



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC MINUTES

Tuesday 18 May 2021

Daylesford Town Hall
76 Vincent Street Daylesford

6:00PM

A LIVE STREAM OF THE MEETING CAN BE VIEWED
VIA [COUNCIL'S FACEBOOK PAGE](#)

Confirmed at the Ordinary Meeting of Council held 15 June 2021

A handwritten signature in black ink, appearing to read "Lesley Hewitt".

Chair, Cr Lesley Hewitt, Mayor

MINUTES

Tuesday 18 May 2021

Daylesford Town Hall

76 Vincent Street Daylesford

Commencing at 6:00PM

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BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

Tuesday 18 May 2021

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

We would like to acknowledge we are meeting on Jaara people country, of which members and elders of the Dja Dja Wurrung community and their forebears have been custodians for many centuries.

On this land, the Jaara people have performed age old ceremonies of celebration, initiation and renewal.

We acknowledge their living culture and their unique role in the life of this region.

2 SAFETY ORIENTATION

Emergency exits and convenience facilities at the venue to be highlighted to members of the public in attendance.

3 OPENING OF MEETING

COUNCILLORS PRESENT: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday, Cr Tim Drylie

OFFICERS PRESENT: Mr Bradley Thomas - Chief Executive Officer, Mr Andrew Burgess - Acting Director Community and Corporate Services, Mr Bruce Lucas - Director Infrastructure and Development Services, Mr Chris Whyte – Manager Information and Communication Technology, Ms Krysten Forte - Manager Governance and Risk

The meeting opened at 6:02pm.

STATEMENT OF COMMITMENT

“WE THE COUNCILLORS OF HEPBURN SHIRE
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS OF THE COMMUNITY
AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS OF THE CODE OF
GOOD GOVERNANCE
SO THAT WE MAY FAITHFULLY REPRESENT AND UPHOLD THE TRUST PLACED IN THIS
COUNCIL BY THE PEOPLE OF HEPBURN SHIRE”

4 APOLOGIES

Nil.

5 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Tim Drylie declared a general interest for Item 13.1 Declaration of Special Rates Charge - Solar Savers Scheme due to an association with the Z-NET Home Energy Assessment Program.

Cr Lesley Hewitt declared a material interest pursuant to section 128 of the *Local Government Act 2020* for Item 17 General Business as she requested a leave of absence from Council.

Cr Don Henderson declared a material interest pursuant to section 128 of the *Local Government Act 2020* for Item 17 General Business as he requested a leave of absence from Council.

Cr Juliet Simpson declared a material interest pursuant to section 128 of the *Local Government Act 2020* for Item 17 General Business as she requested a leave of absence from Council.

6 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 20 April 2021 and the Minutes of the Special Meeting of Council held on 11 May 2021 (as previously circulated to Councillors) be confirmed.

MOTION

That the Minutes of the Ordinary Meeting of Council held on 20 April 2021 and the Minutes of the Special Meeting of Council held on 11 May 2021 (as previously circulated to Councillors) be confirmed.

Moved: Cr Don Henderson

Seconded: Cr Brian Hood

Carried

7 NOTICES OF MOTION

No Notices of Motion have been received in accordance with Council's Governance Rules.

8 ITEMS OF URGENT BUSINESS

MOTION

That Council resolve to admit the item relating to Western Victoria Transmission Network Project proposal into urgent business in accordance with councils Governance Rules Division 3, Item 20 as the item:

- *relates to or arises out of a matter which has arisen since distribution of the agenda; and*
- *cannot safely or conveniently be deferred until the next Council meeting.*

Moved: Cr Jen Bray

Seconded: Cr Don Henderson

Carried

MOTION

1. Supports the transition to renewable energy and acknowledges the need for new infrastructure, however, we hear our community's concerns and strongly sympathise with the real distress the Western Victoria Transmission Network Project proposal is causing to our farming and wider communities;
2. Write to AusNet and appropriate decision-making authorities such as DELWP, the Australian Energy Market Operator, and State and Federal MP's urging:
 - a. the WVTNP Environmental Effects Statement process to properly consider and apply existing and emerging technologies and construction methods that are making underground methods of power transmission a viable option;
 - b. the decision-making authorities to consider the wider impacts beyond the electricity market such as non-market economic, social, and environmental impacts to enable the actual cost of WVTNP to our community to be assessed; and
 - c. noting Council is opposed to the construction of a terminal station in valuable farming or heritage sensitive areas;
3. Include funding from within Council's Strategic Planning budget towards preparing a strong submission to the Environmental Effects Statement highlighting the bushfire risk, threat to agricultural land, and impact on historic and sensitive landscapes and this funding is detailed in a report to Council that outlines the scope and priorities of the Strategic Planning Works Program;
4. Communicate with its communities what action it has taken, what action it intends to take, provides opportunities for community feedback to Council, and provides links to support organisations.

Moved: Cr Jen Bray

Seconded: Cr Don Henderson

Carried

9 COUNCILLOR AND CEO REPORTS

9.1 MAYOR'S REPORT

Councillor Lesley Hewitt, Birch Ward

A lot of good news for Hepburn Shire this month with the appointment of our CEO, Bradley Thomas. A thank you to Nick Kelly from MacArthur's for his assistance with the recruitment process. We attracted a large field of applicants (39) and were pleased to appoint Bradley, making the decision based on his performance as acting CEO, his local government experience in an emerging city a larger rural shire and here in a small rural shire, his relationships with other local Councils and state government and his demonstrated ability in the role over the last six months.

I also need to acknowledge the Andrews State Labor Government. We have received over \$6m in funding for key projects including the Trentham Hub, the Trentham Sportsground pavilion, the train station at Bullarto and Wombat Hill gardens.

As the mayor I get to be present at these announcements but I have to acknowledge the work of the previous Council, the CEO's – Evan King and Bradley, our directors, Bruce Lucas and Andrew Burgess and the other staff who worked on these projects. These funding announcements do not just happen. On all of these projects, officers have worked tirelessly, there has been extensive community involvement in the planning and development of these project briefs showing what can happen when Council and community work together. I would also like to acknowledge and thank the assistance of Mary Anne Thomas our local member for her support in obtaining funding for these projects. I am particularly pleased about the funding for the Wombat Hill Gardens. The gardens are a great asset for our Shire and a significant part of our heritage. And we need to continue to look after them so that the gardens are an asset for and part of the heritage for those who come after us.

Below is a list of activities during this past month.

Councillor Meetings

Councillor Briefings x 4

Special Council Meeting -Appoint CEO

Media Interviews

Radio Interview 3BA x 2

Mayor's message, The Local x 2

Council Committees and Representation

Reconciliation Action Plan Committee Planning Meeting

Disability Advisory Committee

Municipal Association Victoria (MAV) Strategic Planning Meeting

Creswick Trails Community Engagement Session x1

Victorian Grants Commission Briefing

Rural South Central Region Meeting

Planning Scheme Public Information Session

CFA -Hepburn Shire Meeting

Community Activities

Opening Dja Dja Wurrung Memorial Daylesford Primary school

Opening CWA Craft Fair Creswick Town Hall

Clunes Book town

Daylesford Biggest Morning Tea, Daylesford Bowling Club

ANZAC Day ceremonies at Daylesford and Eganstown.

Planning Scheme Information Session

Meetings with residents re various issues

9.2 COUNCILLOR REPORTS

Councillor Juliet Simpson, Holcombe Ward

On 3 May 2021 I attended a Victorian Grants Commission Information Session.

On Tuesday 11 May 2021 I attended a Public meeting via zoom to nominate Bradley Thomas as the new CEO.

I also attended a Cultural Awareness information session presented by Robynne Nelson who has written a book called *Dharmalan Dana* (ANU Press Canberra).

