



# AGENDA

Audit Committee Meeting

27 March 2024

Shire of Victoria Plains  
Council Chambers, Calingiri

AND

via E-Meeting Protocol

Commencing – 11.30 AM

## **DISCLAIMER:**

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

### Recording of Meeting

Members of the public are advised that meetings of Committee are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

### **E – Disclaimer**

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Committee Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

**Commonly-used abbreviations**

AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager

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PUBLIC AUDIT AGENDA



# AGENDA

Audit Committee Meeting of the Victoria Plains Shire Council  
To be Held in the Calingiri Shire Chambers and via E-meeting Protocol  
on 27 March 2024 commencing at 11.30AM

## 1. DECLARATION OF OPENING

### 1.1 Opening

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### 1.2 Announcements by the CEO

### 1.2 Announcements by Presiding Member

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## REMOTE ATTENDANCE BY ELECTED MEMBERS

**THAT:**

- Under regulation 14C (2)(b) of the Admin Regulations, the Shire President can approve Elected Member attendance by electronic means;
- In doing so, under r.14C (5) the Shire President must have regard as to whether the location that the Elected Member intends to attend the meeting, and the equipment intended to be used to attend the meeting, are suitable;
- Electronic means includes, as per r.14CA(2) by telephone or video conference;
- Suitable equipment would include an electronic device that can hold a Teams meeting, and perhaps, the use of headphones;
- In accordance with r.14CA (5) the Elected Member must declare that they are able to maintain confidentiality during the meeting. Under r.14CA(7), the declaration by the Elected Member is recorded in the minutes of the meeting;
- Summarily, according to Departmental guidance, a suitable location is one that is quiet and private e.g. a private room in your house. If there are other people at the location at the time of the meeting, an Elected Member may be required to close a door and wear headphones.

## REMOTE ATTENDANCE BY COMMITTEE MEMBERS

**THAT:**

Cr \_\_\_\_\_ has been **APPROVED** to attend the \_\_\_\_\_ by electronic means as approved by the Shire President and that a declaration has been received regarding confidentiality and other requirements as noted in Section 2 herewith.

**3. RECORD OF ATTENDANCE**

Members present

Staff attending

Apologies

Approved leave of absence

Visitors

Members of the public

**4. DISCLOSURES OF INTEREST**

*Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.*

Type	Item	Person / Details
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3.1 Financial

3.2 Proximity

3.3 Impartiality

**5. MINUTES OF MEETINGS**

**5.1 Confirmation of Audit Committee Meeting Minutes**

**VOTING REQUIREMENTS**

Absolute Majority Required: No

**Officer Recommendation**

Moved:

Seconded:

That the Minutes of the Audit Committee Meeting held 27 February 2024 as circulated, be **CONFIRMED** as a true and correct record.

**For / Against**

**6. REPORTS REQUIRING DECISION****6.1 Council Policy Manual Part 3 Financial Management – Disposal Policy**

<b>File reference</b>	12.2.1		
<b>Report date</b>	19 Mar 2024		
<b>Applicant/proponent</b>	Audit Committee		
<b>Officer disclosure of interest</b>	NIL		
<b>Previous meeting references</b>	N/A		
<b>Prepared by</b>	Colin Ashe, DCEO		
<b>Authorised by</b>	Sean Fletcher, CEO		
<b>Attachments</b>			
Attachment 1	Page	2	3.10 Disposal Policy

**PURPOSE**

To seek council approval for the establishment of a Disposal Policy for the Shire of Victoria Plains.

**BACKGROUND**

In Mar 2023 the Audit Committee was presented with an Internal Audit Report of Financial Management Systems conducted by Dry Kirkness Consultants and as part of compliance Local Government (Financial Management) Regulations 1996. One of the outstanding recommendations was the establishment of a Disposal Policy.

**COMMENT**

The report from Dry Kirkness noted the audit control on this item was adequate but rated it as a minor risk with commentary of:

*Without a formal policy or procedure, the Shire might dispose of an asset without complying with the section 3.58 of the Local Government Act 1995.*

Staff have now drafted a disposal policy that will satisfy this recommendation including referencing section 3.58 of the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996 – Regulation 30 which details the exemptions. These exemptions primarily apply for the method of disposal cited in section 3.58 (2) - public auction or public tender by placing a market value threshold to qualify for the exemption.

