community

collaboration day at the Corryong Library and specific key stakeholder engagement.

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

In line with the intended outcomes of the Living Libraries Infrastructure Program the proposed Corryong Library upgrade aims to deliver a creative, innovative space that supports different programming and learning activities and improve the facility for community use, accessibility and program deliverability.

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

Collaboration for this project has occurred through recent consultation through the planning and design process. This consultation included a community survey, stakeholder engagement and a collaboration session at the library.

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

Council is not required to provide any funding contributions towards the Living Libraries Infrastructure Program application, and if successful will reduce the burden on ratepayers to renew this asset.

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

Not Applicable.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

2. Community Wellbeing - Encourage and support all people in our Shire to be healthy, happy, connected and resilient.
- 2.5 Review opportunities for communities to access library resources and connect through libraries
- 2.6 Develop a strategy for arts and cultural offerings across the Shire
- 2.11 Support our communities to ensure that Shire places are welcoming to culturally and linguistically diverse (CALD) and LGBTIQA+ communities and are inclusive and connected

Council Policies:

External Grants Policy

Under the external grants application policy, Council officers must seek approval from Council for any projects greater than \$150,000 and/or where a Council

contribution of \$50,000 or more is required that has not been included in the annual budget.

Community Engagement Policy.

Community consultation for this project is aligned to the Towong Shire's Community Engagement Policy.

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 risks associated with the Corryong Library internal reconstruction project have been significantly reduced thorough the recent planning process undertaken which has included community engagement and the development of Quantity Surveyor cost estimates for project construction.

Officer's View:

An internal renovation of the Corryong Elyne Mitchell Library has been identified as a priority with funning allocated via the Council Support Fund to complete design works, planning and costings, with an architect recently appointed to complete this work which will assist in the preparations of the proposed funding application.

The Library offers several services and program, is a valued community asset, has good visitation with membership slowly increasing.

The funding opportunity presented through the Victorian State Government's LLIP is an opportunity to access funding up to \$250,000 to complete the internal renovation of the Corryong Library without any contribution required from Towong Shire.

Council Resolution:

**CR PITMAN
CR ANDERSON**

THAT THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SUBMIT AN APPLICATION TO THE LIVING LIBRARIES INFRASTRUCTURE FUND FOR UP TO THE MAXIMUM GRANT AMOUNT OF \$250,000 FOR THE CORRYONG LIBRARY INTERNAL RENOVATION PROJECT.

CARRIED

10.3 Resilient Buildings Project Tender Evaluation (DCP)

Disclosure of Interests (S.130):

This report was prepared by Mr Sven Erikson, Emergency Management Co-ordinator.

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 to support the assessment of tender submissions for the Resilient Buildings Project. The report seeks approval to appoint the recommended contractor.

Summary:

This report demonstrates the tender process followed for the procurement of a suitable contractor to undertake the installation of works outlined within the Resilient Building Project and provides a recommendation for the appointment of a contractor to undertake these works.

Recommendation:

That :

1. Contract No. 2024-097 Resilient Buildings Project, be awarded to Indigo Power Ltd for the lump sum of \$816,461 excluding GST;
2. The Chief Executive Officer be authorised to sign and seal Contract No. 2024-097 in accordance with Local Law 1 – Common Seal and Miscellaneous Penalties; and
3. The Chief Executive Officer be authorised to approve contract variations up to the value of the total allocated project budget.

Attachment:

A comparative tender evaluation for Contract No.2024-097 has been provided to Councillors prior to the meeting.

Background/History:

Towong Shire Council (TSC) has received external funding to improve community resilience across isolated townships via minor infrastructure improvements to be implemented across the Shire's community facilities. The intention of this funding is to improve community recovery outcomes following an emergency event by upgrading solar power systems, providing water tanks, generators and improving communications systems.

A comprehensive audit has been undertaken of over 50 community facilities and prioritisation schedule of works has been completed for 28 sites. This audit has included community engagement with many of the community hall management committees to determine the infrastructure improvements required at each venue.

The scope of this tender is for a contractor(s) to project manage the following infrastructure improvements across 28 community facilities within the Towong Shire Council local government area to implement:

- Water infrastructure including required plumbing and product procurement to install polyethylene water tanks of up to 22,500 litre capacity at the nominated hall facilities.
- Power system improvements including the required electrical services work and product procurement to install solar panels, batteries and to be able to connect to a generator at the nominated hall facilities.
- Supply and deliver 10 KVA Diesel Generator- Single Phase- 240V and Trailer Package, registered, and with hitch lock and wheel lock.
- Communication systems improvements including the procurement of installations including install of a UHF CB base radio and antenna (upgradable to an LMR system) at the nominated hall facilities.

