

Agenda

Ordinary Meeting of Council

10:30am, Wednesday 29 January 2025
Council Chamber, Tallangatta Council Office
32 Towong Street, Tallangatta, 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.

**Agenda for the Ordinary Meeting of Council to be held at
32 Towong Street, Tallangatta, Victoria
on Wednesday 29 January 2025 commencing at 10:30am**

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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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

3 Apologies and Granting of Leave of Absence

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.

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 18 December 2024

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 18 December 2024, be confirmed.

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.

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 11 December 2024 and 18 December 2024 are attached as follows:

1. Workshop Meeting Records - 11 December 2024 [**8.1.1** - 3 pages]
2. Workshop Meeting Records - 18 December 2024 [**8.1.2** - 2 pages]

Recommendation:

That the information be noted.

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 18 December 2024.

Recommendation:

That the report be noted.

Attachment:

1. Action Sheet from Ordinary Council Meeting 18 December 2024 [**9.1.1** - 9 pages]

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 consideration towards the staffing impacts from the end of year office closures.

9.2 Chief Executive Officer Remuneration Review (Mayor)

Disclosure of Interests (S.130):

This report was prepared by Cr Andrew Whitehead, Mayor.

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 consider a recommendation from the Chief Executive Officer Employment and Remuneration Committee in relation to the review of the Chief Executive Officer's remuneration package.

Summary:

The Chief Executive Officer's performance is reviewed annually in line with the requirements of the *Local Government Act 2020* and the Chief Executive Officer's Contract of Employment.

It is a requirement of the Contract of Employment that the remuneration package is reviewed within one month of the annual performance review. The timing of the 2024 election meant that the remuneration review could not be undertaken within one month of the performance review.

The performance review was conducted in July-August 2024 and presented at the September 2024 Ordinary Council Meeting. The resolution included a recommendation that the incoming Council increase the Chief Executive Officer's remuneration package by at least CPI.

Recommendation:

That the Chief Executive Officer's remuneration package be increased by 3% backdated to 1 December 2024.

Attachment:

Nil

Background/History:

Section 45 of the *Local Government Act 2020* requires that Council maintain a Chief

Executive Officer Employment and Remuneration Policy that provides for, amongst other things, performance monitoring and an annual review of the Chief Executive Officer's performance.

In accordance with Council's Chief Executive Officer Employment and Remuneration Policy, the annual review of the Chief Executive Officer's performance was overseen by the Chief Executive Officer Employment and Remuneration Committee which is comprised of an Independent Chairperson and all Councillors. The Committee conducted a Request For Quotation process and recommended the selection of the independent consultant, Mr Sean Callanan, General Manager – McArthur Talent Architects VIC to lead the review.

Mr Callan was appointed by Council and subsequently facilitated the review and provided a report to the Committee and the Chief Executive Officer. The appraisal was made against the Performance Criteria set out in the Chief Executive Officer's Contract of Employment.

It is also a requirement of the Chief Executive Officer's Contract of Employment that a review of the Chief Executive Officer's Remuneration Package be reviewed annually within one month following the Performance Review having regard to:

- a. the Employment and Remuneration Policy;

and, to the extent the following are not inconsistent with the Employment and Remuneration Policy;
- b. the Officer's achievement of the Performance Criteria;
- c. the extent of any increase over the preceding 12 months in the Consumer Price Index (All Groups, Melbourne) as issued by the Australian Statistician;
- d. market rates for comparable positions; and
- e. the acquisition and satisfactory utilisation of new or enhanced skills by the Officer is beneficial to or required by the Council.

Given that the contract of employment anniversary was 1 December 2024 and the onset of the caretaker period prior to the election, the Council did not determine any alteration to the remuneration package at the time, but rather resolved to recommend to the incoming Council that the Chief Executive Officer's remuneration package be increased by at least CPI as at 1 December 2024.

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

The *Local Government Act 2020*, section 45(2)(b)(iv) states that Council must undertake an annual review of the Chief Executive Officer's employment and

remuneration.

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:

Council Plans:

Not applicable.

Council Policies:

The Performance Review was conducted in accordance with the *Chief Executive Officer Employment and Remuneration Policy*.

Transparency of Decision (s.9(2)(i)) :

It is the Mayor's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

The Local Government Inspectorate highlights several risks in their 2019 report "Protecting Integrity: Leading the way – Managing the employment cycle of a council CEO" given that there has historically been a lack of sector guidance for Councillors regarding how the employment cycle of the Chief Executive Officer is to be managed.

The *Local Government Act 2020* has introduced additional controls by requiring that councils adopt a Chief Executive Officer Employment and Remuneration Policy. Further, Council's policy requires that the employment cycle is overseen by a Chief Executive Officer Employment and Remuneration Committee which is led by an Independent Chairperson, providing additional independence and assurance.

Mayor's View:

The performance of our CEO over the review period has once again been of a high standard and the independent review process demonstrated that Juliana has performed well against the Key Performance Indicators that we set last year despite some significant challenges.

The Ministerial Rate Cap for 2025 has been set at 3%. CPI for the year to 30 June 2024 was 3.8% and for the year to 30 September 2024 2.8%. Given the excellent performance of our CEO it is recommended that the remuneration package be increased by 3% effective from 1 December 2024.

9.3 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 10 February 2025 to Friday 14 February 2025 inclusive.

The Chief Executive Officer has recommended that Ms Narelle Taylor, Director Corporate and Organisational Development, be appointed to the role of Acting Chief Executive Officer for the period Monday 10 February 2025 to Friday 14 February 2025.

Recommendation:

That:

1. The Chief Executive Officer be granted Annual Leave for the period Monday 10 February 2025 to Friday 14 February 2025 inclusive; and
2. Ms Narelle Taylor, Director Corporate and Organisational Development, be appointed to the position of Acting Chief Executive Officer for the period Monday 10 February 2025 to Friday 14 February 2025 inclusive.

10 Community Wellbeing

There are no Community Wellbeing reports to present this meeting.

11 Asset Management

11.1 Capital Works 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. The report gives an overview of the 2024/25 Capital Works Program to 31 December 2024.

Summary:

This report presents the overall status of the capital works program to the end of December 2024 and includes updates on project status, progress, expenditure and completion risk.

Recommendation:

That the report be noted.

Attachment:

1. Capital works Budget Dec '24 [**11.1.1** - 3 pages]

Background/History:

This is a report that replaces the quarterly budget report for capital works projects and the project status update previously provided with the bi-monthly Asset Management Report. It is by the Infrastructure and Environment team bi-monthly to provide a progress overview of the capital works program.

The Council budget for 2024-2025 includes a capital works budget of \$24.97million. The capital works program consists of eighty projects including new projects and carry forwards from previous years. The largest 13 projects represent 45% of the total capital works budget for 2024/25. Six of these are in progress, two are in construction, three have been completed, one in tendering phase with these twelve projects on track to be finished for the financial year end. The Hanson Street project is in the design phase for public consultation and projected to be completed over coming years via staged works.

The annual resealing, guardrail replacement, gravel re-sheeting and footpath renewal programs are all in progress for 2024-2025 and expected to be completed by the financial years end.

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

The Local Government Act 2020

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

Not Applicable.

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

Economic

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

Social

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

Environmental/Climate Change

The current dry weather conditions are favourable for project construction activities.

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

Community engagement for capital projects has continued including Corryong Streetscape, Corryong Shop Fronts community rebates, Cudgewa Avenue of Honour, Corryong skate park, Dartmouth splash park, the Walwa township playground, Walwa CFA Shed, and Great River Road.

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

The capital works program provides for the continuous strategic improvement of assets across the Shire.

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

Not Applicable.

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

As at 31 December 2024	\$	%
Total Budget	\$ 24,970,237.02	100
Year to Date spend (31 December 2024)	\$ 7,618,656.42	31

Detailed budget and job closure analysis is included in the appendix to this report.

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.

- 1.1 Deliver 100% of the annual capital works program and bushfire recovery projects
- 1.3 Complete Stage 2 Great River Road
- 1.4 Continue the upgrade of Georges Creek Road
- 1.5 Complete upgrades of Hanson Street from Sugarloaf Road to Kiel Street
- 1.6 Complete the upgrade of the Stock Route in Corryong
- 1.7 Progressively deliver the upgrade of the unsealed sections of Lake Road
- 1.8 Investigate upgrade options for Wisers Creek Road
- 1.10 Seek funding to deliver upgrades of key transport routes and hazardous road alignments to improve efficiency and safety
- 1.12 Continue to deliver the upgrade of unsealed streets in urban areas program
- 1.13 Complete the upgrade of the Corryong CBD
- 1.14.1 Complete streetscape upgrades in Dartmouth

- 1.14.2 Complete streetscape upgrades in Mitta Mitta
- 1.15.2 Investigate and plan for upgrades at Towong
- 1.15.3 Investigate and plan for upgrades at Cudgewa
- 1.17 Address long vehicle and overflow parking issues in CBD areas
- 1.19 Seek funding to deliver upgrades to town entrances and wayfinding signage across the shire
- 1.21 Increase the recreation opportunities for young families in Dartmouth
- 1.22 Review and deliver the strategic parks and playgrounds upgrade program to completion
- 1.25 Deliver the Corryong aerodrome 24 hour fuel project
- 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:

Procurement 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:

Limited contractor availability has and will continue to cause delays on road construction projects due to a high demand for suitable contractors across the state. The team will continue to contact local and regional contractors to encourage tender submissions and quotations.

Recruitment of suitably qualified and experienced project managers will continue in quarter 3 of 2024/25. Recent recruitment has been challenging and may delay the start of some new projects for the capital works program 2024/25.

Officer's View:

The team has made significant progress on the completion of the capital works program to mid-year. The financial report provided presents a year-to-date (YTD) expenditure as of 31 December 2024. As per the report, the total expenditure to date is \$7.61 million and is approximately 31% of the capital budget. However, some of the larger projects are under construction and are scheduled to be completed by June 2025. Progress claims for these projects are likely to reflect a larger spend in quarter 3 and 4 of the financial year.

12 Land Use Planning

There are no Land Use Planning reports to present this meeting.

13 Environmental Sustainability

13.1 Environment Sustainability Report (DIE)

Disclosure of Interests (S.130):

This report was prepared by Mr Greg Karlson, Coordinator Circular Economy 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 a quarterly update on environmental sustainability activities throughout the Shire for the period June 2024 to December 2024.

Council's environmental sustainability activities continue to be focused on the management of recycling operations at resource recovery centres along with actions related to the circular economy waste and recycling transition processes.

Recommendation:

That the report be noted.

Attachment:

Nil

Background/History:

Waste and recycling services

June 2024 saw the launch of a new 3 bin system and move to a new waste contractor – Cleanaway. Council work crews and Customer Service Officers were required to assist during the transition of waste collection service due to some teething operational problems. This included the operator being under-staffed which resulted in our outdoor crew aiding with missed collections, bin upgrades and broken bins etc for the first 2 months. Negotiations resulted in Council being duly financially compensated.