On 12 May 2021 I attended the Glenlyon Recreation Reserve Community Asset Committee Meeting.

On the 13 May 2021 I attended the Public Planning Scheme Amendment information session at the Daylesford Town Hall.

Councillor Jen Bray, Birch Ward

Fri 23 Apr Popped in to see the buzz at the Chill Out Youth Ball. It was Daylesford's turn to host and the hall was festooned with Rainbow balloons and streamers. Young people were bussed in from Castlemaine, Kyneton and surrounds and our local teens turned out in strength. Tickets were hot property and sold out before the doors opened. Kids had a great night enjoying the live bands, and finding

“their people”. Dress code was very impressively original and unique. Great outfits everyone! Thanks to all the Youth officers from Hepburn, Mt Alexander and Macedon Shires, for organising, and everyone who made it happen.

- Sun 25 Apr Anzac Day - Attended 8.30 service at Hepburn Soldiers Memorial and laid a wreath
Attended 10am march and service in Daylesford and laid wreath with Mayor.
Very moving events, well attended by community and many wreaths from community groups. The traffic management at the Daylesford roundabout was well done, with the road closed allowing speakers to be heard and silent contemplation.
- Mon 26 Apr Conducted interviews with candidates for CEO position with fellow Councillors. McArthurs Recruitment attended the interviews, but were not present for deliberations afterwards when candidates were shortlisted or finalised.
- Tue 27 Apr Attended AusNet briefing on Western Vic Transmission Lines project.
- Sat 1 May Attended Clunes Book Town – ‘Turn the Page’ Opening and Welcome to country and other events.
Visit to BOOM – new Arts and Community Enterprise run by Clunes Neighbourhood House to promote local arts and businesses in the main street of Clunes.
- Mon 3 May Attended Victorian Grants Commission meeting
- Mon 10 May Participated in Local Laws 2 Reference Group meetings for Planting on Nature Strips and Salvaging at the Transfer Station. Cr Henderson participated in the Firewood collecting group. This was the first time the groups had met after the Feb 2020 decision to set them up.
Run by a facilitator, the sessions were very positive and outlined the constraints and opportunities. Community and council staff appreciated the chance to come together to work collaboratively to work out guidelines that will enable community to plant, salvage and gather firewood safely. Two more sessions will be held in the coming months.
- Tue 11 May Participated in Cultural Awareness Training – learning more of the sad history of our Aboriginal first nations people. Learning about the Cycle of Despair and how we can be part of the Cycle of Repair.
- Attended announcement by MP Mary Anne Thomas at Trentham for \$3.5m funding for Community Hub and site visit to Hepburn Pavillion

change rooms building site. While there Minister Thomas announced a further \$500,000 for the Wombat Botanical Gardens Master Plan.

Attended Special General Meeting to appoint new CEO, Bradley Thomas.

Thurs 13 May Attended the Community Information Session for the Planning Scheme amendment. This was well attended with around 35 community and 10 staff and 6 Councillors present. Plan 2 Place provided an overview of the amendment process, and council's new Strategic Planner, Glenn Musto outlined the next suite of studies and work to be done to truly strengthen the scheme. The feedback from the community was that it was very valuable for community and council to be in the same room, to hear information, ask questions and share their concerns. Community members appreciated the chance to voice their concerns about the way the amendment process had caused extreme anxiety, especially over the DDO6 tip overlay. People raised the need for the strategic work to bring the detail to the schedules and overlays to be done urgently. And for council to commit sufficient funds to this process. There was a request to form a Farming and Environment advisory group to assist Glenn Musto in his investigations.

Sun 16 May Attended Repair Café at Vic Park where many members of the community shared their "Fix-it" skills or brought items to be mended. All part of the plan to keep materials out of landfill, reduce, re-use and save money.

April-May Attended Council Briefings, and CEO appointment activities.

Put a call out for input from the wider community on Salvaging at the Tip, Planting on Naturestrips and Collecting Firewood to feed into the Local Laws Reference Groups.

Promoted council events such as Chill Out Youth Ball, Planning Scheme Community Info session, Creswick Trails info pop ups.

Have had contact via email, phone or in person with local community members on matters relating to:

- Planning Scheme information session
- Local Laws Reference Groups
- Western Vic Transmission Lines
- Botanical Gardens
- Safety signage at Skate Park
- Glenlyon development concerns
- Creswick Trails
- Protecting underground water
- Planning issues

Daylesford Waste Management Facility

Councillor Tim Drylie, Creswick Ward

It has been a very busy month. The past 30 days has seen us advance further on our Hepburn Together project towards our 10 year Council Vision and 4 Year Council Plan and to embrace our commitment to a better model for community engagement through our 40 member Community Panel and the meeting of LL2 community reference groups on Salvaging at Transfer Stations, Kerbside Gardens and Firewood Collection. We also held a Planning Scheme information session as part of the adopted C80hepb Planning Scheme Amendment, which I attended and delivered a financially responsible 2021/22 budget that considers the impact of COVID, the size of the shire and available resources. Most recently, we named interim CEO Bradley Thomas as the new CEO for Hepburn Shire Council and we received considerable funding from the Victorian Government for the Bullarto Train Station, the Trentham Community Hub, Wombat Hill Botanic Gardens, Trentham Sportsground Reserve Pavilion Redevelopment.

More locally, I attended ANZAC Day services in Kingston and Creswick and was fortunate to be invited to give an Acknowledgement of Country and sing the National Anthem with Creswick Brass Band. We have also seen conclusion of community engagement events for the Creswick Trails Project which has now progressed to a Planning Permit Application. There have also been two major cycling events in Creswick over the past month which has given the local community a bit of taste of things to come. There has been a lot of continuing community activity and concern around the Western Victoria Transmission Network Project. Council released a further statement during the month stating that we are continuing to advocate on behalf of the community about the appropriate placement of the powerlines and the terminal base station location. The motion passed at our May Ordinary Council Meeting strengthens that position and reinforces our desire to see the best outcome for our local community out of the EES process. Finally, I note that community engagement has begun on the 10 year Hepburn Shire Aquatics Strategy and we want community feedback on our facilities, in particular how people use and enjoy these facilities, along with ideas for improvements. I met with the Creswick and District Aquatic Centre group to discuss their campaign for an indoor heated pool to be built in Creswick. I encourage community members to fill out the online survey or attend one of the upcoming community pop-up sessions on this topic.

Councillor Tessa Halliday, Cameron Ward

No written report was presented.

Councillor Don Henderson, Creswick Ward

During the last month there has been a great deal happening, I have picked out a few highlights.

Madam Mayor I have been charged with presenting this book Reflections to Council by the Creswick Smeaton RSL on Anzac Day. This records the known history and service of all of the 979 Creswick Shire people who gave their lives in the 1914- 18 war. These service people are honoured in the Shire of Creswick Avenue of Honor at Kingston. The shire contributed to this publication by way of a grant and the compilation was done by volunteers

After many years of trying the funding of the Trentham Community centre to the tune of \$3.5 m has to be one of the highlights. It shows what can happen when a community unites behind a project.

Last weekend our staff were put to the test when the night before a major cycling event took place the Hammon Park facilities at Creswick were broken into and badly damaged. Police were quickly on the scene and offenders taken into custody. After that our assets and outdoor staff swung into action and worked all day until late. Most would not know the extent of the damage so good was the clean up. A special thanks to special people is well in order. Just a note despite the juvenile and very offensive nature of scrawling these were adults and not children. One has been released on bail and the other remanded in custody which shows the serious nature of alleged offences.

The cycling events themselves were very well attended with over 450 entrants at all levels from small children to some much older entrants. There were rank amateurs and world champions in the field and even a dog race. I did an acknowledgement of Country on behalf of the Shire and the events were described by all as absolutely fantastic and they were looking forward to the development of Hammon park and the Creswick Trails.

