



# **ORDINARY MEETING**

# **MINUTES**

## **6 NOVEMBER 2018**

The resolutions contained within these minutes were confirmed at Council Meeting  
on 20 November 2018.

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**MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 6 NOVEMBER 2018 COMMENCING AT 9:02AM**

**1 OPENING**

**2 PRESENT**

Members Present:

Mayor, Councillor Bill Ludwig (Chairperson)  
Deputy Mayor, Councillor Nigel Hutton  
Councillor Adam Belot  
Councillor Pat Eastwood  
Councillor Jan Kelly  
Councillor Glenda Mather  
Councillor Tom Wyatt

In Attendance:

Mrs Chris Murdoch – Chief Executive Officer  
Mr Brett Bacon – Executive Director Liveability and Wellbeing  
Mr Dan Toon – Executive Director Infrastructure  
Mrs Andrea Ellis – Chief Financial Officer  
Mrs Debra Howe – Director Strategic Growth and Development  
Mr Scott Williams – Internal Auditor  
Ms Nicole Robertson – Acting Coordinator Executive Support

**3 LEAVE OF ABSENCE / APOLOGIES**

Nil

**4 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 5 October 2018 be taken as read and adopted as a correct record.

**Moved by:** Councillor Mather

**Seconded by:** Councillor Wyatt

**MOTION CARRIED**

### COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 16 October 2018 be taken as read and adopted as a correct record.

**Moved by:** Councillor Kelly

**Seconded by:** Councillor Eastwood

**MOTION CARRIED**

### COUNCIL RESOLUTION

THAT the minutes of the Special Meeting held on 24 October 2018 be taken as read and adopted as a correct record.

**Moved by:** Councillor Mather

**Seconded by:** Councillor Eastwood

**MOTION CARRIED**

### COUNCIL RESOLUTION

THAT the minutes of the Special Meeting held on 1 November 2018 be taken as read and adopted as a correct record.

**Moved by:** Deputy Mayor, Councillor Hutton

**Seconded by:** Councillor Wyatt

**MOTION CARRIED**

## 6 MAYORAL MINUTE

### 6.1 MAYORAL MINUTE - ANNUAL COMMUNITY CHRISTMAS TREE FESTIVAL

**File No:** CR2.3.1  
**Attachments:** Nil  
**Responsible Officer:** Bill Ludwig - Mayor

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#### SUMMARY

*The Anglican Parish of Keppel Community Christmas Tree Festival has become a significant and anticipated event on the community calendar each year. For the past 5 years, Council has supported the event by providing the use of town hall through the Mayors Discretionary Fund.*

09:09AM Councillor Kelly left the meeting due to a declared conflict of interest in relation to item 5.1.

#### COUNCIL RESOLUTION

THAT Council resolves to continue to provide ongoing support of the Anglican Parish of Keppel Annual Community Christmas Tree Festival by providing use of Town Hall through in-kind sponsorship for this important community event.

**Moved by:** Mayor Ludwig  
**Seconded by:** Deputy Mayor, Councillor Hutton

**MOTION CARRIED UNANIMOUSLY**

09:11AM Councillor Kelly returned to the meeting.



**6.2 MAYORAL MINUTE - KEPPEL SANDS PATHWAY TO E.R. LARCOMBE MEMORIAL HALL**

**File No:** CR2.3.1  
**Attachments:** Nil  
**Responsible Officer:** Bill Ludwig - Mayor

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**SUMMARY**

*At a recent community meeting at Keppel Sands, the issue of safe pedestrian access to the E.R. Larcombe Memorial Hall was raised.*

**COUNCIL RESOLUTION**

THAT Council resolves to seal or concrete the existing pathway in the un-named laneway that connects E.R. Larcombe Memorial Hall to Roden Street as a consideration in the Q2 budget revision.

**Moved by:** Mayor Ludwig  
**Seconded by:** Deputy Mayor, Councillor Hutton

**MOTION CARRIED UNANIMOUSLY**

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**6.3 MAYORAL MINUTE - TAYOR STREET KEPPEL SANDS**

**File No:** CR2.3.1  
**Attachments:** Nil  
**Responsible Officer:** Bill Ludwig - Mayor

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**SUMMARY**

*At a recent community meeting at Keppel Sands, the issue of pedestrian safety along Taylor Street between the Keppel Sands Caravan Park and Roden Street was raised. It was noted that there has been reported falls and occasional injury.*

**COUNCIL RESOLUTION**

THAT Council resolves to:

1. Address as a priority, the hazards and safety issues in relation to pedestrian traffic along Taylor Street between the Keppel Sands Caravan Park and Roden Street with the possibility of forming a dedicated pedestrian track / footpath. This will require consideration in the Q2 budget review.
2. Address the identified lack of lighting along Taylor Street between the Keppel Sands Caravan Park and Roden Street and facilitate safer pedestrian access at night. This will require consideration in the Q2 budget review.
3. Send a direction to the appropriate department to look at interim measures in relation to items 1 and 2.