Ongoing education and promotion of the 3 bin system continue through Council digital platforms as well as a presence through the Halve Waste platform which enjoys TV promotional content.

Data collected on kerbside waste collection since the transition show that 64.30% of households with an existing kerbside bin service have taken up the additional FOGO bin. Although this figure seems low, it is heavily influenced by the level of opt-outs from eligible rural residents, who represented 38.3% of total households. Overall the participation rate of rural households was a modest 26.8% of total households.

YTD performance till Dec 24 highlights:-

- Organics tonnage levels - 391 tonnes collected from an average of 2118 monthly serviced households;
- General Waste tonnage levels - 463 tonnes collected from an average of 3036 monthly serviced households
- Recycling tonnage levels - 260.65 tonnes collected from an average of 3033 monthly serviced households
- Recycling Contamination Rate - 0.17 tonnes or 0.39% average with neutral trend on month-by-month basis

With the introduction of the 3-bin system Towong Shire has achieved a current diversion rate of 42.8% (excluding recycling) from landfill.

Container Deposit Scheme (CDS)

Local business and community groups in Tallangatta and Corryong were successfully established as CDS point operators for the State Government's 10c deposit scheme for eligible glass, plastic, aluminium and cardboard drink containers.

Resource Recovery Centres

The operational plan for the Tallangatta resource recovery centre (RRC) is to be reviewed early in the new calendar year to assess:

- The ongoing viability of the old retaining wall and whether it is “fit for purpose”; and
- The best waste management practice methodology for the facility that meets both public needs and operational efficiency by Council staff workers.

Corryong Landfill status - Facility has reached full capacity and has been closed for public access since October 2023. Alternate tipping arrangements were established at each RRC. Following the preparation of a suitable capping design for the closed cell and Aftercare / Environmental Management Plan by an external consultant these have been ratified by the EPA. The contract documents are being prepared to be issued to Contractor.

Climate Action

Climate Action Plan has been produced by Ironbark Sustainability Group who recommends investment in climate future with changes to Council vehicle fleet and landfill management practices. The removal of putrescible waste was strongly recommended which has now been partially addressed following the introduction of Food and Garden Organics Bins Kerbside collection service.

Passenger fleet vehicles are recommended to change to electric vehicles or hybrids to reduce carbon emissions. This will need to be further explored as lease renewals near end dates and future upgrades occur.

In 2019 Council adopted a software tool, Trellis, primarily to enable the measurement of emission levels from Council-owned assets. More broadly it allows organisations to manage data relating to its consumption of utilities, including electricity, gas, water, waste disposal, business travel and other resources such as fuel and refrigerant gas.

For the 23/24 FY carbon emission levels measured 2,568TCo2-e generated across Council-owned assets which was up 18.4% on prior year.

Main resource contributor to emission levels was derived from waste 55.49% or 1425TCo2-e with fuel consumption measured at 29.26%.

Tree and Weed Programs

Council engaged external consultant RM Consulting Group to prepare a report to investigate options for vegetation reduction and management to reduce the risk of bushfire for Council-managed rural roads.

In addition to providing an overview of possible preventative measures to mitigate bushfire risk, the report also identified potential high-risk fuel hazard areas of the local road network throughout the shire. This included an assessment of the fuel load characteristics of low-level vegetation types appearing along the local road network.

Shortly, a more detailed overview and copy of report is to be submitted independent to this report.

Tree planting within the shire commenced in early June and continued over the first quarter ahead of the upcoming summer period. Tree planting continues on Playles Hill with the planting of a further 20 trees across 12 species, contributing to the biodiversity required to mitigate risk from emerging pathogens and pests.

These plantings complimented other tree planting activities undertaken in the June quarter which saw the following occur:-

20 Chinese elms planted along Strezelecki Way, Corryong

30 Chinese pistachios And Eucalyptus leucoxylon at Walwa Recreation Reserve

Contractors were engaged to remove woody weeds encroaching the bike track at Playles Hill, funded by a grant secured by the Corryong CRC.

Elm tree inspection of approximately 100 trees indicate elm leaf beetles are not currently problematic, and no treatment is required. Trees will be re-inspected in the Autumn.

Trees have been removed and pruned to facilitate works for the Splash Pad in Dartmouth.

Approximately three cubic meters of biochar was used to improve the soil quality for the Hansen Street project.

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

All environmental sustainability actions have been undertaken in accordance with the service performance principles outlined in the *Local Government Act 2020*, *Environmental Protection Act 2017* and the *Circular Economy (Waste Reduction and Recycling Act) 2021*.

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

Not Applicable.

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

Economic

Enhanced recycling methods will diminish the volume of waste sent to landfills, while adopting a four-stream waste system enhances the circular economy framework for waste management in Victoria.

Social

The projects mentioned in this report promote sustainability education for the community.

Environmental/Climate Change

Actions undertaken on recycling of materials and ongoing review of tree management practice and climate adaption will contribute positively towards the mitigation of Council's impact on the environment and adherence to risk management best practice.

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

Council received grant funding from Sustainability Victoria under the Circular Economy Household Education Fund (CEHEF) to facilitate Community Education on Recycling. The community education package includes digital and print material to support the rollout of pop-up stalls at major townships. The pop-up stalls were undertaken in partnership with Halve Waste.

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

Not applicable.

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

Council officers liaise regularly with representatives of the Goulburn Murray Climate Alliance, waste management officers from councils in the Hume region and government representatives from the Department of Energy, Environment and Climate Action (DEECA), Environmental Protection Authority (EPA) and Sustainability Victoria (SV) relating to environmental and sustainability activities.

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.

		Dec 2024 YTD	2024/25 Full Year	Dec 2024 YTD	Dec 2024 YTD	
	Note	(Actual) \$	(Budget) \$	(Variance) \$	(Variance) %	
Income						
Kerbside collection	1	1,483,568	1,360,560	123,083	9%	
Waste facilities management	2	431,814	506,000	(74,186)	(15%)	
Total Income		1,915,382	1,866,560	53,897	3%	
Expenditure						
Kerbside collection	3	618,169	1,290,236	(672,067)	(52%)	
Waste facilities management	4	200,597	227,057	(26,460)	(12%)	
Total Expenditure		818,766	1,517,293	(698,527)	(85%)	
Net Income / (Expenditure)		1,096,616	349,267	644,630	68%	

1. Revenue from kerbside collection higher than budget estimates due to greater than expected take up on FOGO bins by rural residents.
2. Income includes gate fees at RRC's. Gate fees charged are less than anticipated through the budget.
3. Kerbside collection charges at December are approximately 50% of the budget indicating that, halfway through the year costs are aligned to the budget.
4. Waste facilities management expenditure is tracking to be greater than budget, however is still in line to be cost neutral at the end of the financial year.

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.

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

- 5.8 Continue to implement noxious weed control and monitoring along roadsides within available funding
- 5.9 Continue to implement the tree planting strategy to achieve 40% canopy coverage in urban streets by 2025
- 5.10 Explore the diversification of options for the establishment of native vegetation offset sites
- 5.11 Seek funding to establish a network of electric car charging stations
- 5.12 Develop a climate change action plan (including actions to reduce carbon emissions, electric vehicle charging, etc)
- 5.13 Transition waste and recycling services operations as per Victorian Government Circular Economy Strategy to deliver a four bin system for waste and recycling collection including separation of glass, green waste and organics
- 5.14 Invest in community education programs and a waste services survey to improve waste and recycling separation
- 5.15 Investigate options for hard waste, green waste and agricultural waste management e.g silage wrap
- 5.16 Replace the retaining wall at the Tallangatta Transfer Station
- 5.17 Investigate options for the future of the Corryong Landfill
- 5.18 Implement required measures to ensure management of closed landfills is compliant with EPA requirements

Council Policies:

Climate Adaptation Policy.

Kerbside Refuse and Recycling Collection Policy

Tree 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:

Not Applicable

Officer's View:

Good progress has been made in relation to the *Council Plan 2021-2025*
Environmental Sustainability strategic priorities.

14 Economic and Tourism Development

There are no Economic and Tourism Development reports to present this meeting.

15 Councillor Reports

15.1 Road Safe North East - Cr Tolsher

Date of Meeting/Event:	Wednesday 4 December 2024
Key information presented/discussed at meeting:	A meeting of Road Safe North East, addressing safe operation of vehicle and motorbike activity; held in Wangaratta.
Members Comments/Thoughts:	In partnership with Police, Road Safe are developing a new project to establish a rest stop on the Omeo Hwy at Razorback Ridge. Spoke about the possibility of developing a short film clip to be aired at local cinemas on road safety. Great committee to be part of with some great outcomes for our Council.
Action Required:	Nil.
Additional Information Available:	Nil

Recommendation:

That the report be noted.

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.

17 Committee Minutes

There are no Committee Meeting minutes for review or confirmation this meeting.

18 Council Policies

18.1 Policies for Adoption

As part of the *Local Government (Governance and Integrity) Amendment Regulations 2024*, a Model Councillor Code of Conduct and Internal Resolution Procedures were required to be adopted by all Victorian Councils.

Local Government Victoria (LGV) released a Model Councillor Code of Conduct late last year, as did Legal Firm 'Maddocks' with the release of their Internal Resolution Procedures. These are available for Victorian councils to use to ensure compliance with the Act and Regulations, as well as create a uniform approach towards the Model Code of Conduct.

The draft policy is attached with track changes included for review. The LGV model Councillor Code of Conduct is also attached for reference.

Attachment:

1. DRAFT - Model Councillor Code of Conduct and Internal Resolution Procedure 2025 [**18.1.1** - 32 pages]
2. Model- Councillor- Code-of- Conduct - LGV [**18.1.2** - 4 pages]

Please note the recommended changes are shown in colored text.

Recommendation:

That the Model Councillor Code of Conduct and Internal Resolution Procedure, as amended and presented be adopted, with the Chief Executive Officer authorised to make minor administrative changes where necessary.

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

Council Meeting - 29 January 2025 Attachments

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Meeting Records

Councillor Workshop

Wednesday 11 December 2024 –
Bellbridge (Hume Boat Club)

Attendees: Crs Wortmann, Whitehead, Anderson, Pitman and Tolsher
Ms Juliana Phelps Chief Executive Officer and officers as listed below.

Apologies: Nil

Disclosures of Conflicts of Interest: Nil

9.30am **Director Community and Planning** (*Mark Florence*)

Mr Mark Florence provided information in relation to the following:

Briefing re: December Council Meeting reports:

Land Use Reporting – Statistic Reporting
Environmental Sustainability

Updates:

Emergency trailers

10.00am **Director Corporate and Organisational Development** (*Narelle Taylor*)

Ms Narelle Taylor provided information in relation to the following:

Briefing re: December Council Meeting reports:

Performance Reporting Graphs
Confidential CNC Report

Updates:

Public Transparency Policy

Our Community Vision

Towong Shire will be the ideal place to be: Welcoming, vibrant and diverse communities
with quality facilities and services.