I attended some of the funding announcements and understand that there are even more to come. Great credit to all involved in having the foresight to have shovel ready projects that are diverse and allow funding bodies to fund in the knowledge that the Shire is ready. Council has been developing this strategy over a number of years and allocating matching funds in successive budgets coupled with the hard work of staff who ensure all of the pricing and planning is done. A team effort.

I cannot go past the important work going on in the community regarding the imposition of a major transmission network in our shire. This is not just a power line passing through but the construction of a terminal station that will be taking feed from other areas as well as the potential of the establishment of smaller micro grids that will potentially see our hills and volcanic cones dotted with solar farms.

The other important work is the groups set up to look at recycling, roadside planting and firewood collection. I attended the firewood group and must say there was a

positive will to find a safe and effective way of ensuring that the wood can be collected without damage to the environment and that those collecting were safe.

Councillor Brian Hood, Coliban Ward

May has indeed been a busy and eventful month.

In one of the more important decisions councillors must embrace we appointed Bradley Thomas as Council CEO. With the requisite skills and experience, well-regarded within the local government sector and a solid track record in the past 6 months as interim CEO I believe Council's administration is in good hands. I congratulate Bradley and look forward to working with him for the benefit of the Hepburn Shire community in the coming years.

I had the honour of representing Council at both the Trentham and Bullarto Anzac Day ceremonies. Despite proceedings being curtailed due to Covid both events were well attended and appropriately marked this important day.

In a clear demonstration of Council's strong relationship with funding bodies and the State government it was extremely pleasing to learn of successful funding bids for the construction of the Trentham Community Centre, the Trentham Sportsground renovation and the Bullarto rail project. The grants total \$6.1m and will be a tremendous boost for Coliban ward. The Bullarto project will restore station buildings to how they were in the 1930's, create a rail museum and will represent a huge boost to tourism. The renovation of the Trentham sportsground is much-needed and will provide contemporary facilities for male and female footballers, netballers, cricketers and those engaging in other passive recreational activities. Such facilities are so important to people's wellbeing.

The creation of a community centre in Trentham is long-awaited and also much needed. Honouring the past the historic Mechanics Hall will be fully renovated and will house an expanded library – true to the origins of Mechanics Institutes as learning centres and their role as a precursor to modern libraries. The community function space and meetings rooms will cater for a fast-growing community and will bring Trentham and Coliban ward up to par with facilities already enjoyed across the shire. Significantly well over 500 engagements were made with community members in recent weeks as the revised plans were discussed and reviewed. The community's feedback from the 2020 survey was incorporated into the revised plans....and there is no doubt the community's strong backing of the revised plans has assisted greatly in securing funding an enabling this critical project to proceed. A great example of this Council's commitment to community engagement.

May was a good month indeed.

RECOMMENDATION

That Council receives and notes the Mayor's and Councillors' reports.

MOTION

That Council receives and notes the Mayor's and Councillor's Reports.

Moved: Cr Don Henderson

Seconded: Cr Juliet Simpson

Carried

9.3 CHIEF EXECUTIVE OFFICER'S REPORT

The CEO Report is to inform Council and the community of current issues, initiatives and projects undertaken across Council.

This month's CEO report comes to you in part as my role of Interim CEO, and in part in my newly appointed role as the new Chief Executive Officer of Hepburn Shire.

At the Special Meeting of Council held on Tuesday 11 May 2021 I was thrilled to be appointed to the role of CEO. I'm looking forward to continuing a program of change that we have been enacting the last couple of years where we are improving our governance, community engagement and ensuring our community and customers are always forefront to our decision making.

For those of you who don't know me, I have worked at Hepburn since January 2019 and in local government for more than twelve years including roles at Mount Alexander Shire Council and City of Greater Bendigo. I hold a Master of Business Administration; I am a Chartered Accountant and the President of FinPro – the peak body of Victorian Local Government Finance professionals.

I'm excited about the opportunities for this Shire, we have a number a of key projects to deliver across the Shire, and I look forward to working with Councillors and leading a fantastic organisation that contributes to an optimistic future for the Hepburn Shire Community.



At the Ordinary meeting of Council held on 20 April 2021, Council approved the draft budget which is now out for community consultation until 20 May 2021. The draft Revenue and Rating Plan and the draft Road Management Plan were also both tabled for feedback from the community. In addition, Council approved \$13,000 worth of funding to seven community grants.

Council also approved a move to a new kerbside collection provider. SUEZ Recycling & Recovery was the successful tenderer for the service based on a public tender and selection criteria that included cost, service delivery, safety and sustainability. We are excited to be working with the new service provider and residents can expect a

smooth transition when the service commences from 1 July. Creating an efficient and cost-effective waste management service is a priority for Council and we will develop a five-year waste strategy later this year.

During April, Council held several Community Open House meetings for the Creswick Trails project where staff were on hand to answer questions, discuss details, and get a better understanding of this multi-million-dollar project.

Hepburn Life, our new monthly e-newsletter was launched. This e-letter replaces the printed Shire News which we previously sent to ratepayers twice yearly. During the Hepburn Together project we heard from our community that most people (74% of respondents) want to hear from us via email. Since the launch of the newsletter we have had fantastic sign up rate. I encourage everyone to sign up at <https://mailchi.mp/hepburn/sign-up>

On Sunday 25 April, several Council representatives attended ANZAC Day commemorative services throughout the shire.

The Clunes Booktown "Turn the page" COVID modified program was held on the last weekend in April and the great Trentham Spudfest also held a trimmed down program for COVID times.

Council is very excited to have received \$4.5M in grant funding from the Victorian State Government this week. On Monday 10 May, at the Bullarto train station, Mary-Anne Thomas MP announced \$500,000 to help create a new tourist precinct in Bullarto. Together with the Daylesford Spa Country Railway, we will be recreating the Bullarto Station as it was in the 1930's. On Tuesday Mary-Anne Thomas announced that Council will receive a \$3.5M grant towards construction of the Trentham Community Hub. The hub will be a centrally located facility including a library, visitor information centre, Council customer service centre, hall, and community meeting spaces. We have also received a \$500k grant funding for the Wombat Hill Botanic Gardens with these funds helping to restore and celebrate the derelict day basin and improve the area surrounding the Pioneer Memorial Tower and day basin, along with other projects. Each of these projects have significant Council funding attached and community group contributions. Its fantastic to be developing partnerships to deliver key projects for the community.

Over the past three weeks, some of the meetings I have participated include:

- Council briefings
- Budget meetings
- Community Open House Creswick Trails session
- Meeting with the Victorian Local Government Grants Commission
- Hepburn Together project control group meetings
- COVID-19 relief and recovery meetings with Council staff

- Emergency Management Team quarterly team meeting
- Central Highlands Regional Partnership priorities meeting
- Meeting regards ICT strategy
- Western Victoria Transmission Network Project (WVTNP) meetings
- Project meetings for the Hepburn Hub at The Rex
- Regular and recurring meetings with Directors and direct reports
- Executive Team and Leadership Team meetings
- Weekly meetings with Hutchinson Builders re Hepburn Hub at the Rex

RECOMMENDATION

That Council receives and notes the Chief Executive Officer's Report for May 2021.

MOTION

That Council receives and notes the Chief Executive Officer's Report for May 2021.

Moved: Cr Juliet Simpson

Seconded: Cr Jen Bray

Carried

10 PUBLIC PARTICIPATION TIME

This part of the Ordinary Meeting of Council allows for the tabling of petitions by Councillors and Officers and 30 minutes for the purposes of:

- Tabling petitions
- Responding to questions from members of our community
- Members of the community to address Council

Community members are invited to be involved in public participation time in accordance with Council's Governance Rules.