**Moved by:** Mayor Ludwig  
**Seconded by:** Councillor Eastwood  
**MOTION CARRIED**

## 7 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

### *Conflict of Interest*

#### **9.09AM**

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Kelly disclosed a conflict of interest in respect of **Item 5.1** due to holding a membership on the parish board, the Councillor considered her position, did not take part in the debate and left the meeting.

### *Material Personal Interest*

#### **9.24AM**

In accordance with s172(2) of the *Local Government Act 2009*, Councillor Eastwood disclosed a material personal interest in respect of **Items 12.3, 13.3 and 13.5** due to being a shareholder in the company, the Councillor considered his position, did not take part in the debate and left the meeting.

#### **9.24AM**

In accordance with s172(2) of the *Local Government Act 2009*, Councillor Belot disclosed a conflict of interest in respect of **Items 12.3, 13.3 and 13.5** due to a pending application to be a shareholder in the company, the Councillor considered his position, did not take part in the debates and left the meeting.

**8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS**

Nil

**9 PRESENTATION OF PETITIONS**

Nil

**10    AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE  
      REPORTS**

Nil

**11 COUNCILLOR/DELEGATE REPORTS**

Nil

## 12 REPORTS

### 12.1 QUARTERLY BUDGET REVIEW (19Q1)

<b>File No:</b>	<b>FM12.5.2</b>
<b>Attachments:</b>	<ol style="list-style-type: none"><li><b>1. 2018-19 Revised Budget (19Q1) Statements</b>⇒</li><li><b>2. 2018-19 Revised Budget (19Q1) Measures of Financial Sustainability</b>⇒</li><li><b>3. 2018-19 Revised Budget (19Q1) Estimated Activity Statements</b>⇒</li></ol>

**Responsible Officer:** Chris Murdoch - Chief Executive Officer

**Author:** Andrea Ellis - Chief Financial Officer

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### SUMMARY

*The Quarterly Budget Review (19Q1) is presented to Council for adoption recognising changes to the financial position since the 2018-19 Budget was adopted on 24 July 2018. The original budget adopted by Council on the 24<sup>th</sup> July 2018 has been reviewed by the Finance and the Executive Leadership Team. The first quarter budget review for 2018-19 has been input into the Long Term Financial Forecast. Impacts on this and future financial years have been reviewed and some of the forecast settings been amended.*

### COUNCIL RESOLUTION

THAT Council resolve to adopt, pursuant to Section 107A of the *Local Government Act 2009* and Sections 169 and 170 of the *Local Government Regulation 2012*, the Revised Budget (19Q1) for the financial year 2018-19 and the Long Term Financial Forecast for the financial years 2018-19 to 2027-28 as contained in the document entitled 2018-19 Revised Budget and Long Term Financial Forecast (Attachment 1) and set out in the pages contained therein:

- Statement of Financial Position (Attachment 1);
- Statement of Cash Flows (Attachment 1);
- Statement of Income and Expenditure (Attachment 1);
- Statement of Changes in Equity (Attachment 1);
- Long-Term Financial Forecast (Attachment 1);
- Relevant Measures of Financial Sustainability (Attachment 2);
- Total Value of change in the rates and charges expressed as a percentage (Attachment 2);
- Revised estimated business activity costs for the period ending 30 June 2019 (Attachment 3).