Local Government (Financial Management) Regulations 1996 regulation 17A (5) notes a non-financial asset is to be excluded from the assets of the local government (i.e. asset register) if the acquisition value is under \$5,000.

The Disposal Policy aims to provides for an unambiguous and transparent direction for the disposal of assets to promote fair and effective competition to the greatest possible extent. Consider any potential benefit to the community or reward to retain staff, ensure best value for money is achieve, and ensure the same accountability for disposal of assets as that of purchasing asset.

The Disposal Policy is intended to provide guidance on:

- Assessing the appropriateness of disposal.
- Approval Process.
- Attractive Assets (excluding land) with a carrying value of less than \$5,000.
- Assets with a carrying value greater than \$5,000 excluding land.
- Gratuities and Donations ensuring the market value of assets recommended for disposal to

be less than \$20,000 in order to qualify for exemption under Local Government (Functions and General) Regulations 1996 – Regulation 30.

**CONSULTATION**

Mr Sean Fletcher, Chief Executive Officer

**STATUTORY CONTEXT**

3.58 (2) of the Local Government Act 1995 provides for the methods of disposal.

Regulation 30 of the Local Government (Functions and General) Regulations 1996 provides for the exemptions of section 3.58

Regulation 17A (5) of the Local Government (Financial Management) Regulations 1996 provides the value (\$5,000) of when an asset should be capitalised and recorded in the asset register.

**CORPORATE CONTEXT**

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 will be facilitated to ensure further closure of recommendations from Dry Kirkness.

**Delegation**

N/A

**Policy Implications**

Section 3 – Financial Management

**Other Corporate Document**

N/A



**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance	Major (4)  Non-compliance results in termination of services or imposed penalties to Shire/Officers	Possible (3)  The event should occur at some time	High (12)	Senior Management Team / CEO  Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Ensuring any recommendations from the audit are implemented will ensure that the residual risk is low.

**FINANCIAL IMPLICATIONS**

NIL

**VOTING REQUIREMENTS**

Absolute majority required: Yes

**Officer Recommendation**

Moved Cr \_\_\_\_\_

Seconded Cr \_\_\_\_\_

That the Audit Committee **RECOMMENDS** that council **APPROVE** the Disposal Policy for the Shire of Victoria Plains.

For \_\_\_\_ / Against \_\_\_\_

PUBLIC AUDIT AGENDA

## 6.2. Matters of Compliance

<b>File reference</b>			
<b>Report date</b>	15 March 2024		
<b>Applicant/proponent</b>	CEO		
<b>Officer disclosure of interest</b>	Nil		
<b>Previous meeting references</b>			
<b>Prepared by</b>	Sean Fletcher, CEO		
<b>Senior Officer</b>	N/A		
<b>Authorised by</b>	CEO		
<b>Attachments</b>			
Attachment 1	Page		Nil

### PURPOSE

That the Audit Committee accepts the update regarding the Shire’s Compliance Calendar.