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

The *Local Government Act 2020*

Section 109 states:

"A Council must comply with its Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works".

The procurement process followed for this tender and the subsequent assessment and recommendation have been undertaken in accordance with Council's Procurement Policy adopted in June 2023.

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

In terms of achieving the best outcome for the municipal community, including future generations, two options are proposed for consideration:

Option 1 – Approve the tender as presented and award Contract No.2024-097 to Indigo Power Ltd

Option 2 – Retender the works. This will impact project timelines significantly and put Council at risk of meeting funding obligations.

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

Economic

This project will use local contractors providing a positive impact on the local economy.

Social

The successful completion of this project will significantly improve opportunities for community to gather before and after emergency events. It will support community to recover from previous emergency events and to build their resilience for future emergencies.

Environmental/Climate Change

The nature of the improvements to communities' facilities will mean each hall will reduce its use of mains water and mains power, leading to a more environmentally sustainable model of operations for each facility.

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

The Resilient Buildings Project is developed through strong partnerships between Council, Emergency Recovery Victoria, local community facility committees and emergency management stakeholders.

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

Emergencies are impacting our communities more often and with increasingly more consequences. Under the state Emergency Management arrangements outlined in the State Emergency Management Plan (SEMP) the need for communities to be able to support themselves is increasing with a target for communities to be self-sufficient for up to 72 hours after an event.

This project will support communities within the Towong Shire to improve their ability to be resilient before and after an emergency event.

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

This project has demonstrated progressive collaboration between Council, State Government via Emergency Recovery Victoria, the Towong Municipal Emergency Management Planning Committee (MEMPC) and the local community, to achieve a positive outcome.

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

Budget requirements and availability have been confirmed, grant funding has been sought, and all expenditure is being monitored and managed within agreed budget allocations.

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

State Emergency Management Plan
Hume Regional Emergency Management Plan
Towong Shire Municipal Emergency Management Plan

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

2. Community Wellbeing - Encourage and support all people in our Shire to be healthy, happy, connected and resilient.

2.14 Support our communities to drive their recovery from bushfires and the COVID-19 pandemic and improve their mitigation of and resilience to future adverse events

5. Environmental Sustainability - Integrate sustainable environmental management practices into all of our activities.

5.3 Continue to seek funding for integrated water management projects to maximise the use of recycled and raw water sources for public amenity and climate change mitigation

Council Policies:

Climate Adaptation Policy.

This project delivers climate adaption outcomes via deliver renewable energy infrastructure and water storage.

Procurement Policy:

The procurement process followed for this tender and the subsequent assessment and recommendation have been undertaken in accordance with Council's Procurement Policy adopted in June 2023.

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 project design and development, and the tender stage, have included strong risk management assessment. The due diligence exercised through the evaluation process has served to mitigate any significant risks associated with project delivery.

A risk for this project is the time frame available to spend the allocated grant funding. This risk will be mitigated through active management of project implementation and supervision of the contractor.

The appointment of an experienced contractor with strong referrals and strong community connection will facilitate the project being as low risk as possible.

Officer's View:

It is the officer's view that the awarding of Contract No.2024-097 to Indigo Power Ltd for the value of \$816,461 will result in successful project delivery and an excellent outcome for Council and the community.

Council Resolution:

**CR WORTMANN
CR ANDERSON**

THAT :

- 1. CONTRACT NO. 2024-097 RESILIENT BUILDINGS PROJECT, BE AWARDED TO INDIGO POWER LTD FOR THE LUMP SUM OF \$816,461 EXCLUDING GST;**
- 2. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN AND SEAL CONTRACT NO. 2024-097 IN ACCORDANCE WITH LOCAL LAW 1 – COMMON SEAL AND MISCELLANEOUS PENALTIES; AND**
- 3. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO APPROVE CONTRACT VARIATIONS UP TO THE VALUE OF THE TOTAL ALLOCATED PROJECT BUDGET.**

CARRIED

11 Asset Management

11.1 Asset Management Report (DIE)

Disclosure of Interests (S.130):

This report was prepared by Mr Jamie Heritage, Director of Infrastructure and Environment.

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:

This report provides an update on the progress of the asset management activities within the asset management team between October 2024 - January 2025, including:

- Asset management
- Asset inspections
- Asset maintenance, renewal, and replacement programs
- Issue of permits

Recommendation:

That the report be noted.