**Moved by:** Deputy Mayor, Councillor Hutton

**Seconded by:** Councillor Kelly

**MOTION CARRIED**



## 12.2 2018/19 LIVINGSTONE COMMUNITY GRANTS ASSESSMENT OUTCOME - ROUND 1

**File No:** CR2.15.3

**Attachments:** 1. Livingstone Community Grants Procedure [⇒](#)

**Responsible Officer:** David Mazzaferri - Manager Disaster Management, Recovery and Resilience  
Brett Bacon - Executive Director Liveability and Wellbeing

**Author:** Jared Thomsen - Senior Sport & Education Officer

### SUMMARY

*This report discusses the outcome of evaluations completed by the Assessment Panel for applications received to the 2018 / 19 Livingstone Community Grants (Round One).*

### COUNCIL RESOLUTION

THAT in accordance with the recommendation of the Livingstone Community Grants Assessment Panel, Council resolve to fund the following grant applications from the Livingstone Community Grants programme:

Applicant	Detail	Amount
Capricorn Coast PCYC	Purchase of safety harnesses to enable increased participant access to programmes.	\$1,948.77
Cawarral Cricket Club	Supply of top soil for improvements to playing surface.	\$2,000.00
Emu Park Surf Life Saving Club	Purchase of training equipment to increase opportunities for delivery of training sessions.	\$2,000.00
Fitzroy Frogs Triathlon Club	Delivery of training and development sessions for coaches and participants.	\$2,000.00
Jack's Paddock Incorporated	Establishment of water supply to leased area.	\$2,000.00
Mount Chalmers Community History Centre	Purchase of a generator to enable more consistent delivery of programmes.	\$1,499.00
Sacred Heart Primary School (Yeppoon) Parents and Friends Association	Purchase of equipment to support additional art activities, as well as the supply of healthy food to students.	\$2,000.00
Sandhills Community Sports and Social Club	Purchase of new cricket equipment to support increased participation in sporting events.	\$2,000.00
Yeppoon Lions Club	Installation of solar lighting to Yeppoon welcome sign	\$2,000.00
Yeppoon Senior Citizens Association	Purchase of new musical equipment to support programmes.	\$2,000.00
Yeppoon Surf Life Saving Club	Delivery of training and development sessions for volunteers and participants.	\$1,500.00

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Yeppoon Swimming Club Incorporated	Purchase of equipment to assist in hosting training sessions and other events.	\$1682.60
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**Moved by:** Councillor Kelly

**Seconded by:** Councillor Eastwood

**MOTION CARRIED**

09:24AM Councillor Eastwood left the meeting due to a declared material personal interest in relation to item 12.3.

09:24AM Councillor Belot left the meeting due to a declared material personal interest in relation to item 12.3.

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**12.3 QUESTIONS ON NOTICE – SURF LAKES****File No:** CR2.13.19**Attachments:**

1. **Location Plan - Surf Lakes and Maintained Section of Tookers Road** [⇒](#)
2. **Approval Notice to Undertake Alterations or Improvements to Local Government Controlled Areas and Roads** [⇒](#)

**Responsible Officer:** Chris Murdoch - Chief Executive Officer**Author:** Brett Bacon - Executive Director Liveability and Wellbeing

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**SUMMARY**

*This report provides a response to Questions on Notice, which Councillor Mather proposes to tender to the Council meeting of 6 November 2018.*

**COUNCIL RESOLUTION**

THAT Council resolves to receive the report providing a response to Councillor Mather's Questions on Notice regarding Surf Lakes.

**Moved by:** Councillor Kelly**Seconded by:** Councillor Mather**MOTION CARRIED**

09:26AM Councillor Eastwood returned to the meeting.

09:26AM Councillor Belot returned to the meeting.

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**12.4 4.40 ESTABLISHMENT OF THE INVEST CAPRICORN COAST REGION LEADERSHIP ALLIANCE****File No:** ED8.5.20**Attachments:**

1. Invest Capricorn Coast Region Leadership Alliance Terms of Reference - V3 [⇒](#)
2. Invest Capricorn Coast Region Leadership Alliance - Track Changes V3 [⇒](#)
3. Capricorn Coast Region Leadership Alliance - Members [⇒](#)

**Responsible Officer:** Debra Howe - Director Strategic Growth & Development  
Brett Bacon - Executive Director Liveability and Wellbeing**Author:** Sonia Barber - Senior Economic Development Officer**Previous Items:** 12.8 - Invest Capricorn Coast Region Economic Development Plan - Ordinary Council - 05 Apr 2018 9:00am

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**SUMMARY**

*The purpose of this report is to provide Council with an updated version of the Invest Capricorn Coast Region Leadership Alliance Terms of Reference (refer Attachments One and Two) and to advise Council of the Leadership Alliance members (refer Attachment Three).*

**COUNCIL RESOLUTION**

That Council:

- 1) adopt the updated version of the Invest Capricorn Coast Region Leadership Alliance Terms of Reference (refer Attachments One and Two), and
- 2) note the membership of the Invest Capricorn Coast Region Leadership Alliance between Council, government and other agencies, local business and community organisations, as detailed in this report (refer Attachment Three).