10.30am Meeting with Scope Consultants

Mr Ben Freyer and Mr Sean Mooney from Scope Consultants provided a briefing on the Bellbridge Development Plan

11.30am Director Infrastructure and Environment (Jamie Heritage)

Mr Jamie Heritage provided information in relation to the following:

Briefing re: December Council Meeting reports:

Landfill capping (Tim Shilling)

Updates:

Springdale Road Bridge

Capital Works program

Corryong CBD update

– works update

- shop fronts (Juliana)

Hanson Street West

Footpath Corryong Skatepark

Wises Creek

Dartmouth Public Toilet Block

Galleon Park – Safety Report

12.30pm Councillor feedback/issues/questions (spreadsheet)

The following matters were raised by Councillors:

Cr Wortmann

20 Nov – Update naming Eskdale reserve

29 Nov – Eskdale swimming pool contribution

29 Nov – Wymah Ferry Blackspot advocacy request and support

29 Nov – Request re: DEECA native vegetation removal requirements.

29 Nov – Granya township release of calicivirus for rabbit control

9 Dec – Walwa Main St, weeding

10 Dec – Section 173 agreement

10 Dec – Bethanga Bridge life expectancy

10 Dec – Contact for Chronicle Cemetery Project

Cr Whitehead

Our Community Vision

Towong Shire will be the ideal place to be: Welcoming, vibrant and diverse communities with quality facilities and services.



Cr Anderson

9 Dec – Flooding Craig Drive Bellbridge

Cr Pitman

Cr Tolsher

1.30pm Lunch – Bethanga Pub

2.30pm Site inspections

Councillors attended site inspections at the following locations:

Bethanga Playground
Recreation Reserve

4.00pm Meeting close

Our Community Vision

Towong Shire will be the ideal place to be: Welcoming, vibrant and diverse communities with quality facilities and services.



Meeting Record

Councillor Workshop

Wednesday 18 December 2024 – Corryong

Attendees: Crs Whitehead, Tolsher, Anderson, Pitman and Wortmann
Ms Juliana Phelps Chief Executive Officer and officers as listed below.

Apologies: Nil

Disclosures of Conflicts of Interest: Nil

9.30am Councillor feedback/issues/questions (spreadsheet)

The following matters were raised by Councillors:

Cr Anderson

14 Dec – Tallangatta resident storm water drains
14 Dec – Greenlight information request

Cr Pitman

Cr Tolsher

Cr Whitehead

Cr Wortmann

17 Dec - Bellbridge rezoning - Windfall gains tax

10.30am Council Meeting

Our Community Vision

Towong Shire will be the ideal place to be: Welcoming, vibrant and diverse communities with quality facilities and services.



12.00pm Director Infrastructure and Environment *(Jamie Heritage)*

Mr Jamie Heritage provided information in relation to the following:

Walwa CFA Shed siting
Complaint re: Hanson Street parking

12.15pm Chief Executive Officer *(Juliana Phelps)*

Ms Juliana Phelps provided information in relation to the following:

Tallangatta Estate
North East Water meeting

12.30pm Communications

Councillors conducted their public 'End of Year' message recording with the Communications team.

1.30pm Lunch

2.30pm CBD Streetscape inspection

Councillors attended the Corryong CBD site for inspection and updates.

3.30pm Close

innovation : technology : sustainability

Our Community Vision

Towong Shire will be the ideal place to be: Welcoming, vibrant and diverse communities with quality facilities and services.

ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

ITEM	DESCRIPTION	RESPONSIBLE OFFICER	PROGRESS/ COMPLETE
5	<u>Confirmation of Minutes</u> That the Minutes of the Ordinary Council Meeting held on the 27 November 2024 be confirmed.	Coordinator Governance and Compliance	Confirmed Minutes added to Council's website. Complete
7	<u>Public Question Time Submission</u> Ms Juliana Phelps informed the meeting that two (2) Public questions Time submissions were received by Council. In accordance with Council's Governance Rules, the submitters were not in attendance and therefore the submissions will be addressed outside of the meeting.	Chief Executive Officer	Responses have been provided to each submitter. Complete
9.2	<u>Mayor, Deputy Mayor and Councillor Allowances</u> That: 1. The Mayor and Deputy Mayor allowances be set at the adjusted levels specified by the Determination of the Victorian Independent Remuneration Tribunal as follows for the period 18 December 2024 – 17 December 2025: a. Mayor: \$86,722 per annum b. Deputy Mayor: \$43,360 per annum 2. The Mayor, Deputy Mayor and Councillors individually advise the Chief Executive Officer if they elect to receive a partial allowance or no	Director Corporate and Organisational Development	Allowances have been adjusted as per the resolution. Complete

ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

	allowance; and 3. Backdated allowance payments are made to reflect that the adjusted Determination took effect from 18 December 2024.		
9.4	<u>Advocacy Position on Albury Wodonga Hospital</u> That Council: 1. Acknowledges that the current, proposed redevelopment plan for Albury hospital falls critically short of meeting the current and future health needs of the Albury Wodonga Regional Community; 2. Supports the development of a fully funded, new, single site hospital in a new central cross-border location, for the Albury Wodonga region, that meets the health points of care requirements as identified in the 2021 Albury Wodonga Health Clinical Services Plan; 3. Calls on the State Governments of Victoria and New South Wales to pause the current redevelopment plans for the Albury Hospital, and redirect efforts towards a fully funded, new single-site hospital in Albury or Wodonga; 4. Calls upon the Australian Government and the State Governments of Victoria and New South Wales to collaborate for the provision of a fully funded, health service that meets the current and future needs of all the regional	Chief Executive Officer	Councils continue to collaborate through the joint forum. Complete

ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

	communities within the catchment of Albury Wodonga Health; 5. Urgently seeks assurances from the New South Wales and Victorian State Governments to allay the fears of our community that the \$558 million investment allocated to the Albury Wodonga Health Service is committed regardless of the form the new hospital may take; 6. Urgently seeks commitment from the State Governments of Victoria and New South Wales to provide interim solutions to address the current, ongoing hospital capacity deficiencies, including but not limited to: a. Additional beds (like modular wards) now that have operational staffing; and b. Additional theatres now funded to operate effectively; and c. Capital and operational funding to meet the above short-term needs; 7. Authorises the Chief Executive Officer and Mayor to: a. Advocate for, and communicate this position statement with the State Governments of Victoria and New South Wales, the Federal Government, and with the Board of Albury-Wodonga Health; and b. Use the Council's communication channels, including but not limited to website, social media channels, and newsletters to inform the community;		
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ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

	8. Authorises the Chief Executive Officer and Mayor to: a. Advocate for Regional Boundary Changes, and specifically that the current proposed Hume Region be split into two regions and that Albury Wodonga Health run the Ovens Murray Local Health Service Network as the Health Community of Interest emanating from Albury Wodonga Region; b. Participate in any meeting requested of the regional Mayors with the Victorian and NSW Premiers, Health Ministers, Cross Border Commissioners and the Prime Minister, and Australian Government Health Minister; and c. Provide support through media release and socials - noting the Mayors have met and expressed concern around formation of local health service networks; concern about maintaining local decision making and the impact these decisions may have on providing an effective health service in the Albury Wodonga Region.		
11.1	<u>Walwa CFA Shed – Tender Evaluation</u> That: 1. Contract No. 2024/25-013 for the construction of the Walwa CFA Shed be awarded to Barton St Developments Pty Ltd for the lump sum of \$227,525 excluding GST; 2. The Chief Executive Officer be	Director Infrastructure and Environment	Contract has been signed and sealed. Complete

ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

	authorised to sign and seal Contract No. 2024/25-013 in accordance with Local Law 1 – Common Seal and Miscellaneous Penalties. 3. The Chief Executive Officer be authorised to approve contract variations up to the total value of the allocated project budget.		
12.1	<u>Omeo Highway Mitta Mitta - Planning Application 2024/011</u> That Planning Permit application 2024/011 be approved subject to the following proposed conditions: 1. This permit will operate from the issued date of the permit; 2. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority; 3. Before the sale of packaged liquor or the service of alcohol starts, plans must be approved and endorsed by the responsible authority. The plans must: a. Be prepared to the satisfaction of the responsible authority; b. Be drawn to scale with dimensions; c. Submitted in electronic form; d. be generally in accordance with the plans forming part of the application and be amended to show the following details; i. the location of the storage area for	Director Community and Planning	In progress

ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

	packaged alcohol; and ii. revised redline plan that includes the area set aside for the storage and sale of packaged alcohol. 4. The sale of packaged liquor and the service of alcohol must only operate between the following times: a. 10.00 am and 5.00 pm Monday to Thursday; b. 10.00 am and 8.00 pm Friday to Sunday; and c. The responsible authority may consent in writing to vary these requirements. 5. At any time no more than 20 patrons may be present on the land. The responsible authority may consent in writing to vary this requirement; 6. At all times tables and chairs must be placed in position on the land so as to be available for at least 20 patrons. The responsible authority may consent in writing to vary these requirements; 7. The deck area beyond the property boundary must not be used for the consumption of alcohol or the service of food; 8. The predominant activity carried out on the land must be the preparation and serving of meals for consumption on the premises; 9. At all times noise emanating from the land must comply with the requirements of the Environment		
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ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

	Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority. Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial, and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time; 10. The manager must display signage in the outdoor area requesting patrons to be respectful of the surrounding neighbourhood; 11. At all times when the premises is open for business, a designated manager must be in charge of the premises to the satisfaction of the Responsible Authority. The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any authorised police officer, any authorised officer of the Responsible Authority, or any authorised officer under the Liquor Control Reform Act 1998, and to take action on behalf of the operator in accordance with a direction by such officer; 12. Within five years of the date of this permit the landowner must: a. Acquire that portion of the road reserve containing a portion of the deck; and b. Provide evidence that the land has		
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ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

	been acquired and consolidated with CA A7 PP5539; OR c. provide evidence that the decking has been removed from the road reserve; and 13. This permit as it relates to use will expire if the use doesn't not start within 2 years after the issued date of this permit. In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.		
13.1	<u>Corryong Landfill Cell Capping – Tender Evaluation</u> That: 1. Council award Contract No. 2023/24-018 for the capping of the Corryong landfill cells to North East Civil Construction Pty Ltd for the lump sum of \$486,314 excluding GST; 2. The Chief Executive Officer be authorised to sign and seal Contract No. 2023/24-018 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 total value of the allocated project budget.	Coordinator Circular Economy and Environment	Contract is in the process of being sign and sealed. In progress