### BACKGROUND

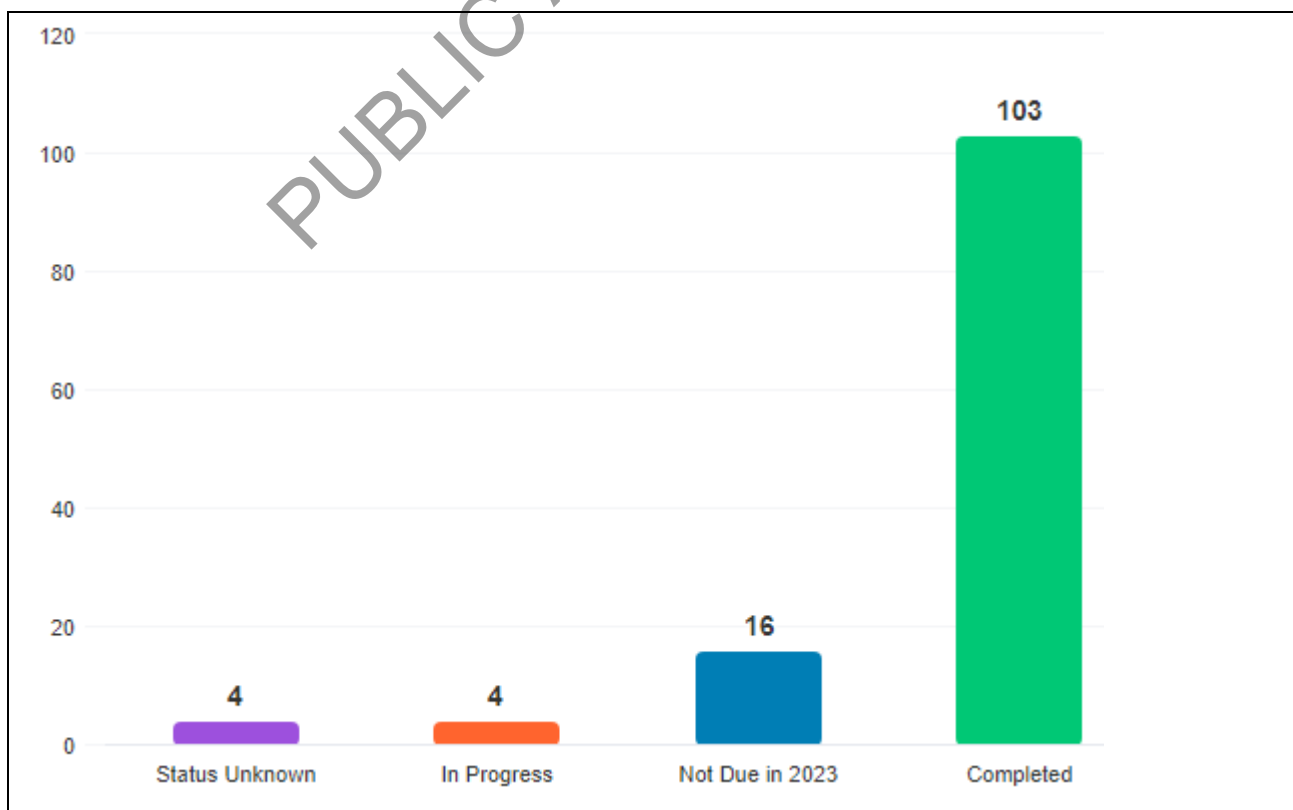
The Compliance Calendar is reset during December each year and updated to reflect the matters of compliance for the year.

### COMMENT

The update regarding the compliance actions is as follows:

#### December 2023

For 2023, there were some 127 compliance actions undertaken. This does not include the detailed actions for the budget, the annual report and annual financial statements:



There were 16 actions not required for 2023. These are for the following outyears and include such matters as developing a new record keeping plan, the review of the local planning scheme and revaluation of certain asset types.

