

Agenda

Special Meeting of Council

11:30 am, Thursday 31 July 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 Special Meeting of Council to be held at
32 Towong Street, Tallangatta, Victoria
on Thursday 31 July 2025 commencing at 11:30 am**

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

Table of Contents

1 Opening Prayer.....	4
2 Councillor and Officer Presence at the Meeting	4
3 Apologies and Granting of Leave of Absence.....	4
4 Disclosure of Conflicts of Interest	4
5 Confidential.....	6
5.2 Colac Coalc Caravan Park - Contract No 2025/26 - 006.....	7
6 Closure of Meeting	8

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
Ms Taylor	Director Corporate and Organisational Development

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 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:

- *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.*
- *The circumstances are –*
 - *the meeting is to consider confidential information; or*
 - *security reasons; or*
 - *it is necessary to do so to enable the meeting to proceed in an orderly manner.*
- *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.*
- *For the purposes of subsection (3), the arrangements may include provision to view the proceedings on the Internet or on closed circuit television.*
- *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 –*
 - *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*
 - *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.

5.2 Colac Coalc Caravan Park - Contract No 2025/26 - 006

Under Section 3(1) of the *Local Government Act 2020*, this item is confidential due to:
(a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; and*

(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.*

Recommendation:

That the meeting be closed to the press and public to consider information considered confidential under section 3(1) of the *Local Government Act 2020* being:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; and
- (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.

6 Closure of Meeting