ACTION SHEET
FROM 18 DECEMBER 2024 ORDINARY COUNCIL MEETING

16.2	<u>PA240055 Hillcrest Avenue Bellbridge – Development Plan</u> The officer recommends that Development Plan be approved and adopted subject to the following notations being included in the plan: 1. This Development Plan expires in ten years from the date of approval; and 2. This Development Plan is conceptual and may be subject to minor change following further detailed design concerning stormwater treatment, provision of services, creation of access and the need to, where appropriate, retain existing native vegetation. Any subsequent subdivision plan must be in accordance with the approved Development Plan.	Director Community and Planning	In progress
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CAPITAL WORKS PROGRAM 2024/25

Report Current

As at 31 December 2024

Construction	At Risk
Tendering	Won't be completed
Engage / Design	On Track
In Progress	
Job Closure Pending	
On Hold	
Completed	

ACCOUNT CODE	PROJECT DETAILS	2024/25 BUDGET	2024/25 EXPENDITURE TO DATE	LEFT TO SPEND	COST PROGRESS	PROJECT MANAGER	STATUS	30 JUNE RISK
MAJOR PROJECTS Project Value > \$500,000								
550124	Bellbridge Walking Track & Seal	\$ 813,815	\$ 1,802	\$ 812,013	0%	Jason S-F	In Progress	On Track
550126	Corryong - CBD Streetscape	\$ 1,867,670	\$ 1,620,862	\$ 246,808	87%	EDA Project Management	In Progress	In Progress
550096	Corryong - Circuit Trail	\$ 309,053	\$ -	\$ 309,053	0%	Kiransai Arikapudi	In Progress	On Track
550160	Corryong - CBD Carparks	\$ 500,000	\$ 5,536	\$ 494,464	1%	Craig Heiner	In Progress	On Track
550069	Corryong - Hanson Street	\$ 3,810,634	\$ 21,015	\$ 3,789,619	1%	JH	Engage / Design	In Progress
550078	Corryong - Skate Park	\$ 797,287	\$ 730,246	\$ 67,042	92%	Craig Heiner	Completed	Completed
550131	Cudgewa - Avenue of Honour	\$ 135,154	\$ 69,358	\$ 65,796	51%	Craig Heiner	Construction	On Track
550120	Georges Creek - Georges Creek Road	\$ 575,552	\$ 563	\$ 574,990	0%	12P Consulting / JH	Tendering	On Track
550108	Great River Road (including sculptures)	\$ 31,422	\$ 19,485	\$ 11,937	62%	Kiransai Arikapudi	In Progress	On Track
550159	Mitta Streetscape Stage 2	\$ 750,981	\$ 230,249	\$ 520,732	31%	Kiransai Arikapudi	Construction	On Track
550171	Springdale Road bridge - storm betterment \$110K funded thru	\$ 640,000	\$ 37,119	\$ 602,881	6%	Bon Consulting	In Progress	On Track
550076	Talgarno - Wises Creek Road	\$ 336,102	\$ 268,527	\$ 67,575	80%	Robert Ubergang	Completed	Completed
550140	Tallangatta Creek Crossing	\$ 556,914	\$ 586,075	\$ (29,162)	105%	12P Consulting / Kiransai	Completed	Completed
PROJECTS Project Value < \$500,000								
550079	Bellbridge - Roy Williams Park	\$ 14,685	\$ 4,755	\$ 9,930	32%	Kiransai Arikapudi	In Progress	On Track
550077	Bethanga - Streetscape	\$ 33,365	\$ -	\$ 33,365	0%	Kiransai Arikapudi	In Progress	On Track
550132	Bethanga - Playground / Outdoor Dining	\$ 75,163	\$ 22,645	\$ 52,518	30%	Natalie Butler	In Progress	On Track
550057	Corryong - Airport Upgrades	\$ 75,000	\$ -	\$ 75,000	0%	JH	Completed	Completed
550152	Corryong - Landfill Capping Cell 2	\$ 486,316	\$ -	\$ 486,316	0%	Greg Karlson	In Progress	On Track

550151	Corryong - Retaining Wall at Resource Recovery Centre	\$	0	\$	-	\$	0	0%	Greg Karlson	On Hold	
550164	Corryong Swimming Pool Renewals	\$	30,000	\$	-	\$	30,000	0%		On Hold	
550156	Dartmouth - Splash Park and Pump Track	\$	437,650	\$	175,195	\$	262,455	40%	Craig Heiner	Construction	On Track
550146	Dartmouth - Recreation Reserve Driveway	\$	40,000	\$	29,362	\$	10,638	73%	Kiransai Arikapudi	Completed	Completed
550169	Ferry Lane sealing	\$	100,000	\$	-	\$	100,000	0%	12P Consulting / JH	In Progress	On Track
550165	Gravel Road Sealing (within towns) - Sparrow/Legge Streets	\$	300,000	\$	-	\$	300,000	0%	12P Consulting / JH	In Progress	On Track
550172	Lake Road bridge - storm damage betterment \$150K funded	\$	450,000	\$	-	\$	450,000	0%	Bon Consulting	In Progress	On Track
550118	Lake road Upgrade	\$	282,604	\$	51,131	\$	231,473	18%	Kiransai Arikapudi	In Progress	Won't be completed
550145	Mitta Mitta - Magorra Park Entrance	\$	26,180	\$	-	\$	26,180	0%	Kiransai Arikapudi	On Hold	
550170	Pump out toilet for Tallangatta and Corryong RRC's - OHS	\$	70,000	\$	-	\$	70,000	0%	Greg Karlson	In Progress	On Track
550167	Old Parks Vic Depot Tallangatta	\$	150,000	\$	-	\$	150,000	0%	JP / JH	On Hold	
550162	Removal and disposal of old emulsion in drums and IBC's	\$	60,000	\$	-	\$	60,000	0%	Kiransai Arikapudi	In Progress	On Track
550174	Reseal rail trail Tallangatta to Sandy Creek Bridge	\$	250,000	\$	-	\$	250,000	0%		In Progress	On Track
550168	Stage 2 Towong walking track to the new bridge	\$	130,000	\$	-	\$	130,000	0%	Kiransai Arikapudi	In Progress	On Track
550139	Talgarno toilet block	\$	344,572	\$	3,200	\$	341,372	1%	Craig Heiner	Investigating	
550099	Tallangatta office renewal	\$	250,000	\$	-	\$	250,000	0%		On Hold	
550119	Tallangatta - Lake Road /MVH - Old Tallangatta	\$	204,812	\$	15,928	\$	188,884	8%	Kiransai Arikapudi	In Progress	At Risk
550053	Tallangatta Swimming Pool Renewals	\$	14,000	\$	-	\$	14,000	0%		On Hold	
550115	Tallangatta - Transfer Station Retaining Wall	\$	237,679	\$	720	\$	236,959	0%	Greg Karlson	In Progress	Won't be completed
550082	Tallangatta - VIC Fit Out	\$	92,313	\$	79,452	\$	12,861	86%	Kerissa Heritage	In Progress	On Track
550173	Thomas Lane Intersection (Heavy Vehicle)	\$	450,000	\$	-	\$	450,000	0%		Engage / Design	On Track
550166	Toilet Block Roy William Park	\$	250,000	\$	-	\$	250,000	0%	Craig Heiner	Investigating	
550044	Walwa Streetscape minor works including modification of ped	\$	100,000	\$	-	\$	100,000	0%		On Hold	
550163	Water tanks on sheds at RRC's with Pumps and hoses for fire	\$	60,000	\$	-	\$	60,000	0%	Greg Karlson	In Progress	

PROGRAMS	Roads										
550004	Digouts/Major Patching	\$	938,165	\$	856,505	\$	81,660	91%	Barry Clark	In Progress	On Track
550107	Dust Strips Program	\$	72,525	\$	46,434	\$	26,091	64%	Syed Abdullah	In Progress	On Track
550009	Guardrail Program	\$	67,529	\$	-	\$	67,529	0%	Syed Abdullah / JH	In Progress	On Track
550003	Gravel resheeting	\$	198,063	\$	-	\$	198,063	0%	JH	In Progress	On Track
550002	Pavement Renewal (Year-4)	\$	42,075	\$	-	\$	42,075	0%	Barry Clark	In Progress	On Track
550001	Resealing	\$	600,000	\$	5,030	\$	594,970	1%	Syed Abdullah	In Progress	On Track

PROGRAMS	Drainage										
550008	Annual Drainage Program	\$	101,435	\$	44,681	\$	56,754	44%	JH	In Progress	On Track
550161	Bridge Renewals and replacement of major Culverts and bridge	\$	982,553	\$	126,864	\$	855,690	13%	Syed Abdullah	In Progress	At Risk
550155	Drainage Repair	\$	100,000	\$	24,079	\$	75,921	24%	JH	In Progress	On Track

PROGRAMS	Parks / Paths										
550061	Fixtures & Furnishings	\$	95,000	\$	6,013	\$	88,987	6%		In Progress	On Track
550006	Footpath Renewals	\$	60,000	\$	4,080	\$	55,920	7%	Syed Abdullah	In Progress	On Track
550158	Playground Equipment Renewals	\$	198,121	\$	145,661	\$	52,460	74%	Nat Butler	In Progress	On Track