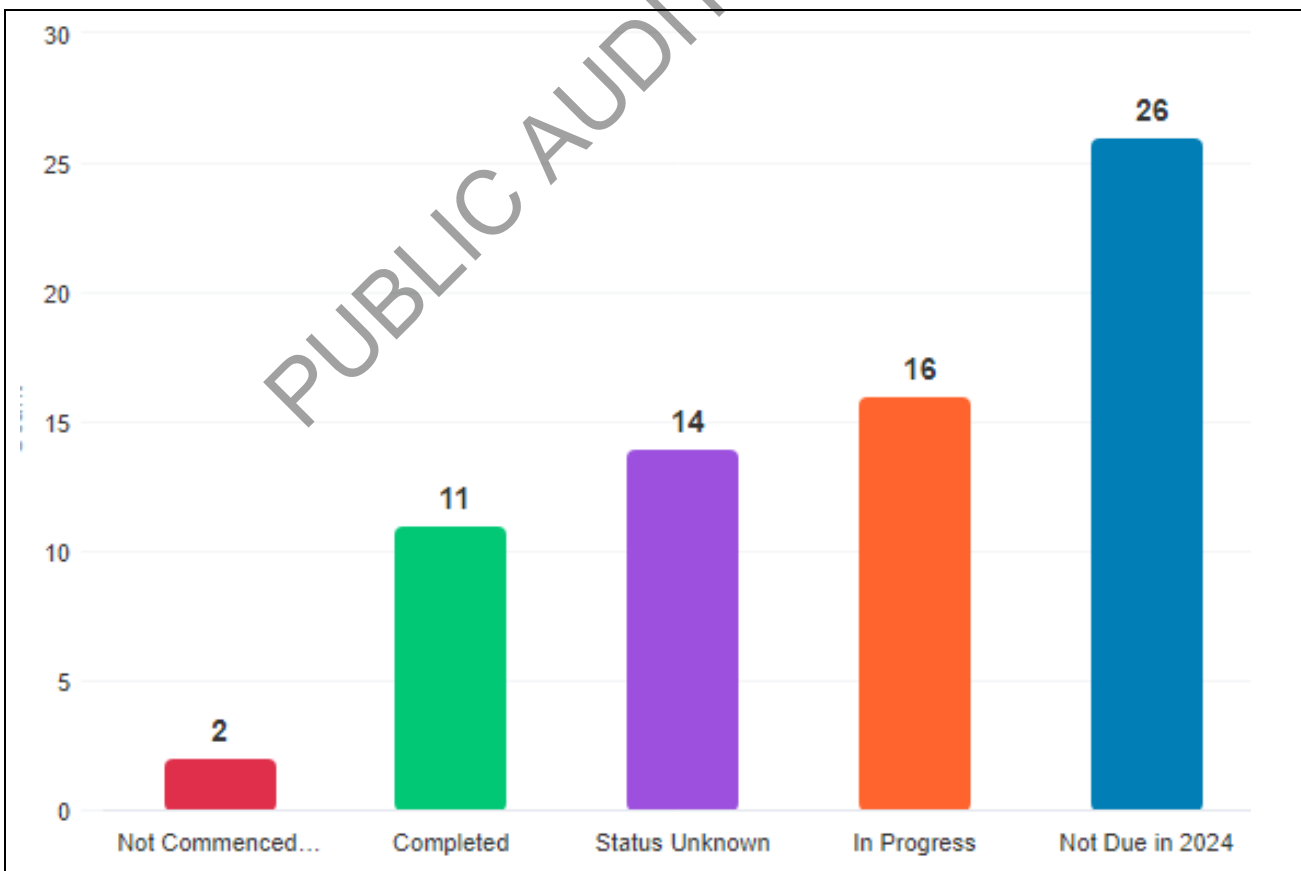
The four matters unknown include: FOI Statistical Data (need to confirm a nil return has been completed), the reconciliation of the Emergency Services Levy, the Integrity and Conduct Collection and the Waste Waer Report. It is expected that these will be confirmed by the time of the Audit Committee Meeting.

The four matters in progress include finalisation of the Public Health Plan, which is currently near completion, the Public Access to Information Audit (this has been done, but we need to review the finding, the Local Heritage Survey, which Laura Gray is presenting on 27 March 2024. The fourth matter which is the Equal Employment Opportunity Management Plan (5 yearly) has been completed, the status needs updating (system glitch).

The overall completion rate was 94%

**March Quarter 2024**

It can be seen that year to date, there are 43 compliance actions either: completed (11), in progress (16), not commenced (2) or the status is unknown (14). The latter three matters also include notifications to staff regarding matters that are due in April i.e. not commenced (2), status unknown (4), in progress (4)



The actions not commenced include the April Monthly Financial statements and the second meeting of the audit committee, although there is a meeting scheduled for today.

The matters completed include the Annual Budget Review, the issue of the Third Rates Instalment, Monthly Financial Reports for January, Calingiri Gym Membership (which is up 100% i.e. 30 members), and the first audit committee meeting.

Those matters unknown include a confirmation required regarding a review of rate exempted properties, the submission of the current BCITF Levy return and the updating of the Financial Interests Register.

Those items in progress include updating all MOUs with the various community groups and the LGIS (Insurance) Membership Renewal Declaration.

The majority of items not due in 2024 include matters that are dealt with during an election year.