**Moved by:** Mayor Ludwig**Seconded by:** Deputy Mayor, Councillor Hutton**MOTION CARRIED**

## 13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

### 13.1 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - WRECK POINT PATHWAY

**File No:** GV13.4.4  
**Attachments:** 1. [Notice of Motion](#) ⇨  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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#### SUMMARY

*Councillor Adam Belot has indicated his intention to move the following Notice of Motion at the next Council Meeting 6 November 2018, as follows:*

#### COUNCIL RESOLUTION

THAT LSC review the current design of the proposed walking path from Cooe Bay to Lammermoor Beach including:

- Consideration of redesigning path alignment/direction
- Design that will best accommodate users of all abilities

**Moved by:** Councillor Belot

**Seconded by:** Councillor Kelly

**MOTION CARRIED UNANIMOUSLY**

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**13.2 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - CLARIFICATION OF PROPOSED ROADWORKS TARANGANBA**

**File No:** GV13.4.4  
**Attachments:** 1. Notice of Motion ⇒  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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**SUMMARY**

*Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 6 November 2018, as follows:*

**COUNCIL RESOLUTION**

THAT the road 'Frangipani Drive' be removed from future correspondence and reports when referring to the proposed signalled intersection on Taranganba Road and the un-named bus set down area adjacent to the Taranganba School.

**Moved by:** Councillor Mather  
**Seconded by:** Mayor Ludwig

**MOTION CARRIED**

Pursuant to section 181(2) of the *Local Government Act 2009* and s2.21.3(a) *Council Meeting Procedures*, the Chair of the Meeting issued an Order of official reprimand relation Councillor Mather in relation to inappropriate conduct. The reprimand was issued during discussion of item 13.2.

Pursuant to section 181(2) of the *Local Government Act 2009* and s2.21.3(a) *Council Meeting Procedures*, the Chair of the Meeting issued an Order of a further warning to Councillor Mather in relation to inappropriate conduct. The warning was issued following discussion of item 13.2.

09:57AM Councillor Eastwood left the meeting due to a declared material personal interest in relation to item 13.3.

09:57AM Councillor Belot left the meeting due to a declared material personal interest in relation to item 13.3

**13.3 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - UPGRADE TOOKERS ROAD**

**File No:** GV13.4.4  
**Attachments:** 1. [Notice of Motion](#) ⇒  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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**SUMMARY**

*Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 6 November 2018, as follows:*

**COUNCIL RESOLUTION**

THAT due to the extraordinary traffic generated on Tookers Road caused by the construction of the wave pool, Council initiate an interim remedy to deal with the on-going dust issues to residents in close proximity to the road.

MOTION LAPSED DUE TO NO SECONDER

10:00AM Councillor Belot returned to the meeting.  
10:01AM Councillor Eastwood returned to the meeting.

**13.4 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - KEPPEL SANDS  
SAFETY ISSUE**

**File No:** GV13.4.4  
**Attachments:** 1. [Notice of Motion](#)⇒  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

**SUMMARY**

*Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 6 November 2018, as follows:*

**RECOMMENDATION**

THAT due to an identified need to provide greater pedestrian safety on Taylor Street Keppel Sands, Council erect, as a matter of urgency, a suitable pedestrian barrier on the roadway in the vicinity of the culvert which services the drain in the caravan park.

**COUNCIL RESOLUTION**

## PROCEDURAL MOTION

THAT the meeting proceeds to the next normal business on the agenda. Matter was dealt with in 5.3.

**Moved by:** Mayor Ludwig  
**Seconded by:** Deputy Mayor, Councillor Hutton

**MOTION CARRIED**

10:04AM Councillor Eastwood left the meeting due to a declared material personal interest in relation to item 13.5.  
10:04AM Councillor Belot left the meeting due to a declared material personal interest in relation to item 13.5.