Individuals may submit written questions or requests to address Council to the Chief Executive Officer by 10:00am the day before the Council Meeting.

Some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

Questions received may be taken on notice but formal responses will be provided to the questioners directly. These responses will also be read out and included within the minutes of the next Ordinary Meeting of Council to make them publicly available to all.

BEHAVIOUR AT COUNCIL MEETINGS

Council supports a welcoming, respectful and safe environment for members of the community to participate at Council Meetings regarding issues that are important to them. Council's Governance Rules sets out guidelines for the Mayor, Councillors, and community members on public participation in meetings. It reinforces the value of diversity in thinking, while being respectful of differing views, and the rights and reputation of others.

Under the Governance Rules, members of the public present at a Council Meeting must not be disruptive during the meeting.

Respectful behaviour includes:

- Being courteous when addressing Council during public participation time and directing all comments through the Chair
- Being quiet during proceedings
- Being respectful towards others present and respecting their right to their own views

Inappropriate behaviour includes:

- Interjecting or taking part in the debate
- Verbal abuse or harassment of a Councillor, member of staff, ratepayer or member of the public
- Threats of violence

10.1 PETITIONS

No petitions have been received this month in accordance with the Governance Rules.

10.2 PUBLIC QUESTIONS

The Chair will read out responses to questions taken on notice from the last ordinary meeting, and then read and respond to new questions received in accordance with Council's Governance Rules.

Question 1 – Ms Kate McCrae, Ms Helen Hayes and Mr David Moore

What is the Council doing to prepare this shire for a water sustainable future? Are the current planning amendments being used as an opportunity to strengthen the protection of mineral spring resources? Will Council lobby state and federal governments to amend the Water Act to stop water mining, as is occurring at Wheelers Hill Musk and other sites in the shire, which entitles the land owner taking of water freely from the aquifers normally for agricultural use and trucking it out of the catchment for bottling and sale for huge profit.

Response – Mayor Lesley Hewitt

Council is currently preparing an Integrated Water Management Strategy alongside Central Highlands Water for the towns of Clunes, Creswick and Daylesford. This strategy considers all water values including water catchment, stormwater drainage and infrastructure, potable water, domestic wastewater and alternative water sources. We will be implementing this over the next 12 months, with our intention to expand this work to Trentham and Glenlyon in the future.

In addition, Council has recently confirmed a commitment to the ongoing protection of the mineral springs through a detailed assessment as part of our future strategic planning program. They are also being considered through the Integrated Water Management Strategy. Council will continue to advocate and seek funding to further this work to protect our precious water resources.

Question 2 – Ms Kate McCrae, Ms Helen Hayes and Mr David Moore

How will Hepburn Shire Council take a more active role in assessing and monitoring the number and size of the water tankers (B Double 38,000ltr and larger) coming and leaving from the Wheelers Hill site, recording/ data logging of the volume or truck movement by the truck owner. Including monitoring and policing the noise incursions and a curfew established several years ago by VCAT between 10pm to 7am, for the Council to administer.

Response – Mayor Lesley Hewitt

In late 2019, the Chief Executive Officer and Director Infrastructure and Development Services met with Blackmount Springwater to discuss ongoing concerns about water extraction and particularly around compliance with planning permit conditions and truck movement curfews.

Agreement was reached with the Director and the Chief Operations Officer around monitoring of curfews and a commitment around self reporting of known breaches to Council. Vehicle GPS tracking is also available upon request.

Council has in the past undertaken surveillance of truck movements outside of the permit conditions and had legal advice regarding this. Council is of the understanding that compliance with the permit conditions is now being achieved.

Council welcomes any specific details from concerned residents about any non-compliant vehicle movements.

10.3 REQUESTS TO ADDRESS COUNCIL

Members of our community who have submitted a request in accordance with Council's Governance Rules will be heard.

No requests to address Council were received.

Mr David Stagg addressed Council regarding Item 11.2 Naming of an Unnamed Road in Trentham.

11 QUALITY COMMUNITY INFRASTRUCTURE

11.1 HEPBURN HUB AT THE REX - MAY UPDATE DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

In providing this advice to Council as the Project Manager – Hepburn Hub, I Bruce MacIsaac have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

The purpose of this report is:

- To provide an appropriate level of information to allow Council to properly monitor the progress of the project against the Project Plan endorsed on the 18 February 2020 and as amended on 15 September 2020.
- To acquit Council's resolution that management provide periodic reporting to Council on the progress of the Hepburn Hub at the Rex.

OFFICER'S RECOMMENDATION

That Council:

- 1. Receives and notes the May 2021 project update report regarding the Hepburn Hub at the Rex Project;*
- 2. Notes the decision by the builder not to commence works on site;*
- 3. Notes the Date for Practical Completion is likely to be delayed a minimum of four (4) months;*
- 4. Notes some additional costs are likely to be associated with the delays, further investigations to respond to the builder's queries and additional works to the existing building fabric not included in the original scope. This shall be balanced to the extent possible against further value management savings;*
- 5. Notes that monthly reporting to Council and the Community will continue;*
- 6. Receives a detailed briefing from officers on the current status and implication of the contract negotiations at the next available opportunity.*

MOTION

That Council:

- 1. Receives and notes the May 2021 project update report regarding the Hepburn Hub at the Rex Project;*
- 2. Notes the decision by the builder not to commence works on site;*
- 3. Notes the Date for Practical Completion is likely to be delayed a minimum of four (4) months;*
- 4. Notes some additional costs are likely to be associated with the delays, further investigations to respond to the builder's queries and additional works to the existing building fabric not included in the original*

scope. This shall be balanced to the extent possible against further value management savings;

5. Notes that monthly reporting to Council and the Community will continue;

6. Conducts a Councillor workshop prior to the June 2021 Council meeting to examine all available options relating to the Hepburn Hub at the Rex project. To enable responsible and evidence-based decision-making, Council requests officers to obtain legal advice and provide details of the consequences and implications, financial, non-financial and operational, relating to each option. Having considered all relevant information following the workshop and June Council Meeting, Council will appropriately communicate with the community.

Moved: Cr Brian Hood

Seconded: Cr Don Henderson

Carried

BACKGROUND

On the 18 February 2020 Council endorsed the Project Plan for the Hepburn Hub at the Rex setting out the governance for the project. This Plan was revised on the 15 September 2020 and outlines the project scope, budget, funding and delivery program.

In summary, the Project Scope includes a library, community auditorium, coworking space, customer service and council offices. The Project Budget is \$7.130M and the building works were scheduled for completion within 107 working days or the 6 July 2020.

Further, in terms of management and reporting, on the 18 February 2020 Council resolved the following:

“Endorses the Project Control Group (PCG) to administer the project in accordance with the project plan. The PCG be chaired by the Chief Executive Officer and progress reports be provided to Council at each quarterly meeting of Council.”

This report represents the acquittal of this resolution of Council.

KEY ISSUES

As at the end of April the Project Control Group advises that: the project scope remains a facility of 2,052 Sqm of enclosed space but with some technical upgrades to the building to overcome identified defects and to improve outcomes.

The expenditure budget is \$7.130M. It is also noted that additional costs are being claimed due to further investigations and rectification works to Stage 1 and additional works not identified in the tender scope.

The builder has not yet commenced works on site which represents a material risk that the Date for Practical Completion will not be achieved. The forecast date for

completion of the works is currently the 13 October 2021, four (4) months beyond the baseline. Apart from a couple of weeks granted for bone fide delays this is mostly due to the contractor not commencing works on site. (Refer **Table 1** below).