Attachment:

Nil

Background/History:

This is a quarterly report produced by the Infrastructure and Environment Directorate – Asset Team, to provide a progress overview of asset management activities and key deliverables of the *Council Plan 2021-25* and *Asset Management Plan*.

Civil Assets

The Asset Inspection officer has continued with scheduled and reactive civil inspections, including inspections of roads and footpaths across the Shire as per Council's *Road Management Plan* and annual inspection program. These asset

inspections identify defects that are outside Council intervention levels and will be rectified as part of routine maintenance works to be completed over the coming months. A total of 14.6 km or 30% of the footpath network and 1250 km 49% road network was inspected for condition, including 313km at night, this quarter.

Routine stabilisation works on 25,672m² of Council roads identified with high-risk defects have had stabilisation works completed. In preparation for the annual reseal program, the 2024/25 annual reseal program has been let with the contractor Boral proposed to start works at the start of March 2025. This year's program of works will see the resealing of 15.8km of Council's sealed road network.

The 2024/25 annual guardrail replacement program has been developed, with delivery expected to be completed in the second half of the financial year. The focus will be on the replacement of wooden posts on guardrails that have deteriorated beyond repair. The 2023/24 program is complete with 324m of guardrail replaced on both roads and bridges.

Council officers have inspected and investigated civil permits, issuing 6 Legal Point of Discharge Permits and 6 Working Within Road Reserve Permits in this quarter.

Storm damage repairs are progressing on roads damaged in the January and October 2022 flood events, DRFA (Emergency Recovery Victoria within the Department of Justice and Community Safety) has recently approved the certified estimate for \$2,218,831.58 for flood recovery work.

Construction is currently underway at the damaged Lake Road culvert with 35% of the works completed. Spring Creek Road Bridge construction / repairs are due to commence in late March 2025 with the road requiring to be closed whilst works are undertaken. Traffic will be redirected, and Lake Road Culverts open prior to this closure.

A list of Flood Damage Priority works was prepared and contracted in December 2024 to TCM works, 100% of these works have been completed.

The Priority 1 West End works contract has been let with TCM starting works in February 2025.

Recreation and Outdoor Space Assets

Extensive community consultation led to an outstanding result for the Walwa Park playground replacement. Enviro Culture were awarded the contract for the removal of the existing playground and the supply and install of a new playground, shade sail and seating. Works commenced in August 2024 with completion in November 2024.

Council awarded a tender for an independent condition assessment audit and

inspection of 29 playgrounds, skateparks, exercise stations and splashpads within the municipality. The results of these inspections have allowed Council officers to determine the current condition of existing playground facilities and facilitate a future routine maintenance and renewal program.

Building and Facility Assets

The annual inspection audit and report for Council Buildings Essential Safety Measures compliance to the Australian Building Code was previously completed under a shared service agreement with Indigo Shire Council. This service was no longer available under this agreement. Due to a resourcing gap Council officers arranged for an independent external provider to complete these on Council's behalf. Officers are working through the findings of the 19 completed inspections.

A review of Town Maintenance Service Contracts is currently underway, the current contracts expired on 31 October 2024, with council taking up the final +1-year extension. It is anticipated that this will be completed and new contracts to commence from 1 July 2025.

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

The *Local Government Act 2020*

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

Council officers continue to respond to customer requests in the best interest of council and the community.

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

Economic

Works within the asset management program provide local economic stimulus through the employment of local contractors.

Social

Projects within the asset management program are prioritised in line with the *Council Plan 2021-2025* to improve social amenity and economic outcomes across the Shire.

Environmental/Climate Change

Not applicable.

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

Community engagement within the asset team has continued over this period including:

- Responding to the community by completing reactive inspections and implementing maintenance on vital open and recreation spaces, including maintaining public amenities in a clean and well-stocked condition.

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

Council officers have engaged suitably qualified independent condition assessment contractors to assess assets so that council can be well informed when producing future asset and renewal programs. So far, we have engaged condition assessment contractors for roads, bridges and major culverts, playgrounds, skate parks, fitness equipment, splash pads.

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

Not Applicable.

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

The asset maintenance budget is reported to SMT on a monthly basis, and summary reporting for Council is to be developed for future reports.

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

Not Applicable.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025 priorities*.

1. Asset Management - Maintain and improve our Shire's infrastructure to meet the levels of service established in consultation with our communities.