**CONSULTATION**

PA to CEO

**STATUTORY CONTEXT**

**Audit Regulations – Regulation 17**

<p>17. CEO to review certain systems and procedures:</p> <p>(1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to:</p> <p>(a) risk management; and (b) internal control; and (c) legislative compliance.</p> <p>(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.</p> <p>(3) The CEO is to report to the audit committee the results of that review.</p>
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The Compliance Calendar reflects r.17(1)(c) – legislative compliance.

**CORPORATE CONTEXT**

**Strategic Community Plan and Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
<p>4.3 Proactive and well governed Shire</p>	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role

	Council is supported by a skilled team
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The Audit Committee has a key role to play in assisting Council and the CEO regarding the effectiveness of the Shire’s controls regarding compliance through the compliance calendar.

**Risk Management**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance	Mitigation and Outcome
<b>Compliance</b>  <b>Managing compliance is a key pillar regarding the function of the Shire</b>	Major (4)  Non-compliance results in termination of services or imposed penalties to Shire/Officers	Likely (4)  At least once per year	High (16)	Currently, the risk is acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring as follows:  <b>Staff review monthly, Audit Committee advised quarterly. Is also a CEO KPI</b>	CEO (officers) & Council and Audit Committee advised monthly, quarterly, annually will ensure risk is reduced from high to low

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Absolute majority required: No

<b>Officer Recommendation</b>
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Moved Cr \_\_\_\_\_ Seconded Cr \_\_\_\_\_

That the Audit Committee **ACCEPTS** the update regarding the Shire’s compliance calendar.

For \_\_\_\_\_ / Against \_\_\_\_\_

### 6.3 Compliance Audit Return 2023

<b>File reference</b>			
<b>Report date</b>	19 March 2024		
<b>Applicant/proponent</b>	Department of Local Government, Sport and Cultural Industries		
<b>Officer disclosure of interest</b>	Nil		
<b>Previous meeting references</b>	Nil		
<b>Prepared by</b>	Candice Watson, PA to the CEO		
<b>Senior Officer</b>	Sean Fletcher, CEO		
<b>Authorised by</b>	CEO		
<b>Attachments</b>			
Attachment 1	Page	6	SoVP CAR 2023

#### PURPOSE

As per the Local Government (Audit) Regulations, the Audit Committee is required reviewed the Compliance Audit Return 2023 and present the CAR to Council for adoption.

#### BACKGROUND

It is a requirement of all local governments to complete the Compliance Audit Return by 31 March for the preceding calendar year and submit it to the Department of Local Government, Sports and Cultural industries as part of its regulatory obligations.

The CAR is considered a key internal auditing tool. The questions examined change from year to year.

Once the CAR is reviewed by the Audit Committee, it is then submitted to Council for its consideration. It is then signed by the President and the CEO and then submitted to the Department along with a copy of the Council minutes.

#### COMMENT

The Compliance Audit Return has been completed for the 2023 year and is submitted for review.