PROGRAMS	Buildings										
550016	Annual Building Renewals**	\$	350,000	\$	237,714	\$	112,286	68%	Syed Abdullah		
550141	Building demolitions	\$	80,672	\$	-	\$	80,672	0%	Syed Abdullah		
PROGRAMS	Corporate										
550013	IT Equipment Replacements	\$	51,285	\$	6,178	\$	45,107	12%	Chris Rootsey	In Progress	On Track
250054	IT Project - Planning & Building System	\$	155,800	\$	61,649	\$	94,151	40%	Chris Rootsey	In Progress	On Track
550056	Minor Tools	\$	30,000	\$	4,216	\$	25,784	14%	JH	In Progress	On Track
550012	Plant Replacements	\$	1,962,193	\$	1,035,397	\$	926,796	53%	JH	In Progress	On Track
550011	Vehicle Fleet Replacements	\$	274,436	\$	131,356	\$	143,081	48%	Natalie Butler	In Progress	On Track
RECOVERY	Recovery Funding										
550143	ERC Trailers	\$	90,000	\$	88,100	\$	1,900	98%	Sven Eriksson	Completed	Completed
550175	VMS trailers x 2	\$	60,000	\$	-	\$	60,000	0%	Sven Eriksson	On Hold	
550180	Trailered mobile generators	\$	110,000	\$	-	\$	110,000	0%	Sven Eriksson		
	No Capital Budget										
550046	Town entrances	\$	-	\$	45,120	\$	(45,120)	No budget	Juliana Phelps		
550071	Triangles rejuvenation	\$	-	\$	7,260	\$	(7,260)	No budget	Juliana Phelps		
550134	Walwa recreation reserve - New CFA Shed	\$	-	\$	14,250	\$	(14,250)	No budget	Craig Heiner	In Progress	On Track
	Completed Projects										
550094	Stock route - Corryong	\$	-	\$	9,740	\$	(9,740)	No budget FY23/24			
550154	Bellbridge - Early Years Playground	\$	17,370	\$	23,437	\$	(6,067)	135%	Jason Pearson	Job Closure Pending	
550112	Bridge replacement - Little Snowy Creek Road	\$	-	\$	16,420	\$	(16,420)	No budget	Juliana Phelps		
550116	Yabba Road upgrade	\$	-	\$	8,847	\$	(8,847)	No budget	Juliana Phelps		
		\$	22,776,145.02	\$	6,922,256.70	\$	15,853,888.32	30%			
NON COUNCIL ASSETS											
250021	Talgarno Tennis Courts	\$	187,000.00	\$	186,735.00	\$	265.00			Completed	
250041	Tallangatta Memorial Hall upgrade	\$	250,921.00	\$	124,790.00	\$	126,131.00		Dianne Fahey	Construction	
250057	Tallandoon Tennis Court	\$	456,771.00	\$	-	\$	456,771.00		Miranda Mouat	Tendering	
250058	Illuminating Sports Cudgewa	\$	225,000.00	\$	9,210.00	\$	215,790.00		Miranda Mouat	Construction	
250059	Rowan Park Lighting	\$	455,400.00	\$	188,618.91	\$	266,781.09		Miranda Mouat	Construction	
250060	Bethanga Pavilion	\$	161,000.00	\$	30,475.00	\$	130,525.00		Miranda Mouat	Engage / Design	
250066	Bullich Female Friendly Facilities	\$	250,000.00	\$		\$	250,000.00				
250063	Tintaldtra Hall Bathroom Upgrades	\$	148,000.00	\$	140,106.52	\$	7,893.48		Mark Florence	Completed	
250064	Transforming Tintaldra (Equine Facility)	\$	60,000.00	\$	16,464.29	\$	43,535.71		Miranda Mouat	Construction	
		\$	2,194,092.00	\$	696,399.72	\$	1,497,692.28				
		\$	24,970,237.02	\$	7,618,656.42	\$	17,351,580.60				



Model Councillor Code of Conduct and Internal Resolution Procedure



Adopted on 29 January 2025

Model Councillor Code of Conduct and Internal Resolution Procedure – Adopted (enter date) 29 January 2025



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Introduction and Purpose

As the elected representatives of the Shire of Towong, we have an important role in providing leadership to the municipality. While we may sometimes have different viewpoints, it is critical that we work together in the best interests of the municipality as a whole.

In doing this we are committed to living the vision and values of Towong Shire Council (Council) while adhering to the requirements of the *Local Government Act 2020* (LGA 2020).

Vision

Towong Shire will be the ideal place to be: welcoming, vibrant and diverse communities with quality facilities and services. We will be a World-Class small Council and Towong Shire will be the ideal place to live.

Mission

To provide strong leadership and to work with our communities to enhance their social, economic and environmental wellbeing. To provide leadership and service to the Towong Shire community that adds value and enhances social, economic and environmental wellbeing now and in the future.

Values

Respect

We will listen and consider other perspectives and treat each other with courtesy.

Integrity

We will be honest with strong moral principles. We will seek the common good.

Pride

We will always take care in what we do.

Teamwork

We will help others to achieve by being positive, enthusiastic and confident.



The purpose of this Model Councillor Code of Conduct and Internal Resolution Procedure is to outline the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors.

1. Governance Principles

The primary role of the Council is to provide good governance to the municipal district for the benefit and wellbeing of the municipal community. As required by LGA 2020, we will in the performance of our roles give effect to the overarching governance principles of LGA 2020:

- (a) Council decisions are to be made and actions taken in accordance with the relevant law;*
- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;*
- (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;*
- (d) the municipal community is to be engaged in strategic planning and strategic decision making;*
- (e) innovation and continuous improvement is to be pursued;*
- (f) collaboration with other Councils and Governments and statutory bodies is to be sought;*
- (g) the ongoing financial viability of the Council is to be ensured;*
- (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;*
- (i) the transparency of Council decisions, actions and information is to be ensured.*

In giving effect to the overarching governance principles, we will also take into account the following supporting principles of the LGA 2020:

- (a) the community engagement principles;*
- (b) the public transparency principles;*
- (c) the strategic planning principles;*
- (d) the financial management principles;*
- (e) the service performance principles.*



2. Behaviours

~~As community leaders we are committed to leading by example and promoting the highest standard of behavior in adherence to the following behaviours:~~

Respectful

~~We respect each other, each other's time, and each other's right to put forward a viewpoint. We are courteous, polite and value one another's ideas even if we don't agree.~~

United

~~We put forward a united front even if a decision hasn't gone the way that some of us might have wanted. We don't have to agree with one another, but we don't undermine our collective decisions.~~

Strategic

~~We represent the best interest of the whole shire, and strive together towards our bigger picture goals, rather than representing specific geographical areas or community groups.~~

Supportive

~~We support one another in learning, share information and skills, contribute to the debate, and respect different experience levels.~~

Discreet

~~We maintain confidentiality of Councillor discussions and do not quote private conversations unless it is understood that the content may be discussed publicly.~~

3.2. Decision Making

We are committed to making good decisions impartially and in the best interest of the community. We understand that in line with the requirements of LGA 2020 decisions are to be made by a resolution of the Council. A resolution of the Council may include:

- A resolution at a Council meeting
- A resolution made at a meeting of a delegated committee
- The exercise of a duty, function or power made by a member of Council staff or a Community Asset Committee under delegation.

In making decisions we are committed to:

- Transparent processes in line with our *Public Transparency Policy*

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- Good community engagement in line with our *Community Engagement Policy*
- Sound participative meeting practices in line with our *Governance Rules*
- Adhering to all relevant legislation and regulation
- Seeking appropriate technical advice and expertise from the Administration.

As issues arise that may require Council consideration, we will work together and with the administration to develop an approach to forming a decision. Decisions are to be made with due consideration to the time required to seek the necessary inputs and hold the necessary discussions; urgent business should only be raised if the matter cannot be addressed through this process due to time constraints.

While significant work and discussion may occur prior to a Council meeting where a decision is made, we are committed to ensuring that the community understands all of the factors that contribute to the decision when it is presented at the Council meeting.

Once Council has made a decision, it becomes the collective decision of Council. While it is recognised that some Councillors may not support a decision, it is highly desirable that we present a united front to the public once the decision has been made. Dissent may be expressed but with due care to the reputation of Council and Councillors as an effective leadership team. In line with the requirements of LGA 2020 Councillors are not to publicly discredit or actively undermine the Council.

4.3. Roles and Responsibilities

Towong Shire Council consists of democratically elected Councillors, including the Mayor; and the administration, consisting of the Chief Executive Officer and their staff.

Good governance relies on good relationships between all people who form part of the Council, and an understanding and respect for one another's ~~roles~~ role.

Role of Councillors

Councillors are the democratically elected representatives of the community and play a key advocacy and leadership role. They are critical in facilitating community engagement with the activities and decisions of Council. There is an expectation that Councillors will make decisions that benefit the long term interest of the whole community.

In line with the requirements of LGA 2020 we will uphold the role of Councillors:

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- (a) to participate in the decision making of the Council; and*
- (b) to represent the interests of the municipal community in that decision making;
and*
- (c) to contribute to the strategic direction of the Council through the development
and review of key strategic documents of the Council, including the Council
Plan.*



In performing the role of a Councillor, we will:

- (a) consider the diversity of interests and needs of the municipal community; and*
- (b) support the role of the Council; and*
- (c) acknowledge and support the role of the Mayor; and*
- (d) act lawfully and in accordance with the oath or affirmation of office; and*
- (e) act in accordance with the standards of conduct; and*
- (f) comply with Council procedures required for good governance.*

Further we will respect that:

The role of a Councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer.

Councillors, sitting as Council, are responsible for appointing the Chief Executive Officer and developing and maintaining a *Chief Executive Officer Employment and Remuneration Policy*. We are effectively responsible for performance management of the Chief Executive Officer and set and monitor their progress against goals.

We will maintain an excellent working relationship with the Chief Executive Officer and keep them informed about relevant issues.

Role of the Mayor

The Mayor is the elected leader of the Council and this role is to be respected by all Councillors. The Mayor facilitates an inclusive approach to decision-making and involvement in Council activities, and supports good relationships amongst the Councillor team and between Councillors and the Administration. The Mayor sets the tone and style of behaviour, practice and projection of the Council working with, supporting and coordinating the team of Councillors.

In line with the requirements of LGA 2020 we will respect the role of the Mayor to:

- (a) chair Council meetings; and*
- (b) be the principal spokesperson for the Council; and*
- (c) lead engagement with the municipal community on the development of the Council Plan; and*
- (d) report to the municipal community, at least once each year, on the implementation of the Council Plan; and*
- (e) promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct; and*
- (f) assist Councillors to understand their role; and*



- (g) take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and*
- (h) provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and*
- (i) perform civic and ceremonial duties on behalf of the Council.*

The Mayor facilitates resolution of any Councillor disputes and is responsible for Councillors' training and development.

The Mayor maintains regular open communication regarding relevant issues with the Chief Executive Officer and with due regard to their respective roles.

Role of Deputy Mayor

The primary role of the Deputy Mayor is to play the role of the Mayor in the absence of the Mayor. In line with LGA 2020:

The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if—

- (a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or*
- (b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or*
- (c) the office of Mayor is vacant.*

The Deputy Mayor will take responsibility for the internal resolution process when the matter relates to the Mayor.

Role of the Chief Executive Officer

The Chief Executive Officer (CEO) is accountable to the Mayor and the Councillors for delivering Council's strategies and services. The CEO maintains the organisational structure and fosters a positive culture, while helping to manage the relationship between the Councillors and the Administration.

In line with LGA 2020 the role of the CEO is:

- (a) supporting the Mayor and the Councillors in the performance of their roles; and*
- (b) ensuring the effective and efficient management of the day to day operations of the Council.*



Without limiting the generality of this role, this responsibility includes the following—

- (a) ensuring that the decisions of the Council are implemented without undue delay;*
- (b) ensuring that the Council receives timely and reliable advice about its obligations under this Act or any other Act;*
- (c) supporting the Mayor in the performance of the Mayor's role as Mayor;*
- (d) setting the agenda for Council meetings after consulting the Mayor;*
- (e) when requested by the Mayor, reporting to the Council in respect of the implementation of a Council decision;*
- (f) carrying out the Council's responsibilities as a deemed employer with respect to Councillors, as deemed workers, which arise under or with respect to the Workplace Injury Rehabilitation and Compensation Act 2013.*

Role of Council Staff

Council staff provide support, advice and information to Council and Councillors through the CEO to support the democratic process and ensure good governance. They are responsible for delivering programs and services (within budgets), exercising their Council delegations, implementing Council decisions and ensuring compliance with relevant legislation.