- 1.22 Review and deliver the strategic parks and playgrounds upgrade program to completion
- 1.27 Deliver annual asset inspection and renewal programs per asset management and road management plan requirements
- 1.28 Implement the maintenance program for Council's buildings

Council Policies:

This report supports the following Council Policies

Asset Management Policy

Stock Grid Policy

Asset Valuation Policy

Community Engagement Policy

Road Construction Policy

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:

Council officers' continue to inspect and identify any hazards with council assets as part of the maintenance and renewal programs.

Officer's View:

The asset team has made notable progress over the past quarter in advancing the asset maintenance program, and are effectively managing aging infrastructure, identifying necessary renewals, and integrating new infrastructure despite operating with a limited team.

It is the officer's view that, with a modest budget and staffing, the asset team can achieve optimal outcomes for the Council and our community in a cost-effective manner. This approach will ensure Towong Shire's sustainability for the future.

Council Resolution:

**CR TOLSHER
CR WORTMANN**

THAT THE REPORT BE NOTED.

CARRIED

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

15.1 Australia Day (Cr Tolsher)

Meeting/event attended:	Australia Day 2025 (Tallangatta)
Date of Meeting/Event:	26/01/2025
Key information presented/discussed at meeting:	A beautiful sunny day in the triangles in the heart of Tallangatta was the background for a great day. We began with Rotary providing breakfast for us all. Proceedings began with Girl Guides positioning the flags and the Australian Citizenship Affirmation. Our guest speakers started off with the honorable Bill Tilley who spoke about how important this day is for all local communities. The next speaker was Rotarian Graeme Sayers who spoke about the great role and support the Rotary Club has been at this event. They both reflected on the past year and the future, diversity and inclusiveness within our society. The Tallangatta choir accompanied by Reece McKee performed 3 beautiful Australian songs that were also sung by the audience. There wouldn't be an Australia Day Ceremony without local Jock Cavanah reciting a poem that was well received by the community. The citizen of the year was awarded to Lucy-Anne Cobby who has been an active member on many committees and a tireless worker for many volunteer organisations. Lucy-Anne was a very humble and popular recipient of the award. The community group of the year was awarded to the Annual Tallangatta show society where all of the committee came on to the stage to accept the award with their President Roger Lees There was no Young Citizen of the Year awarded. Peter Tolsher

Members Comments/Thoughts:	Great event
Action Required:	Nil
Additional Information Available:	Nil

Recommendation:

That the report be noted.

Council Resolution:

CR TOLSHER

CR PITMAN

THAT THE REPORT BE NOTED.

CARRIED

15.2 Road Safe North East (Cr Tolsher)

Meeting/event attended:	Road Safe North East
Date and location of meeting/event:	4/2/2024 in Wangaratta
Key information from the meeting/event:	Spoke about a course for a learner driving instructor when supervising young adults. Could be possible to happen in our shire if there is enough interest. Gave an update on the development of a new project, a rest stop on the Omeo Hwy at Razorback Ridge. Talked about the legal aspect of driving a golf cart to and from the golf course of the road way. Its legal on the road and not to be on the footpath.
Members Comments/Thoughts:	Great committee to be part of with some great outcomes for our Council.
Action required:	See if there is interest for a supervising course to be held in the shire for learner drivers.
Additional Information:	Road safe northeast web site info@roadsafenortheast.com.au

Recommendation:

That the report be noted.

Council Resolution:

CR TOLSHER
CR ANDERSON

THAT THE REPORT BE NOTED.

CARRIED

15.3 Dartmouth Progress Association (Cr Tolsher)

Meeting/event attended:	Dartmouth Progress association
Date and location of meeting/event:	4/2/2024 in Dartmouth
Key information from the meeting/event:	Spoke about Phone and internet issues when power outages and that the backup battery only lasts approx 30 – 45 minutes. The system for logging issues is frustrating due to no follow up when it will be actioned. The need for someone to attend community meetings in Mitta and Eskdale. They requested a letter of support for the masterplan of the pondage that is sitting at council for response. They were very happy with progression of the splash park and said the project manager was good to deal with. Concerns that since the closure of the caravan park there is no access to fuel apart from driving to Mitta that is costly due to the travel distance and fuel price.
Members Comments/Thoughts:	A very committed community committee that was well chaired and respectful. It is valuable for a councillor to attend but I think quarterly would be enough.
Action required:	A letter of support for their pondage masterplan. See if we can leverage support for power outage battery back-up service plan. Make contact for councillor to attend community meetings in Mitta and Eskdale. Investigate another avenue for logging issues which has already been spoken about at the council workshop with JH.
Additional Information:	Council can make contact by email: judi.buss@gmail.com

Recommendation:

That the report be noted.