Table 1 Project Plan Summary

Project Metric	Current Endorsed Metric	Current Forecast Outcome	Current Forecast Variance
Project Scope (Enclosed Area)	2,052Sqm	2,052Sqm	NIL Sqm
Project Budget (Estimate Cost)	\$7.130M	\$7.130M	\$NIL
Project Program (Date for PC)	14/06/21	13/10/21	(17 weeks)

Project Scope

The current forecast functional areas endorsed by Council are outlined in the table below. (Refer **Table 2** below). These remain unchanged. The risks associated with the Project Scope are outlined below the table.

Although a building permit has been obtained to complete the works, the existing building itself is between 15 to 90 years old. It has been identified that some further existing building elements require an upgrade to overcome deferred maintenance, building defects and to improve performance.

Table 2 Project Scope Summary

Scope Element	Endorsed Area 15/09/20 Sqm	Current Forecast Area Sqm	Current Forecast Variance Sqm
Council Offices	944	944	NIL
Customer Services	122	122	NIL
Library	348	348	NIL
Community Auditorium	106	106	NIL
Tenancies 1, 2 & 3	111	111	NIL

Tenancies 4	136	136	NIL
Entry & Amenities	285	285	NIL
Enclosed Area	2,052	2,052	NIL
Carpark	1,298	1,298	NIL
Open Space	120	120	NIL
External Space	1,418	1,418	NIL
Total	3,470	3,470	NIL

Scope Risks

The scope was confirmed in September 2020 and remains substantially the same as that endorsed by Council in February 2020 in terms of the overall areas of each activity. The scope has been endorsed by the various stakeholders and no further changes are proposed.

On the 9 February 2021 the builder raised a number of queries regarding the existing site conditions. Although they do not vary significantly from the conditions inspected during the tender period they are being investigated to confirm if further works are required to the existing building itself. Some of these works are associated with latent conditions and some with desired upgrades to current standards, however, others are simply site conditions present at the time of tender.

In terms of the contract these are treated differently depending on the cause of the change.

Site conditions are those conditions existing at the time of tender that a competent contractor should have been aware of at tender, except to the extent it is a latent condition, that is, different to the conditions at tender. In terms of site conditions, the builder accepts all responsibility for and assumes the risks of any delays, increased costs and losses, arising during the performance of the works. They are generally not entitled to make a claim arising out of encountered site conditions and shall perform, at their cost, any work necessary to overcome the effect of any site conditions.

Any items deemed to be latent conditions, that is, different to the conditions at tender, will generally be associated with a variation to the works and an adjustment on the contract price. Similarly, any changes in the technical brief to upgrade performance will also result on a variation. Although they appear to be associated with site conditions they are, in fact, upgrades to those conditions and so are treated

as principal generated changes to the scope. These additional costs are funded from the contingency.

In addition, a second round of value management is being undertaken with the consultant team and quantity surveyor to identify further savings that can be realised and added to the contingency with a view to resolving any variations to the works prior to the commencement on site.

These risks and any forecast variations to the scope associated with them shall be monitored by the Project Control Group and reported to Council once any changes and savings have been identified and valued properly by the quantity surveyor.

Project Budget

The endorsed Project Budget is \$7.130M (refer **Table 3** below).

The expenditure budget is currently \$7.130M. It is also noted that additional costs are being claimed due to further investigations and rectification works to Stage 1 and additional works not identified in the tender scope.

The risks associated with the Project Budget are outlined below.

Table 3 Project Budget Summary

Budget Element	Endorsed Budget 15/09/20 \$M	Current Forecast Cost \$M	Current Forecast Variance \$M
Total Stage 1	\$2.022	\$2.022	\$NIL
Construction Stage 2	\$4.658	\$4.449	\$0.209
Consultants Stage 2	\$0.450	\$0.450	\$NIL
FFE/ICT (included in construction)	\$NIL	\$NIL	\$NIL
Contingency	\$NIL	\$0.209	(\$0.209)
Total Stage 2	\$5.108	\$5.108	\$NIL
Total Project Budget	\$7.130	\$7.130	\$NIL

Budget Risks

A construction contract has been entered into for a fixed price of \$4,449,084 (ex GST) which provides certainty in relation to the great majority of the remaining budget to be spent.

This price allows for several provisional sums for items that were not fully specified at tender. As these are not yet committed, they are being reviewed as part of the value management process.

Further, the price allows for tender options associated with the re-tanking and resurfacing of the carpark and the replacement of the metal roof along the frontage to Vincent Street. These have been taken up and documented with the final adjustments to the price pending. Further, the final tender option was to replace the entire main roof but was not included in the contract. This roof has been inspected and the small "lean-to" roof at the rear of the main hall will also need be replaced as it has not been replaced since 1929.

The fixed price does not allow for any variations identified during the construction period which are associated with:

- Latent (hidden) conditions
- Documentation omissions
- Principal generated changes
- Prolongation of the program

These variations are usually funded from an allowance in the budget known as a contingency. At the September Council meeting it was resolved to remove the \$300,000 contingency allowance from the project budget previously approved in February. This decision was made on the basis that funds for a contingency would be created through a value management process undertaken with the builder. This has been partially completed with the identification of \$209,000 of savings with the possibility of further savings in a second round currently being completed.

The following items have been identified as changes to the contract documents and the associated costs are currently being estimated by the quantity surveyor. These items include latent conditions, upgrades and items associated with site conditions. The items being investigated include:

- replacement of a small 1929 “lean to” roof of to the rear of the Main Hall
- provision of internal spoon drain to the east and south walls of the 2006 structure
- rectification of part of the fire proofing associated with water ingress
- replacement of the mastic seal between the precast concrete panels
- Rectification of the rust effected stitch plates to the concrete parapet wall
- Rectification of penetrations to the panel walls and carpark slab
- Upgrade of the stormwater drainage system to current standards for a 1:100 event
- Finalisation of the acoustic ceiling treatment to the office
- Rectification of the existing acoustic treatment to the auditorium

In line with the endorsed governance structure, these variations and any offsetting value management savings shall be confirmed by the Project Control Group and reported to Council for consideration.

Project Program

The program was endorsed at the September Council meeting including a 107 working day construction program. This was later calculated to provide a Date for Practical Completion of 6 July 2021.

Since that time a twelve working day time extension for bona fide delays has been granted in accordance with the contract. This has extended the formal Date for Practical Completion from 6 July 2021 to the 22 July 2021.

The builder was provided with a Notice to Proceed in early January but is effectively claiming there are site conditions preventing the commencement of the works. At this stage, the commencement date has been delayed four (4) months and the builder has not advised when they intend to commence works on site.

The program summary, is outlined in the table below (Refer **Table 4** below). Tasks that have been completed are highlighted.

The risks to the Program are noted below the table.

Table 4 Project Program Summary

Project Stage	W	Endorsed Program Start Date	Endorsed Program 15/09/20 End Date	Current Program Forecast End Date	Current Program Variance Weeks
Endorsement			18/02/20	18/02/20	NIL
Documentation	13	19/02/20	03/05/20	03/05/20	NIL
Tender	16	04/05/20	15/09/20	15/09/20	NIL
Planning Amend.	13	16/09/20	15/12/20	22/12/20	(1 Week)
Mobilisation	3	16/12/20	11/01/21	18/01/21	(1 Week)
Construction	22	13/01/20	06/07/21	22/07/21	(2 Weeks)
Occupation	1	06/07/21	13/07/21	13/10/21	(17 Weeks)
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Program Risk

Any forecast variations to the endorsed program shall be monitored by the Project Control Group and reported to Council monthly.

The risks with the project program are now mostly associated with the construction of the works and governed by the building contract between Council and the contractor. The usual risks associated with the contract include the following:

- Delays encountered on site associated with variations or other valid extensions of time
- Delays associated with the implementation of more stringent COVID-19 controls during construction

- Delays agreed to by Council for convenience by negotiation.