If we require information or need to provide feedback to Council staff we will direct the enquiry through the CEO or a Director to best support consistent communication, accountability and appropriate task management. This also helps to avoid a Councillor unintentionally directing a member of staff in contravention of the misuse of position requirements of LGA 2020, or being perceived to do so.

Council staff are to inform their Director about any contacts with Councillors where Council business including operational matters were discussed.

If we receive a complaint from an officer about organisational issues we will direct them to Council's *Issue Resolution Policy* in the first instance.

If we wish to complain about a member of Council staff we will direct the complaint to the Chief Executive Officer or the relevant Director.



5.4. Standards of Conduct

~~LGA 2020~~The LGA 2020 and supporting regulations places obligations on Councillors in relation to way they should act. It also prohibits certain conduct by Councillors and prescribes penalties for Councillors who contravene these provisions.

In line with the requirements of Local Government (Governance and Integrity) Regulations 2020~~LGA 2020, and supporting regulations~~ we will respect the following standards:

1. ~~Treatment of others~~Performing the role of a Councillor

A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly, including by:

- (a) representing the interests of the municipal community by considering and being responsive to the diversity of interests and needs of the municipal community; and
- (b) being fit to perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (c) diligently using Council processes to become informed about matters which are subject to Council decisions; and
- (d) not performing or purporting to perform any responsibilities or functions of the Chief Executive Officer; and
- (e) acknowledging and supporting the Mayor in the performance of the role of the Mayor, including by:
 - (i). respecting and complying with a ruling of the Mayor as the chair of Council meetings (unless dissenting from the ruling in accordance with the Council's Governance Rules); and
 - (ii). refraining from making public comment, including to the media, that could reasonably be perceived to be an official comment on behalf of the Council where the Councillor has not been authorised by the Mayor to make such a comment.
- ~~(a) A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor—~~
- ~~(b) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the Equal Opportunity Act 2010; and~~
- ~~(c) supports the Council in fulfilling its obligation to achieve and promote gender equality; and~~
- ~~(d) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and~~



~~(e) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.~~

2. ~~Performing the role of Councillor~~Behaviours

~~(1) A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect, including by:~~

- ~~(a) not engaging in demeaning, abusive, obscene or threatening behaviour, including where the behaviour is of a sexual nature; and~~
- ~~(b) not engaging in behaviour that intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons; and~~
- ~~(c) not engaging in discrimination or vilification; and~~
- ~~(d) supporting the Council, when applying the Council's community engagement policy, to develop respectful relationships and partnerships with Traditional Owners, Aboriginal community controlled organisations and the Aboriginal community; and~~
- ~~(e) supporting the Council in fulfilling its obligation under the Act or any other Act (including the **Gender Equality Act 2020**) to achieve and promote gender equality; and~~
- ~~(f) ensuring their behaviours and interactions with children are in line with the Council's policies and procedures as a child safe organisation and obligations under the **Child Wellbeing and Safety Act 2005** to the extent that they apply to Councillors.~~

~~(2) A Councillor, as an individual at the workplace, must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons by:~~

- ~~(a) adhering to applicable systems and policies put in place by the Chief Executive Officer to manage risks to health and safety in the workplace; and~~
- ~~(b) complying, so far as the Councillor is reasonably able, with any reasonable instruction that is given by the Chief Executive Officer to manage risks to health and safety.~~

~~(3) A Councillor must act in accordance with any policies, practices and protocols developed and implemented under section 46 of the Act that support arrangements for interactions between members of Council staff and Councillors.~~



- ~~(a) A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—~~
- ~~(b) undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and~~
- ~~(c) diligently uses Council processes to become informed about matters which are subject to Council decisions; and~~
- ~~(d) is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and~~
- ~~(e) represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.~~

3. Compliance with good governance measures Good Governance

A Councillor must comply with the following Council policies and procedures required for delivering good governance for the benefit and wellbeing of the municipal community:

- (a) the Council's expenses policy adopted and maintained under section 41 of the Act;
- (b) the Council's Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act, including in relation to:
 - (i). conduct in Council meetings or meetings of delegated committees; and
 - (ii). requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication; and
 - (iii). (iii) the Council's election period policy included in the Council's Governance Rules under section 69 of the Act, including in ensuring that Council resources are not used in a way that is intended to influence, or is likely to influence, voting at a general election or by-election;
- (c) the Council's Councillor gift policy adopted under section 138 of the Act;
- (d) any direction of the Minister given under section 175 of the Act.
- ~~(a) A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with the following—~~
- ~~(b) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;~~



- ~~(c) the Council expenses policy adopted and maintained by the Council under section 41 of the Act;~~
- ~~(d) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;~~
- ~~(e) any directions of the Minister issued under section 175 of the Act.~~

4. ~~Councillor must not discredit or mislead Council or public~~Integrity

- (1) A Councillor must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by:
 - (a) ensuring that their behaviour does not bring discredit upon the Council; and
 - (b) not deliberately misleading the Council or the public about any matter related to the performance of their public duties; and
 - (c) not making Council information publicly available where public availability of the information would be contrary to the public interest.

Note

See the public transparency principles set out in section 58 of the Act.

- (2) A Councillor must not, in their personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), expressly or impliedly request preferential treatment for themselves or a related person or entity.

~~In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.~~

- ~~(1) In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.~~

5. ~~Standards do not limit robust political debate~~The Model Councillor Code of Conduct does not limit robust public debate

Nothing in these standards is intended to limit, restrict or detract from robust public debate in a democracy.

6.5. Specific Councillor Conduct Obligations

Gifts, Benefits or Hospitality

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We will avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment. We will respond to offers of gifts or hospitality in line with Council's *Gift Policy* and the requirements of LGA 2020.

Use of Council Resources

We will use Council resources effectively and economically and in line with the requirements of Council's *Councillor Support and Expenses Policy*. Council resources are only to be used for the purposes of duties as a Councillor and not for private purposes unless authorised to do so. We will maintain adequate security over Council property and information.

Elections

We are committed to fair and democratic Council elections and therefore adopt and endorse the practices and legislative requirements set out in Council's *Election Period Policy* that forms part of Council's *Governance Rules* and the provisions of LGA 2020.

Conflict of Interest

We will identify, manage and disclose any conflicts of interest that we may have in line with the requirements of Council's *Governance Rules* and the provisions of LGA 2020. We will give early notice to the Mayor and the Chief Executive Officer as to the conflict and seek advice from the Chief Executive Officer if we need assistance on interpretation.

We recognise that the legal onus to determine whether the conflict exists rests entirely with each individual Councillor. If we cannot confidently say whether a conflict exists, we will declare the potential conflict.

Human Rights and Equal Opportunity

We will take positive action to eliminate discrimination and bullying in accordance with the *Equal Opportunity Act 2010* and support Council in fulfilling its obligation to achieve and promote gender equality. We will treat all people with dignity and respect and have due regards for the opinions, beliefs, rights and attributes of others. We will not discriminate against, bully, vilify or victimise any individual.



Sexual Harassment

Sexual harassment is against the law and will not be tolerated under any circumstances. We will take positive action to eliminate sexual harassment in accordance with the *Equal Opportunity Act 2010*. We will not engage in any unwelcome conduct of a sexual nature towards another individual where a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the individual would be offended, humiliated or offended.

Fraud and Corruption

We will take positive action to eliminate fraud or corrupt behaviour and support Council's obligations under the *Public Interest Disclosures Act 2012*. We will immediately report to the Chief Executive Officer and / or an appropriate integrity body any suspected, potential or actual fraudulent, criminal, unethical or corrupt behaviour in line with Council's *Public Interest Disclosures Policy*.

Misuse of Position

In line with section 123 of LGA 2020, we will not intentionally misuse our position to gain an advantage for ourselves or any other person, or to cause detriment to the Council or another person. Offences under this section of LGA 2020 are indictable. Circumstances including misuse of position include:

- a) *making improper use of information acquired as a result of the position the person held or holds; or*
- b) *disclosing information that is confidential information; or*
- c) *directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or*
- d) *exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or*
- e) *using public funds or resources in a manner that is improper or unauthorised; or*
- ~~f) participating in a decision on a matter in which the person has a conflict of interest.~~

~~g)~~
~~h)~~

7.6. Internal Dispute Resolution Procedures

In accordance with regulation 12A of the *Local Government (Governance and Integrity) Regulations 2020*, Council must implement and adopt an internal dispute resolution procedure to deal with alleged breaches of the Model Councillor Code of Conduct.

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~~We have an individual and collective responsibility to try every avenue possible to resolve such disputes in house and from allowing them to escalate further. This dispute resolution procedure is intended to be used:~~Disputes between Councillors may arise in a variety of circumstances. This Procedure is to apply to those disputes in which one Councillor (**the Complainant**) alleges that another Councillor (**the Respondent**) has breached the Model Councillor Code of Conduct.

~~This Procedure provides both parties to a dispute with support and encouragement to resolve the dispute in a manner that enables the Councillors to move forward and maintain effective working relationships.~~

~~This Procedure is designed to minimise cost and disruption of disputes to Council and individual Councillors and, where possible, avoid disputes escalating and becoming the subject of an internal arbitration.~~

~~It is acknowledged that this Procedure will not be suitable for resolution of all disputes between Councillors.~~

~~An overview of the Procedure is annexed, in the form of a flowchart.~~

~~When Councillors have been unable to resolve an interpersonal conflict and where the situation is unduly affecting the operation of the Council;
To manage complaints or concerns regarding the behaviour of Councillors from the public or Council staff, where a Councillor or group of Councillors takes up the complaint on behalf of the complainant.~~

~~It is not intended to resolve differences in policy or decision-making, which are appropriately resolved through discussion and voting in Council and Committee Meetings.~~



Council's dispute resolution procedure comprises ~~four~~ three components, namely:

- 1) ~~Self Resolution~~ Discussion
- 2) ~~Mayoral Negotiation~~ Conciliation
- ~~3) External Mediation~~
- ~~4) Internal Arbitration~~

A Councillor or a group of Councillors may make an application for a dispute to be referred for external mediation or internal arbitration regardless of whether self-resolution or Mayoral negotiation have been attempted, however it is preferred that these options are exhausted first.

Self Resolution Discussion

A Complainant is encouraged to raise their issue directly with the Respondent in a respectful and courteous manner, either in person or in writing, where they feel comfortable to do so.

Councillors are encouraged to recognise that:

- a) certain behaviours and communications may be perceived by others to be causing issues or offence that may not have been intended;
- b) it can provide useful insight to reflect on their own behaviour or motivation and possible contribution to the dispute, whether intended or not; and
- c) dealing with the dispute early is more likely to avoid the issue escalating and resolve it before it threatens the effective operation of Council.