Council Resolution:

**CR TOLSHER
CR ANDERSON**

THAT THE REPORT BE NOTED.

CARRIED

Confirmed

15.4 Advocacy Meeting Albury/Wodonga Health Hospital (Cr Anderson)

Meeting/event attended:	Advocacy Meeting Albury/Wodonga Health Hospital
Date of Meeting/Event:	2 December 2024, 30 January 2025 and 6 February 2025
Key information presented/discussed at meeting:	<u>Advocacy meetings held 2/12/2024 and 30/1/2025</u> Presentation; - CEO and Board chair Albury Wodonga Health on the next steps for the brownfield site Presentation; - Border Medical Association & Better Border Health, their evidence why will the community gain/solve in this solution, why is it better alternative and risks. Discussion on advocacy strategy; Deputations and consensus achieved & approved for action. Actions to be taken from meetings; To co-ordinate deputations to Federal, Victorian and NSW governments including opposition government. 19 Feb – AM Train to Melbourne Actions paused as meeting offered with the Minister for Health, Mary-Ann Thomas. Minister for Health Mary-Ann Thomas offered to meet the Mayors of Albury Wodonga via a Zoom meeting. She rejected meeting in-person or meeting with two rural representatives, Mayors of Towong and Indigo. The meeting was unsuccessful. <u>Emergency Advocacy meeting NEW Hospital NEW Site 6/2/2025</u> 1. Update from Albury & Wodonga Mayors re; Deputation with Minister Thomas 2. Advocacy next steps; re-schedule 19th /2 march on Steps of Victorian Parliament to 5th March.

	3. Aims; deputations to NSW & Federal Government 4. Commence overall group communication for respective shires and invite to community members to attend rally.
Action Required:	Nil – meetings to continue
Additional Information Available:	Nil

Recommendation:

That the report be noted.

Council Resolution:

CR ANDERSON
CR WORTMANN

THAT THE REPORT BE NOTED.

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.

Council Resolution:

**CR WORTMANN
CR TOLSHER**

**THAT AN URGENT ITEM IN RELATION TO THE NEW EMERGENCY SERVICES
VOLUNTEERS FUND BE ADMITTED.**

CARRIED

Council Resolution:

**CR WORTMANN
CR ANDERSON**

THAT WE:

- 1. WRITE TO THE TREASURER TO EXPRESS OUR CONCERN AT THE IMPACT THE INCREASED LEVY WILL HAVE ON OUR RATEPAYERS;**
- 2. REGISTER OUR OBJECTION TO LOCAL GOVERNMENT COLLECTING THE NEW LEVY AND OUR DISMAY AT THE LACK OF CONSULTATION PRIOR TO THE ANNOUNCED CHANGES;**
- 3. STRONGLY SUGGEST THAT THE STATE REVENUE OFFICE COLLECT THE LEVY, NOT LOCAL COUNCILS;**
- 4. SEEK A MEETING WITH THE TREASURER TO PRESENT OUR CONCERNS AND SEEK AN ALTERNATIVE OUTCOME; AND**
- 5. SUPPORT THE MANSFIELD AND WODONGA COUNCIL MOTIONS AT THE MAV STATE COUNCIL.**

CARRIED

17 Committee Minutes

17.1 OHS Committee Meeting Minutes - January (DCOD-06/04/0212)

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 16 January 2025 have been provided to Councillors prior to the meeting.

Recommendation:

That the unconfirmed minutes of the Occupational Health and Safety Committee meeting held on 16 January 2025 be noted.

Council Resolution:

**CR ANDERSON
CR PITMAN**

THAT THE UNCONFIRMED MINUTES OF THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING HELD ON 16 JANUARY 2025 BE NOTED.

CARRIED

18 Council Policies

18.1 Policies for Review

The following policies are tabled for review in accordance with Council's agreed review cycle. Feedback should be provided to the nominated officer by 26 March 2025 to ensure any input can be considered prior to tabling the policies for adoption:

- Climate Adaptation Policy

Attachment:

1. Climate Adaptation Policy - Adopted 27 September 2023 [18.1.1 - 5 pages]

Recommendation:

That the policy tabled for review be noted.

Council Resolution:

**CR TOLSHER
CR PITMAN**

THAT THE POLICY TABLED FOR REVIEW BE NOTED.

CARRIED

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 11:32am.