Specifically, delays may be associated with changes or events outside of the control of the contractor such as:

- Directions to complete variations to the documented works
- Inclement weather
- Industry wide industrial issues
- State government required COVID-19 restrictions

The builder may issue a Notice of Delay followed by a claim for a variation in time known as an Extension of Time (EOT) claim. We have received 3 EOT claims and granted an extension of 12 working days.

The decision by the builder not to commence works on site is an extraordinary casue of delay. It now represents a material risk that the date for practical completion cannot be achieved.

In addition, it should be noted that although a Notice to Proceed has been issued, the builder has not complied and commenced works. Further, the contract includes a Sunset Date should the Notice to Proceed not have been issued by the 5 July 2021. This allows either party to terminate the contract by providing such notice in writing to the other party with immediate effect.

Recent Activities

Recent activities over the past period include:

- Responses to Requests for Information from the builder
- Issuance of revise documents
- Review of proposed changes, provisional sums and additional value management items to determine if their importance to the end facility
- Estimation of the value of the proposed changes

NEXT STEPS

Foreshadowed activities over the next period include:

- Finalisation of the price estimates for the additional items
- Negotiation, if required, to resolve issues raised by the builder
- Completion of builder's mobilisation
- Commencement on site of construction of the proposed Stage 2 works

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017:2021:

Strategic Objective – Quality Community Infrastructure

Key Strategic Activity:

1. Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs. This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.

Strategic Objective – Active & Engaged Communities

Key Strategic Activity:

3. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Art and Culture, Events and Community Grants. Monitor emerging social issues impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

Strategic Objective – Vibrant Economy

Key Strategic Activity:

10. Contribute to the strength of the economy through the ongoing development of key regional attractions and events that enable marketing of our region, attraction of visitors, business opportunities and underpin a strong community.

Strategic Objective – High Performing Organisation

Key Strategic Activity:

12. Enhance our processes and systems to deliver excellent customer service. To achieve this, we will focus on internal collaboration and new ways of working, combined with a continued focus on effective and timely communications, engagement and consultation. We will focus on achieving higher customer satisfaction through making it easier to work with Council and by closing the loop on requests received from our community and other customers.
14. Develop our staff to enhance their work experience and enable them to deliver great outcomes to our community. Through a focus on their careers and developing new skills, we will build a positive culture and develop new leaders of the future.
15. Make Occupational, Health, Safety and Wellbeing an embedded part of our culture and the number one focus every day. We will continuously improve our systems and actions to make sure people go home safe and well every day.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

The proposed facility will comply with contemporary standards of environmental design and improve the sustainability of Council operations.

FINANCIAL IMPLICATIONS

The contract will be funded from the approved Council Budget.

RISK IMPLICATIONS

Due to the value of the contract, and in accordance with Council's Procurement Policy, the preferred tenderer was subject to an independent financial check. On behalf of Hepburn Shire Council, Equifax Australasia Credit Ratings Pty Limited was engaged to provide a Financial Viability Assessment on the recommended tenderer in relation to the Hepburn Hub at the Rex Stage 2 Works. This assessment is based on the most recent audited financial statements and more recent management accounting reports. The report indicated that the builder achieved a score indicating a *Strong Financial* capacity to undertake the contract in question.

Construction related risks shall be addressed in the builder's Construction Management Plan and pre-commencement site meetings. The builder will be required to confirm that the risks have been addressed and responded to appropriately. This will include managing the work site safely and providing Traffic Management Plan in accordance with AS 1742.3.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Stakeholders have been consulted during the design process with updates provided to the community. Council's decision has been communicated in a media release and regular updates on progress shall be made during the works. Directly affected property owners and adjacent businesses will be informed prior to construction commencing.

11.2 NAMING OF AN UNNAMED ROAD IN TRENTHAM ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Coordinator Financial Services, I Kathie Attwood have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

Council received a request to name a lane in Trentham township that is currently unnamed and have undertaken a consultation process to consider naming options.

As a result of the consultation process, 'Dairy Lane' has been proposed as an appropriate name for the lane.

OFFICER'S RECOMMENDATION

That Council:

- 1. Adopts the name 'Dairy Lane' for the unnamed lane off Market Street in Trentham;*
- 2. Lodges the naming proposal with the Office of Geographic Names seeking endorsement and registration of the name; and*
- 3. Following registration, notifies the relevant local organisations and stakeholders of the new road name.*

MOTION

That Council defer the naming of the unnamed lane off Market Street in Trentham until further investigation and community consultation can be undertaken.

Moved: Cr Jen Bray

Seconded: Cr Brian Hood

Carried

BACKGROUND

Council received a request from a ratepayer to name an unnamed lane in Trentham, Anthony's Mews, and the following process was undertaken:

- Council proposed to name an unnamed lane in Trentham, Anthony's Mews.
- Advertisements were placed in Midland Express and The Local.
- An email sent to Dja Dja Wurrung with proposed name for the lane (no response received).
- Submissions were called for interested parties including adjacent landowners to either agree with the proposal or suggest an alternative.
- Submissions closed on 8 October 2020.

The name proposed by the resident who contacted Council, Anthony's Mews, was not supported by the majority of responders, and Council received numerous alternatives for the lane.

KEY ISSUES

Geographic Names Victoria guidelines require the name to have either a historical link, relate to a geological or topographical feature, or be locally known.

Map of road requiring naming in Trentham



Council advertised the suggested name in the Midland Express and The Local as well as placing signage at the site and called for submissions from any interested persons.

Upon closing of submissions, Council had received seven submissions from surrounding residents.

Residents objected to the name Anthony's Mews, feeling that it didn't have any historical or community significance for Trentham. Examples of Bakery Lane and Church Lane were stated as examples. Seven submissions were received from residents, as follows:

- **Dairy Lane** (1 resident, the milk bar and dairy was built by Ted and Iris Robson in the mid-1950s, and they took over the milk run for the town, using local farmers Bob and Rita Davie, and then a dairy in Melbourne. Milk deliveries to Trentham were by horse and cart to begin with, and then became motorised. The dairy was on the southside of the lane. Many Trentham residents remember the Trentham Dairy and Milk Bar in this location.)
- **Dairy Lane** (2 residents, owners of the old dairy, suggesting names that reflect the history of the building, being the home of the local dairy for many years, and it was run by the Robson family).

- **Old Dairy Lane** (2 residents, owners of the old dairy, suggesting names that reflect the history of the building, being the home of the local dairy for many years, and it was run by the Robson family).
- **Little Market Lane** (2 residents, owners of the old dairy, suggesting names that reflect the history of the building, being the home of the local dairy for many years, and it was run by the Robson family).
- **Robsons Lane** (2 residents, owners of the old dairy, suggesting names that reflect the history of the building, being the home of the local dairy for many years, and it was run by the Robson family).
- **Bruce McKenzie Lane** (1 resident, Bruce McKenzie was a respected local who lived in Trentham all his life, except for defence service in World War II. He died two years ago, aged 90. He authored several books of verse about people in the area).
- **Tom Walsh Lane** (1 resident, Tom Walsh lived at Railway Farm on the Trentham Tylden Road. He died in 2018, aged 91. The farm has been owned by the Walsh family for over 160 years. His wife, Mary, still lives on the property and it is still farmed by the family. He farmed potatoes and lambs and contributed hugely to Trentham Spud Fest. His lifelong contribution to music was recognised when he received a prize in Canberra at the National Folk Festival. There is notation of him with the Anglo Concertina song, The Old Schoolmaster, at www.bushtraditions.org. His knowledge of folk tunes and his fiddle playing were respected Australia wide).