It is useful to frame any issue from the Councillor's perspective (eg "I felt disrespected when you said / did ..."), rather than accusing another person of holding a particular position or taking a negative action deliberately. A Councillor should let the other Councillor know how they feel and ask for an explanation, rather than making accusations or assumptions. Councillors must take personal responsibility and endeavour to resolve their differences in an informal, but at all times, courteous and respectful manner, recognising that they have been elected to represent the best interests of the community.



Mayoral Negotiation Conciliation

Where a direct conversation between Councillors has not been successful in resolving the dispute, or a Councillor does not feel comfortable communicating directly with another Councillor, the second stage of this Procedure is conciliation.

1. Initiating conciliation

A Complainant initiating conciliation must notify the Mayor and the Respondent of the dispute by completing a Conciliation Application Form. That form (see Attachment 1 to this Procedure) must:

- a) specify the names of the Complainant and Respondent;
- b) specify the provision (or provisions) of the Model Councillor Code of Conduct alleged to have been breached;
- c) detail what was said or done by the Respondent to constitute a breach of the Model Councillor Code of Conduct;
- d) attach any supporting information to provide examples of the behaviour complained of (eg screenshots or emails); and
- e) be dated and signed by the Complainant.

2. Participating in conciliation

Councillors are not obliged to engage in conciliation but should only decline to participate if they honestly and reasonably believe that their participation would adversely affect their health or wellbeing or would otherwise be unsafe.

A Respondent declining to participate in the conciliation must advise the Complainant and the Mayor of their unwillingness to participate, and the reasons for it. That advice must be provided no more than one week after receiving the Conciliation Application Form.

3. Conduct of conciliation

Conciliation is to be conducted by the Mayor except when the Mayor is a party to the dispute or otherwise unavailable to conduct conciliation. In that case the Deputy Mayor will assume the role of the Mayor in the conciliation process. If both the Mayor and the Deputy Mayor are parties to the dispute or otherwise unavailable to conduct the conciliation, the role of the Mayor must be performed by a Councillor jointly chosen for the purpose by the parties. When, in this Procedure, reference is made to the Mayor it includes:



- a) the Deputy Mayor; and
- b) a Councillor jointly chosen for the purpose by the parties.

when the Mayor and/or the Deputy Mayor are parties to the dispute or otherwise unavailable to conduct a conciliation.

4. Roles and responsibilities

The role of the Mayor is to provide guidance to the parties to the dispute about the Standards of Conduct in the Model Councillor Code of Conduct, and actively explore whether the dispute can be resolved by agreement between them.

The role of the Complainant and Respondent is to explain their respective positions and, in a show of goodwill, actively explore the possibility of resolving the dispute by agreement.

All Councillors are responsible for conducting themselves in a courteous and respectful manner at all times during the conciliation.

The role of the Councillor Conduct Officer is to provide the Mayor with the administrative support necessary to arrange and conduct the conciliation.

5. Support from Council

Council, through the Councillor Conduct Officer, will provide administrative assistance to the Mayor when arranging a time and place for conciliation, including any technical assistance that may be required. Council will make a venue available to the Councillors within Council's offices that is private and suited to the conciliation process.

Council will not provide any substantive guidance or advice about the subject matter of the dispute, or pay the costs of legal advice or representation for any Councillor in connection with this Procedure. Parties to a dispute may seek their own legal or other advice at their own cost, if they choose to do so.

6. End or termination of conciliation



Conciliation will end or be terminated if any of the following occurs:

- a) the parties cannot jointly choose a Councillor to conduct the conciliation within one week of being asked to do so;
- b) the Respondent notifies the Mayor that they do not wish to participate in conciliation, and the reasons for it, within one week of receiving the Conciliation Application Form;
- c) the Respondent does not respond to the Conciliation Application Form at all within two weeks of receiving it;
- d) conciliation has not occurred within four weeks of the Complainant submitting the Conciliation Application Form;
- e) conciliation has occurred and the parties have been unable to resolve the dispute; or
- f) the dispute has been resolved.

The time for conciliation may be extended by agreement between the parties to the dispute, whether or not the matter has been escalated to one of the formal dispute resolution procedures outlined in the Act.

7. Confidentiality

Parties and other participants are expected to maintain confidentiality concerning the dispute and the operation of this Procedure.

8. Record of Outcome

The Mayor must document any agreement that is reached between the Complainant and Respondent. The agreement must be signed by the Complainant, Respondent and Mayor. Copies must be provided to the Complainant and Respondent, and the original must be retained by the Mayor. Again, parties and the Mayor are expected to maintain the confidentiality of the agreement reached.

~~If the informal resolution process between the Councillors is unsuccessful, the Mayor should be involved as soon as practically possible to convene a meeting of the parties.~~

~~The party requesting the Mayoral negotiation meeting is to provide the Mayor with the name of the other Councillor and the details of the dispute in writing. The written request is to indicate that it is for a "Mayoral negotiation" dispute resolution process.~~



~~Within 5 working days of receipt of the complaint, the Mayor will:~~

- ~~• provide written acknowledgment of receipt of the complaint to the Complainant;~~
- ~~• provide a copy of the complaint to the Councillor concerned; and~~
- ~~• attempt to facilitate a resolution and convene a meeting.~~

~~The Mayor may call upon the Councillor Conduct Officer for advice and guidance at this point in the process.~~

~~The Mayor is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to external mediation.~~

~~If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the parties should progress to external mediation.~~

~~In the event that the dispute involves the Mayor, the Deputy Mayor or other Councillor nominated by Council resolution will perform the role of the Mayor in facilitating discussions between the parties in dispute and liaising with the Councillor Conduct Officer.~~

External Mediation

~~If reconciliation of the dispute is not possible after Mayoral negotiation, it is the responsibility of the Mayor to seek assistance from an external mediator to resolve the dispute, preferably with the active support of the parties to the dispute, who must be informed of such a decision in any circumstance.~~

~~The applicant is to submit a written application to the Councillor Conduct Officer setting out the name of the Councillor and the details of the dispute. The application is to indicate that the application is for an "external mediation". The applicant is to notify the other party of the request and provide him or her with a copy of the application either at the same time or as soon as practical thereafter.~~

~~The Councillor Conduct Officer is to ascertain (in writing) whether or not the other party is prepared to attend an "external mediation". If the other party declines to participate in an external mediation, he or she is to provide their reasons for doing so in writing to the Councillor Conduct Officer. When the other party declines to participate in an external mediation, this does not constitute a contravention of this Councillor Code of Conduct.~~



If the other party agrees to participate in an external mediation, the Councillor Conduct Officer is to advise the applicant, the Mayor and Chief Executive Officer immediately, and engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

The mediator is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the Mayor may recommend a resolution unless the dispute involves an allegation of a breach of the prescribed standards of conduct, in which case the matter must be referred for internal arbitration.

Internal Resolution Procedure does not Apply in these Circumstances

The following disputes are not covered by this Procedure:

- a) differences between Councillors in relation to policy or decision making, which are appropriately resolved through discussion and voting in Council meetings;
- b) complaints made against a Councillor or Councillors by a member or members of Council staff, or by any other external person;
- c) allegations of sexual harassment;
- d) disclosures made about a Councillor under the Public Interest Disclosures Act 2012, which can only be made to the Independent Broad-based Anti-corruption Commission; and
- e) allegations of criminal misconduct, which should be immediately referred to Victoria Police or the relevant integrity authority.

Formal Dispute Resolution Procedure

This Procedure operates alongside, and does not replace, the formal dispute resolution procedures outlined in the Act.

The formal dispute resolution procedure applies to misconduct, serious misconduct and gross misconduct.



Section 141 of the Act provides for an internal arbitration process concerning a breach of the Standards of Conduct set out in the Model Councillor Code of Conduct.

8.7. Breaches of the Prescribed Standards of Conduct

Internal Arbitration

If a Councillor is suspected of breaching the prescribed standards of conduct, an internal arbitration process may be pursued in line with section 141 of LGA 2020.

An application for internal arbitration may be made by the Council, following a resolution of the Council; a Councillor; or a group of Councillors. It must be made within three months of the alleged misconduct occurring, and is to be given to the Principal Councillor Conduct Registrar as specified by section 149 of the LGA 2020.

Councillors may refer to the Councillor Conduct Officer appointed by the CEO to assist in the implementation of the arbitration process.

If the Principle Councillor Conduct Registrar is satisfied that the matter warrants arbitration given the evidence at hand, they will appoint an arbiter from the state's panel list. If the arbiter believes at any stage that the subject of the application involves serious misconduct as defined by LGA 2020, it will be referred to the Principal Councillor Conduct Registrar for hearing by a Councillor Conduct Panel.

The arbiter will ensure that parties involved are given an opportunity to be heard. If after completing the arbitration process, the arbiter determines that there has been a breach of the prescribed standards of conduct, they may make a finding of misconduct and direct the Councillor to make an apology, suspend the Councillor from office for up to one month, and / or direct a Councillor to attend training or counselling.

Serious Misconduct

A Councillor Conduct Panel may be appointed in the case that the application alleges serious misconduct by a Councillor. An application to make a finding of serious misconduct may be made by the Council following a resolution of Council; a Councillor or a group of Councillors; or the Chief Municipal Inspector.

An application regarding serious misconduct must be made within 12 months of the alleged misconduct occurring. The application must satisfy the form prescribed by

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section 154 of LGA 2020 and is to be made to the Principle Councillor Conduct Registrar.

If the Registrar is satisfied that the application warrants the appointment of a Panel given the evidence at hand, they will form a Councillor Conduct Panel from the state panel list. The Panel may request persons to attend a hearing, request information from the applicant, the respondent of the Council, and may direct a Councillor to attend a hearing. They must provide the respondent with an opportunity to be heard.

If the Councillor Conduct Panel finds that a Councillor has committed an offence, they will notify the Chief Municipal Inspector and may reprimand the Councillor, direct them to make an apology, suspend them from office for a period of up to 12 months, and / or make them ineligible to chair a delegated committee of Council for the remainder of the Council term. The Councillor becomes ineligible from holding the office of Mayor or Deputy Mayor for the remainder of the Council term unless the Panel decides otherwise.

The Panel may also determine that remedial action is required such as mediation, training or counselling.

A person who is affected by the decision made by a Councillor Conduct Panel may apply to VCAT for review of the decision.

Gross Misconduct

If the Chief Municipal Inspector determines that a Councillor has engaged in gross misconduct as specified by LGA 2020 they may refer an application to VCAT. If VCAT supports the finding they may order that the Councillor is disqualified from continuing as a Councillor for up to 8 years.

Other Penalties

Other penalties such as fines and indictment may occur depending on the nature of the breach in accordance with any relevant legislation and regulation.

Suspension during Election Period

All applications and proceedings are suspended during the election period for a general election. If the Councillor is not returned to office the application lapses, unless it is for an application for gross misconduct in which case it must resume after the election is held regardless of whether the person is returned to office.