#### Audit Findings

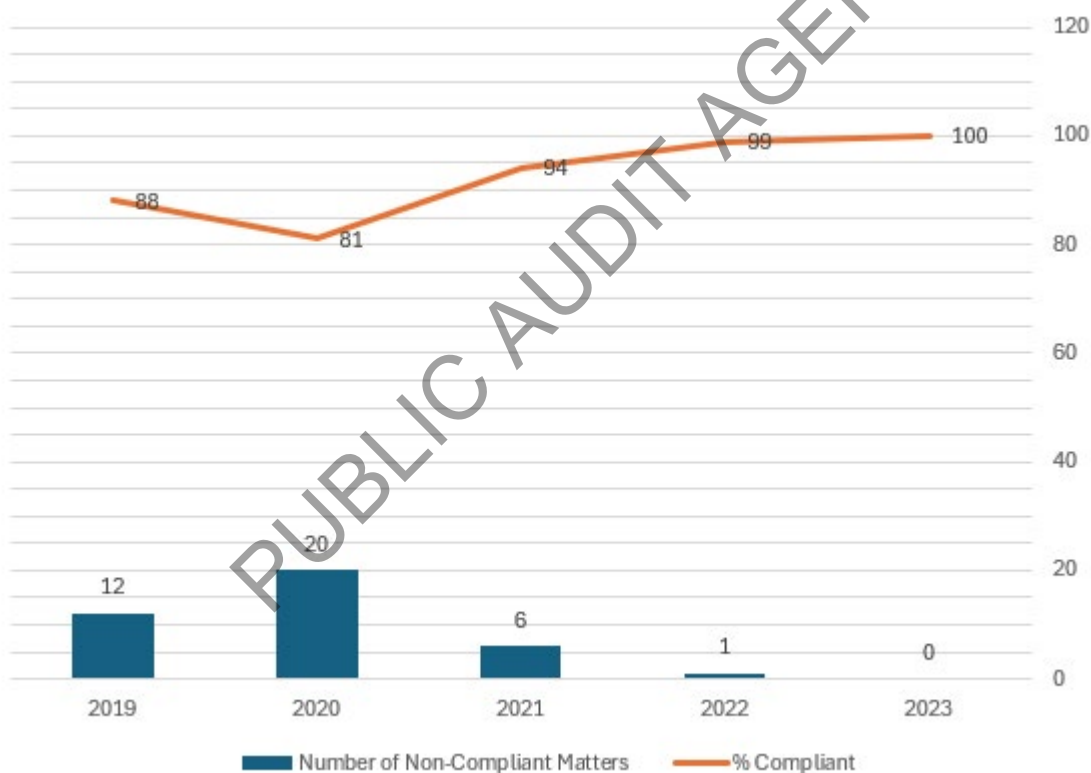
The author, along with the CEO, the Deputy CEO and other key staff reviewed the practices and procedures of the administration, as required under the CAR (Attachment 1). In essence, there was no matters of non-compliance. The following is a summary of the audit findings regarding the CAR for 2023:

Subject	Page	Question of Non-Compliance	Finding Matters of Non-Compliance
<b>Commercial Enterprises by Local Government</b>			
5 questions	1/11	N/A	SoVP did not undertake any such activity for 2023. This was the same for 2019, 2020, 2021 and 2022
<b>Delegation of Power or Duty</b>			

<b>13 questions</b>	1-2/11		2019 – 4 2020 – 0 2021 – 0 2022 - 1 2023 – 0
<b>Disclosure of Interests</b>			
<b>21 questions</b>	2-4/11		2019 – 0 2020 – 4 2021 – 2 2022 - 0 2023 - 0
<b>Disposal of Property</b>			
<b>2 questions</b>	4/11	N/A	No matters of non-compliance.
<b>Elections</b>			
<b>3 questions</b>	5/11		2019 – 0 2020 – 3 2021 – 0 2022 – 0 2023 - 0
<b>Finance</b>			
<b>7 questions</b>	5-6/11		2019 – 2 2020 – 6 2021 – 2 (11 Questions) 2022 – 0 2023 - 0
<b>Local Government Employees</b>			
<b>5 questions</b>	6/11		2020 – 0 2021 – 1 (6 Questions) 2022 – 0 2023 - 0
<b>Official Conduct</b>			
<b>4 questions</b>	7/13		2019 – 0 2020 – 2 2021 – 0 (3 Questions) 2022 – 0 2023 – 0

Tenders for Providing Goods and Services			
22 questions	7-9/11		2019 – 4 2020 – 1 2021 – 1 (24 Questions) 2022 – 0 2023 - 0
Integrated Planning and Reporting			
3 questions	10/11		Compliant
Optional Questions			
9 questions	10-11/11		2019 – 0 2020 – 3 2021 – 0 2022 – 0 2023 – 0

**Summary of Non-Compliance by Year**



**CONSULTATION**

Mr Sean Fletcher, Chief Executive Officer  
 Mr Colin Ashe, Deputy Chief Executive Officer  
 Mrs Marie Freeman, Records Manager

**STATUTORY CONTEXT**

Local Government (Audit) Regulations 1996 –



- r.14 – Compliance Audit Return to be reviewed by Audit Committee and report to Council (which includes the requirement that the outcome must be adopted by Council);
- r.15 – once considered by Council, the Return is to be signed by the President and CEO and lodged with the Department by 31 March.