A total of three residents have suggested the name **Dairy Lane**. This name would preserve the history, as well as the living memories of residents of the dairy that was located on the south side of the lane.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

High Performing Organisation

12. Enhance our processes and systems to deliver excellent customer service. To achieve this, we will focus on internal collaboration and new ways of working, combined with a continued focus on effective and timely communications, engagement and consultation. We will focus on achieving higher customer satisfaction through making it easier to work with Council and by closing the loop on requests received from our community and other customers.

GOVERNANCE ISSUES

Council has applied the guidelines provided under the Geographic Place Names Act in conjunction with our own Road Naming procedure. This procedure and the Act have both remained unchanged for some time.

Once Council has made a formal determination of the name, under the Guidelines for Geographic Names Victoria 4.11 Procedural objections - Parties or interested individuals who wish to object to geographic place names proposed for registration by local governing or administrative bodies, may make objections on grounds that the proposal does not comply with principles or procedures approved by the minister. Objections can be made to the Registrar of Geographic Names in writing within a period of one month after the publication of the registered name. The registrar will review the grounds of the objections as soon as possible after an objection has been received. If policy or procedural grounds are found for the objection, the name submission will be returned to the proposing body, to be resubmitted within policy and procedural guidelines. No objection in substance, that is to the name/names proposed are able to be considered, unless there is a serious breach of guidelines e.g. The designated name is offensive to contemporary values. If no notice of objection is received within a one-month period, the name registered by the registrar is the official name.

Further to the above point, the registrar may only consider appeals from members of the community who have already objected directly to the naming authority's proposal. An appeal to the Registrar can only be made if the objector can demonstrate that the naming authority did not consider the objections during its deliberations.

Council believes that it has complied with the principles and procedures approved by the Minister.

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

The financial costs would be minimal, including signage and installation costs only.

RISK IMPLICATIONS

There is a reputational risk and possibility of community response if the endorsed lane name is not accepted by the community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application of our new Community Engagement Policy has been applied to this matter for the purposes of communicating an update on the recommendation that will be put formally to Council at the May Council for their decision. The Community Engagement policy does not influence the road naming procedure and has not been

a factor in the determination of the name that has been selected to go to Council for its consideration.

Community engagement practices utilised during this process were advertising in local newspapers and signage at unnamed lane, seeking feedback on proposed name.

Four weeks was provided for submissions, with numerous submissions received for the lane. A summary of submissions received can be found under section “Key Issues”.

All those who put in a submission were notified, by email, of the name that would be recommended to Council. All but one (1) respondent were happy with the proposal and that person has written to Council to lodge an objection to the proposed name.

11.3 NAMING OF AN UNNAMED ROAD IN NEWLYN NORTH ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Coordinator Financial Services, I Kathie Attwood have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

Council received a request to name a road in Newlyn North that is currently unnamed and have undertaken a consultation process to consider naming options.

As a result of the consultation process, 'Stephens Road' has been proposed as an appropriate name for the lane.

OFFICER'S RECOMMENDATION

That Council:

- 1. Adopts the name 'Stephens Road' for the unnamed road in Newlyn North;*
- 2. Lodges the naming proposal with the Office of Geographic Names seeking endorsement and registration of the name; and*
- 3. Following registration, notifies relevant the local organisations and stakeholders of the new road name.*

MOTION

That Council defers the decision on the unnamed road in Newlyn until further community consultation has been undertaken.

Moved: Cr Don Henderson

Seconded: Cr Tessa Halliday

Carried

BACKGROUND

Council received a request to name a currently unnamed lane in Newlyn North, and the following process was undertaken:

- Council proposed the name Volcanic Hills Road.
- Advertisements were placed in Midland Express and The Local.
- An email sent to Dja Dja Wurrung with proposed name for the lane (no response received).
- Submissions were called for from interested persons including adjacent landowners to either agree with the proposal or suggest an alternative. Submissions closed on 8 October 2020.

The proposed name, Volcanic Hills Road, wasn't accepted, and Council received numerous alternatives for the road.

KEY ISSUES

Geographic Names Victoria guidelines require the name to have either a historical link, relate to a geological or topographical feature, or be locally known.

Map of Road Requiring Naming in Newlyn North



Council proposed the name Volcanic Hills Road and advertised the name as detailed.

Upon closing of submissions, Council had received eight submissions from surrounding residents. The submissions are as follows:

- **Torpys Road** (2 residents, after a local family and former landowners);
- **Stephens Road** (2 residents, current landowners Dom and Kara Stephens, developers of the road and current residents on the road);
- **Canola Court** (2 residents, current landowners Dom and Kara Stephens, developers of the road and current residents on the road);
- **Reservoir Views Road** (2 residents, current landowners Dom and Kara Stephens, developers of the road and current residents on the road);
- **Millers Court** (2 residents, after a local family and former landowners);
- **Webb Court** (2 residents, after a local family and former landowners);
- **Stephens Lane** (2 residents, after a local family and landowners);
- **Redgum Road** (1 resident, no reason given).

Residents in Newlyn North were very keen for the road to receive a name that reflects the way roads in the area have been named in the past, and to reflect the history of the Newlyn North area. Roads in the area have been named after local families and landowners. Roads such as Myles Road, Inverarity Road, Yelland Road

(adjoining) and McKay Road were named after local families and landowners, some of whom still reside in the area today.

A total of four residents have suggested either **Stephens Road** or **Stephens Lane**. This is the only name submitted that has more than one submission. The Stephens family live on the road and paid to develop the road. They have built three residences on this road and run an agricultural business in the area.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

High Performing Organisation

12. Enhance our processes and systems to deliver excellent customer service. To achieve this, we will focus on internal collaboration and new ways of working, combined with a continued focus on effective and timely communications, engagement and consultation. We will focus on achieving higher customer satisfaction through making it easier to work with Council and by closing the loop on requests received from our community and other customers.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

The financial costs would be minimal, including signage and installation costs only.

RISK IMPLICATIONS

There is a reputation risk and possibility of community response if the endorsed road name is not accepted by the community.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Community engagement practices utilised during this process were advertising in local newspapers and signage at unnamed road, seeking feedback on proposed name.

Four weeks was provided for submissions, with numerous submissions received for the road. A summary of submissions received can be found under section "Key Issues".

All those who made a submission were emailed and advised of the name that would be recommended to Council. Responses received back were all in favour of the proposal.

11.4 MINUTES OF COMMUNITY ASSET COMMITTEES ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Governance Specialist, I Rebecca Smith have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL REDACTED - Minutes - Lee Medlyn Home of Bottles Community Asset Committee - 19 April 2021 [**11.4.1** - 3 pages]
2. CONFIDENTIAL REDACTED - Minutes - Glenlyon Recreation Reserve Community Asset Committee - 3 March 2021 [**11.4.2** - 3 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Council to note the minutes from Council's Community Asset Committees.

OFFICER'S RECOMMENDATION

That Council receives and notes the minutes of the Community Asset Committees which have been distributed to Councillors:

- *Glenlyon Recreation Reserve Community Asset Committee – 3 March 2021*
- *Lee Medlyn Home of Bottles Community Asset Committee – 19 April 2021*

MOTION

That Council receives and notes the minutes of the Community Asset Committees which have been distributed to Councillors:

- *Glenlyon Recreation Reserve Community Asset Committee – 3 March 2021*
- *Lee Medlyn Home of Bottles Community Asset Committee – 19 April 2021*

Moved: Cr Juliet Simpson

Seconded: Cr Tessa Halliday

Carried

BACKGROUND

Community Asset Committees are established by Council under section 65 of the *Local Government Act 2020* and their function and responsibilities outlined in an Instrument of Delegation. Under the Instruments of Delegation, committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council.