9.8. Legislative Context

Section 139 of the ~~Local Government Act 2020~~ LGA 2020 requires a council to develop a Councillor Code of Conduct which contains the standards of conduct as prescribed by the regulations and any other prescribed matters. Schedule 1 of the Local Government (Governance and Integrity) Regulations 2020 further indicates the model standards of conduct to be included in a Councillor Code of Conduct.

10.9. Human Rights Charter compatibility

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 [Vic]*.

10. Definitions

Term	Definition
<u>Conflict of Interest</u>	<u>Means a general conflict or material conflict as specified in Part 6, Division 2 of the Local Government Act 2020.</u>
<u>Councillor Conduct Officer</u>	<u>At Towong Shire means the Director Corporate and Organisational Development.</u>
<u>Discrimination</u>	<u>Means unfair or unfavourable treatment of a person on the grounds of an attribute specified in section 6 of the Equal Opportunity Act 2010.</u>
<u>Gross Misconduct</u>	<u>By a Councillor means behaviour that demonstrates that a Councillor—</u> <u>(b) is not of good character; or</u> <u>(c) is otherwise not a fit and proper person to hold the office of Councillor, including behaviour that is sexual harassment and that is of an egregious nature</u>
<u>Serious Misconduct</u>	<u>by a Councillor means any of the following—</u> <u>(a) the failure by a Councillor to comply with the Council's internal arbitration process;</u> <u>(b) the failure by a Councillor to comply with a direction given to the Councillor by an arbiter under section 147;</u> <u>(c) (c) the failure of a Councillor to attend a Councillor Conduct Panel hearing in respect of that Councillor;</u>



	<u>(d) (d) the failure of a Councillor to comply with a direction of a Councillor Conduct Panel;</u> <u>(e) (e) continued or repeated misconduct by a Councillor after a finding of misconduct has already been made in respect of the Councillor by an arbiter or by a Councillor Conduct Panel under section 167(1)(b);</u> <u>(f) (f) bullying by a Councillor of another Councillor or a member of Council staff;</u> <u>(g) conduct by a Councillor that is conduct of the type that is sexual harassment of a Councillor or a member of Council staff;</u> <u>(h) the disclosure by a Councillor of information the Councillor knows, or should reasonably know, is confidential information;</u> <u>(i) conduct by a Councillor that contravenes the requirement that a Councillor must not direct, or seek to direct, a member of Council staff;</u> <u>(j) the failure by a Councillor to disclose a conflict of interest and to exclude themselves from the decision making process when required to do so in accordance with this Act;</u>
<u>Sexual Harassment</u>	<u>person sexually harasses another person if he or she—</u> <u>(a) makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person; or</u> <u>(b) engages in any other unwelcome conduct of a sexual nature in relation to the other person—</u> <u>in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.</u>

11. Endorsement

This Code of Conduct was adopted by Council on ~~24 February 2021~~ 29 January 2025 and is signed by the following Councillors:

Model Councillor Code of Conduct and Internal Resolution Procedure – Adopted 29 January 2025
~~Councillor Code of Conduct – Adopted (enter date)~~

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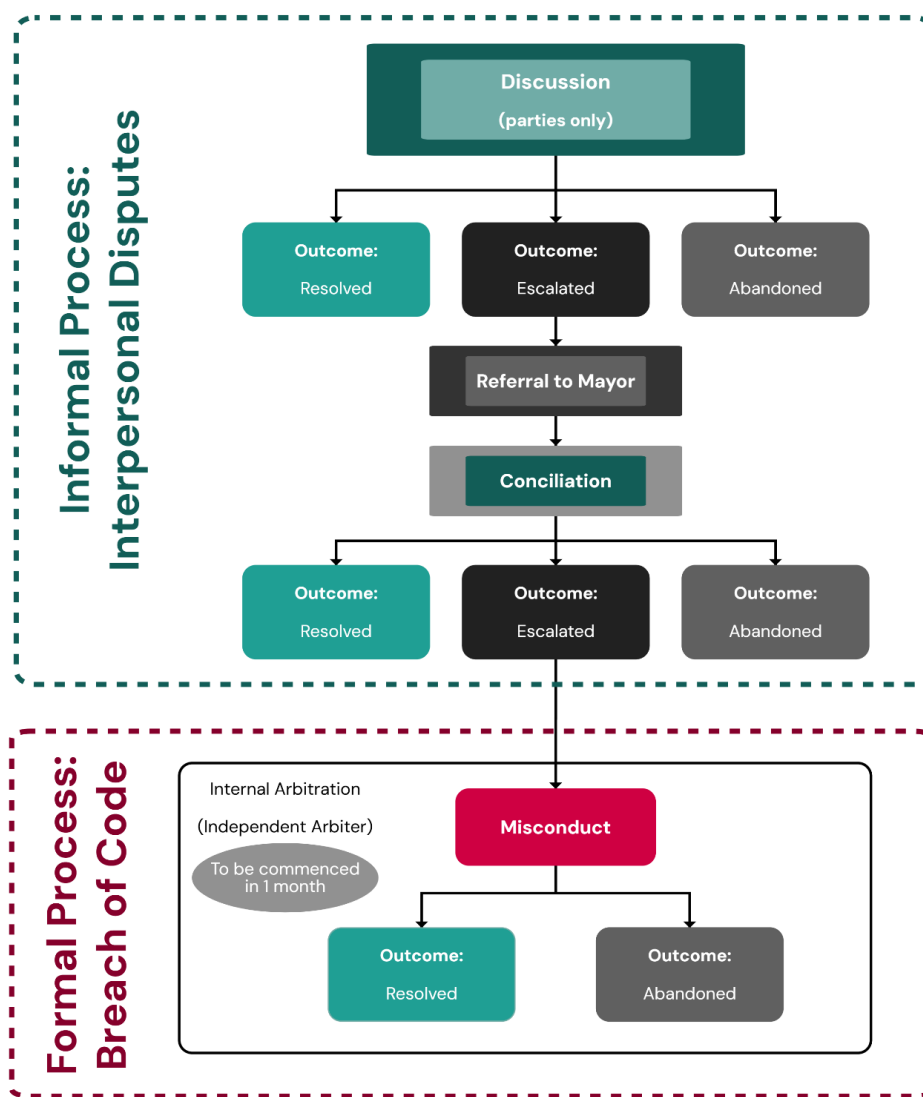
Cr David Wortmann<u>Andrew Whitehead</u> (Mayor)	Cr Peter Dikschei<u>Peter Tolsher</u> (Deputy Mayor)
Cr Denise Anderson	Cr Aaron Scales<u>Jonathon Pitman</u>
Cr Andrew Whitehead<u>David Wortmann</u>	
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Appendix 1 – Conciliation Application Form

<u>Complainant:</u>	
<u>Respondent:</u>	
<u>Provisions of Model Councillor Code of Conduct breached:</u>	
<u>Action constituting breach:</u> <u>(Include dates, times and detailed descriptions of the action complained of. Attach further documents as necessary.)</u>	

Signed by)
)
)
on)

Appendix 2 – Internal Resolution Procedure Flowchart





Government
Services

Model Councillor Code of Conduct

Local Government (Governance and Integrity) Amendment
Regulations 2024

Model Councillor Code of Conduct

Schedule 1 of the Local Government (Governance and Integrity) Amendment Regulations 2024

Definitions

In this Schedule—

discrimination means unfair or unfavourable treatment of a person on the grounds of an attribute specified in section 6 of the **Equal Opportunity Act 2010**.

Standards of Conduct

1. Performing the role of a Councillor

A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly, including by—

- (a) representing the interests of the municipal community by considering and being responsive to the diversity of interests and needs of the municipal community; and
- (b) being fit to perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (c) diligently using Council processes to become informed about matters which are subject to Council decisions; and
- (d) not performing or purporting to perform any responsibilities or functions of the Chief Executive Officer; and
- (e) acknowledging and supporting the Mayor in the performance of the role of the Mayor, including by—
 - (i) respecting and complying with a ruling of the Mayor as the chair of Council meetings (unless dissenting from the ruling in accordance with the Council's Governance Rules); and
 - (ii) refraining from making public comment, including to the media, that could reasonably be perceived to be an official comment on behalf of the Council where the Councillor has not been authorised by the Mayor to make such a comment.

2. Behaviours

- (1) A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect, including by—
 - (a) not engaging in demeaning, abusive, obscene or threatening behaviour, including where the behaviour is of a sexual nature; and
 - (b) not engaging in behaviour that intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons; and
 - (c) not engaging in discrimination or vilification; and

- (d) supporting the Council, when applying the Council's community engagement policy, to develop respectful relationships and partnerships with Traditional Owners, Aboriginal community controlled organisations and the Aboriginal community; and
 - (e) supporting the Council in fulfilling its obligation under the Act or any other Act (including the **Gender Equality Act 2020**) to achieve and promote gender equality; and
 - (f) ensuring their behaviours and interactions with children are in line with the Council's policies and procedures as a child safe organisation and obligations under the **Child Wellbeing and Safety Act 2005** to the extent that they apply to Councillors.
- (2) A Councillor, as an individual at the workplace, must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons by—
- (a) adhering to applicable systems and policies put in place by the Chief Executive Officer to manage risks to health and safety in the workplace; and
 - (b) complying, so far as the Councillor is reasonably able, with any reasonable instruction that is given by the Chief Executive Officer to manage risks to health and safety.
- (3) A Councillor must act in accordance with any policies, practices and protocols developed and implemented under section 46 of the Act that support arrangements for interactions between members of Council staff and Councillors.

3. Good governance

A Councillor must comply with the following Council policies and procedures required for delivering good governance for the benefit and wellbeing of the municipal community—

- (a) the Council's expenses policy adopted and maintained under section 41 of the Act;
- (b) the Council's Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act, including in relation to—
 - (i) conduct in Council meetings or meetings of delegated committees; and
 - (ii) requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication; and
 - (iii) the Council's election period policy included in the Council's Governance Rules under section 69 of the Act, including in ensuring that Council resources are not used in a way that is intended to influence, or is likely to influence, voting at a general election or by-election;
- (c) the Council's Councillor gift policy adopted under section 138 of the Act;
- (d) any direction of the Minister given under section 175 of the Act.

4. Integrity

- (1) A Councillor must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by—
- (a) ensuring that their behaviour does not bring discredit upon the Council; and

- (b) not deliberately misleading the Council or the public about any matter related to the performance of their public duties; and
- (c) not making Council information publicly available where public availability of the information would be contrary to the public interest.

Note

See the public transparency principles set out in section 58 of the Act.

- (2) A Councillor must not, in their personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), expressly or impliedly request preferential treatment for themselves or a related person or entity.

5. The Model Councillor Code of Conduct does not limit robust public debate