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**13.5 QUESTIONS ON NOTICE - COUNCILLOR GLENDA MATHER - WAVE POOL**

**File No:** GV13.4.4  
**Attachments:** 1. [Questions on Notice](#)  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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**SUMMARY**

*Councillor Glenda Mather indicated her intention to place the following questions on notice in relation to the wave pool on Tookers Road, Cawarral at the next Council Meeting 6 November 2018.*

- a) *What planning process was required to undertake the wave pool?*
- b) *What conditions were placed on the construction/planning of the pool?*
- c) *I understand Tookers Road and an unconstructed section of this road was used as a thoroughfare to transport excavated material from the pool, as well as other contracted vehicles relative to the job. Is this correct?*
- d) *Please provide a map showing the designated route (for members' benefit).*
- e) *Was there a written agreement/approval with conditions between Council and the developer to use this route? If so, please provide a copy.*
- f) *What consultation did Council or anyone undertake with the residents along the Tookers Road route to advise them of the proposed works, given that some inconvenience would be expected?*
- g) *When was the first complaint received alerting Council to any traffic/health issues due to the operation, and what was Council's response to this?*
- h) *Where was the excavated material deposited, and was a Planning/Operational Works Approval required for either party to do this?*

**COUNCIL RESOLUTION**

THAT the questions on notice be received.

**Moved by:** Councillor Mather  
**Seconded by:** Councillor Kelly

**MOTION CARRIED**

10:05AM Councillor Eastwood returned to the meeting.

10:05AM Councillor Belot returned to the meeting.

**13.6 QUESTIONS ON NOTICE - COUNCILLOR GLENDA MATHER - PREFERRED SERVICE PROVIDERS**

**File No:** GV13.4.4  
**Attachments:** 1. [Questions on Notice](#)  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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**SUMMARY**

*Councillor Glenda Mather indicated her intention to place the following questions on notice in relation to preferred service providers at the next Council Meeting 6 November 2018.*

- 1. When is Council planning to call for expressions to renew its list of preferred service providers?*
- 2. How often is Council required to advertise for expressions?*
- 3. What was the last date on which expressions were called?*

**COUNCIL RESOLUTION**

THAT the questions on notice be received.

**Moved by:** Councillor Mather

**Seconded by:** Councillor Wyatt

**MOTION CARRIED**

**13.7 QUESTIONS ON NOTICE - COUNCILLOR GLENDA MATHER - KEPPEL SANDS  
CARAVAN PARK - METER QUERY**

**File No:** GV13.4.4  
**Attachments:** 1. [Questions on Notice](#)  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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**SUMMARY**

*Councillor Glenda Mather indicated her intention to place the following questions on notice in relation to Keppel Sands Caravan Park meter query at the next Council Meeting 6 November 2018.*

- 1. What action did Council take to ensure the meter was recording correctly, ruling out any fault?*
- 2. Was the meter tested by an authorised person?*

**COUNCIL RESOLUTION**

THAT the questions on notice be received.

**Moved by:** Councillor Mather  
**Seconded by:** Councillor Kelly

**MOTION CARRIED**

## 14 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

### COUNCIL RESOLUTION

#### 10.21AM

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

#### 15.1 Internal Audit Review of Roads Maintenance Scheduling

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

**Moved by:** Councillor Kelly  
**Seconded by:** Councillor Eastwood

**MOTION CARRIED**

### COUNCIL RESOLUTION

#### 10.52AM

THAT the meeting moves out of closed session and be opened to the public.

**Moved by:** Deputy Mayor, Councillor Hutton  
**Seconded by:** Councillor Belot

**MOTION CARRIED**

## 15 CONFIDENTIAL REPORTS

### 15.1 INTERNAL AUDIT REVIEW OF ROADS MAINTENANCE SCHEDULING

**File No:** CM4.2.3

**Attachments:** 1. Internal Audit Report - Road Maintenance Scheduling

**Responsible Officer:** Chris Murdoch - Chief Executive Officer

**Author:** Scott Williams - Internal Auditor

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

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#### SUMMARY

*The Internal Audit review examining how Council performs road maintenance scheduling has now been completed. The review concluded that the control environment was rated as "some weakness" on the scale explained within the report. A range of recommendations were made with themes around improving process documentation, improving recording of data in the system and improving reporting.*

#### COUNCIL RESOLUTION

THAT Council receive the report from the Internal Audit review of Roads Maintenance Scheduling.

**Moved by:** Deputy Mayor, Councillor Hutton

**Seconded by:** Councillor Kelly

**MOTION CARRIED**

**16 URGENT BUSINESS QUESTIONS**

## 17 CLOSURE OF MEETING

There being no further business the meeting closed at 10.53 am.

\_\_\_\_\_  
Mayor, Councillor Bill Ludwig  
CHAIRPERSON

\_\_\_\_\_  
DATE