**CORPORATE CONTEXT**

**Strategic Community Plan and Corporate Business Plan**

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
<b>4. CIVIC LEADERSHIP</b>			
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance		

The CAR is a key audit tool required under the Act and the regulations regarding good governance.

**Risk Management (Risk Governance Framework)**

The CAR is a key mechanism regarding the compliance of the Shire. Failing to complete the CAR by the due date and failing to action the matters of non-compliance opens the Shire up to further risk regarding its operations and investigation by the Department of Local Government.

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<p><b>Non - compliance</b></p> <p>Not conducting CAR by 31 Mar.</p> <p>Not addressing actions of non-compliance</p>	<p>Extreme (5)</p> <p>Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers</p>	<p>Likely (4)</p> <p>Probably occur in most circumstances</p> <p>At least once per year</p>	<p>Extreme (20)</p>	<p>CEO &amp; Council (Audit Committee)</p> <p>Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring</p> <p>Adequate: Substantial improvement on the previous three years</p>	<p>The CAR 2021 was completed by 31 March 2022. However, the Department requires the Audit Committee and Council to sign off on the CAR by the same date.</p> <p>The six matters of non compliance will be actioned ASAP</p> <p>The CEO to update the Audit Committee on progress of outstanding items.</p> <p>Councillors to observe statutory requirements regarding returns</p> <p>The above will, over time, ensure that the risk is maintained as Low</p>

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Nil

**Audit Committee and Officer's Recommendation**

Moved Cr \_\_\_\_\_ Seconded Cr \_\_\_\_\_

That the Audit Committee in accordance with Regulation 14 of the *Local Government (Audit) Regulations 1996* recommends that Council **ADOPTS** the Compliance Audit Return 2023 (in Attachment 1), including the following findings:

Subject	Page	Question of Non-Compliance	Finding Matters of Non-Compliance
<b>Commercial Enterprises by Local Government</b>			
5 questions	1/11	N/A	SoVP did not undertake any such activity for 2023. This was the same for 2019, 2020, 2021 and 2022
<b>Delegation of Power or Duty</b>			
13 questions	1-2/11		2019 – 4 2020 – 0 2021 – 0 2022 - 1 2023 – 0
<b>Disclosure of Interests</b>			
21 questions	2-4/11		2019 – 0 2020 – 4 2021 – 2 2022 - 0 2023 - 0
<b>Disposal of Property</b>			
2 questions	4/11	N/A	No matters of non-compliance.
<b>Elections</b>			
3 questions	5/11		2019 – 0 2020 – 3 2021 – 0 2022 – 0 2023 - 0
<b>Finance</b>			
7 questions	5-6/11		2019 – 2 2020 – 6 2021 – 2 (11 Questions) 2022 – 0 2023 - 0

<b>Local Government Employees</b>			
<b>5 questions</b>	6/11		2020 – 0 2021 – 1 (6 Questions) 2022 – 0 2023 - 0
<b>Official Conduct</b>			
<b>4 questions</b>	7/13		2019 – 0 2020 – 2 2021 – 0 (3 Questions) 2022 – 0 2023 – 0
<b>Tenders for Providing Goods and Services</b>			
<b>22 questions</b>	7-9/11		2019 – 4 2020 – 1 2021 – 1 (24 Questions) 2022 – 0 2023 - 0
<b>Integrated Planning and Reporting</b>			
<b>3 questions</b>	10/11		Compliant
<b>Optional Questions</b>			
<b>9 questions</b>	10-11/11		2019 – 0 2020 – 3 2021 – 0 2022 – 0 2023 – 0

For \_\_\_\_\_ / Against \_\_\_\_\_

PUBLIC AUDIT

## 7. MEETING CLOSED TO PUBLIC

*Matters for which the meeting may be closed in accordance with the Local Government Act 1995 s.5.23(2).*

*Public reading of resolutions made during a closed meeting.*

## 8. CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at \_\_\_\_\_ pm.

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## CERTIFICATION

These Committee minutes were confirmed at the Audit Committee Meeting held on \_\_\_\_\_ 2024.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
(Presiding member at the meeting which confirmed the minutes)

**Committee Minutes are unconfirmed until they have been adopted at the following meeting of Council.**