Council has the following Community Asset Committees:

- Dean Recreation Reserve and Tennis Courts Community Asset Committee
- Drummond Hall Community Asset Committee

- Creswick Museum Community Asset Committee
- Glenlyon Recreation Reserve Community Asset Committee
- Lee Medlyn Home of Bottles Community Asset Committee
- Lyonville Hall Community Asset Committee

KEY ISSUES

Listed below are the minutes Community Asset Committees for information:

- Glenlyon Recreation Reserve Community Asset Committee – 3 March 2021
- Lee Medlyn Home of Bottles Community Asset Committee – 19 April 2021

These minutes have been provided confidentially to Council.

POLICY AND STATUTORY IMPLICATIONS

Community Asset Committees are established by Council under section 65 of the *Local Government Act 2020* and operate in line with their issued instrument of delegation as executed by the Chief Executive Officer.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

There are no risk implications associated with this report. The governance requirement under each instrument of delegation is for the community asset committees to submit to the Manager Governance and Risk a copy of the minutes of all meetings. Providing these to Council formally is a good governance process.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees and should be reflective of community aspirations, needs and diversity in the management and oversight of the respective asset.

12 ACTIVE AND ENGAGED COMMUNITIES

12.1 GENDER EQUITY ADVISORY COMMITTEE TERMS OF REFERENCE ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Health and Wellbeing Officer, I Tamara Patterson have no interests to disclose in this report.

ATTACHMENTS

1. Terms of Reference - Gender Equity Advisory Committee [12.1.1 - 3 pages]

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council on the 16 February 2021, Council moved to establish a Gender Equity Advisory Committee. At that meeting a draft Terms of Reference were presented and feedback received from Councillors.

The purpose of this report is for Councillors to consider endorsement of the updated Terms of Reference.

OFFICER'S RECOMMENDATION

That Council:

1. *Endorse the Terms of Reference for the Gender Equity Advisory Committee;*
2. *Note that upon endorsement of the Terms of Reference, Expressions of Interest will be advertised for the Gender Equity Advisory Committee between 19 May and 16 June 2021;*
3. *Note that a report will be presented at the July Ordinary Meeting of Council for Council to consider appointment of members; and*
4. *Note that the Heather Mutimer Honour Roll will be retained as a separate event administered by Council.*

MOTION

That Council:

1. *Endorse the Terms of Reference for the Gender Equity Advisory Committee;*
2. *Note that upon endorsement of the Terms of Reference, Expressions of Interest will be advertised for the Gender Equity Advisory Committee between 19 May and 16 June 2021;*
3. *Note that a report will be presented at the July Ordinary Meeting of Council for Council to consider appointment of members; and*
4. *Note that the Heather Mutimer Honour Roll will be retained as a separate event administered by Council.*

Moved: Cr Brian Hood

Seconded: Cr Tessa Halliday

Carried

BACKGROUND

At the Ordinary Meeting of Council on the 16 February 2021, Council moved to form the Gender Equity Advisory Committee. The draft Terms of Reference that were presented at that meeting have been updated and changes made are identified in the table below:

Draft as at 16 February 2021 Ordinary Meeting of Council	Final	Reasoning
1. Introduction	Gender Equity entails the provision of fairness and justice in the distribution of benefits and responsibilities on the bases of gender. The concept recognises that people may have different needs and power related to their gender and that these differences should be identified and addressed in a manner that rectifies gender related imbalances.	To provide context for potential members.
2. Objectives <ul style="list-style-type: none">- Celebration of International Women’s Day including retaining and continuing the Heather Mutimer Honour Roll and the prevention of violence against women.	Removed	As per Council resolution 16 February 2021
3. Membership: Membership will comprise of a Councillor	3. Membership: Membership will comprise of a Councillor	Consistent with other Committees of Council membership.

who will be the Chair and between four (4) and seven (7) community members who are committed to working positively to meet the objectives of the Committee.	as the Chair and ten (10) community members who are committed to working positively to meet the objectives of the Committee. The Committee will operate with a minimum of four (4) members.
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3.3 Terms of Appointment	3.3 Terms of Appointment	Consistent with other Committees of Council Terms of Appointment.
Appointments will be for a minimum two-year term.	Appointment will be for a minimum four-year term.	
GEAC members completing a two-year term may re-apply for a further two-year term.	GEAC members completing a four-year term may re-apply for a further four-year term.	

5.1 Administration	5.1 Administration The Committee will meet a minimum of four times annually. Minutes from the Committee Meetings will be presented to Council at the corresponding Ordinary Meeting.	To provide clear detail for potential members.
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KEY ISSUES

The establishment of a Gender Equity Advisory Committee aligns with Councils Municipal Public Health and Wellbeing Plan 2017-2021 Strategies:

- 4.2 Support community initiatives which raise awareness of gender equity and/or family violence.
- 4.3 Build a gender-equitable workplace culture supported by policy, training and capacity building opportunities.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

Active and Engaged Communities

3. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Art and Culture, Events and Community Grants. Monitor emerging social issues impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

Municipal Public Health and Wellbeing Plan 2017-2021

Priority 4 – Preventing Family Violence

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

Officer support for administration of the Gender Equity Advisory Committee has been budgeted for as part of the Early Years and Healthy Communities department.

RISK IMPLICATIONS

There are no risk implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Expression of Interest process associated with the Gender Equity Advisory Committee Terms of Reference has been scored in the 'Level of engagement matrix' as a 'Low' Level of engagement. A Communications Plan will be developed and implemented to ensure wide advertisement of membership to the Gender Equity Advisory Committee through:

- Council's website
- Council's Facebook page
- Emails
- Targeted contact with relevant groups

Expressions of Interest will be received via Councils secure online platform – SmartyGrants. Timeframe for the Gender Equity Advisory Committee is:

- 18 May 2021 – Council endorses Gender Equity Advisory Committee Terms of Reference.

- 19 May 2021 – Expressions of Interest open and Communications Plan commences.
- 16 June 2021 – Expression of Interest close.
- 20 July 2021 – Recommendations for Council to consider membership of Gender Equity Advisory Committee.
- Early August – First meeting of the Gender Equity Advisory Committee.

Cr Tim Drylie declared a general conflict of interest pursuant to section 127 of the *Local Government Act 2020* and left the meeting at 7:29pm for Item 13.1.

-

▶ TERMS OF REFERENCE**1. INTRODUCTION**

The aim of the Gender Equity Advisory Committee (GEAC) is to provide Council with advice on improving Gender Equity within the Hepburn Shire Council and Community.

The GEAC is an advisory committee and not a decision-making body and will make recommendations to Council on matters for determination.

Gender Equity entails the provision of fairness and justice in the distribution of benefits and responsibilities on the bases of gender. The concept recognises that people may have different needs and power related to their gender and that these differences should be identified and addressed in a manner that rectifies gender related imbalances.

2. OBJECTIVES

- Advocate for gender equity within the Hepburn community and beyond.
- Provide feedback and advice to Council on the gender equity implications of its policies, plans and services.
- Contribute to the promotion of Council and community collaborations that support and promote gender equity.

3. MEMBERSHIP:

The GEAC membership aims to ensure there is representation of broad community and positions are voluntary.

Membership will comprise of a Councillor as the Chair and ten (10) community members who are committed to working positively to meet the objectives of the Committee. The Committee will operate with a minimum of four (4) members.

Membership shall represent the range of interests and needs of people in the Hepburn Shire. Such diversity may include cultural, age, gender, access and inclusion, employment, life stage, and community groups.

Membership will be invited by way of an expression of interest recommendations of appropriate members will be presented to Council for consideration and appointment appointed by Council resolution.

Members should notify Council in writing if they intend to rescind their membership. If membership numbers fall below four (4), Council may seek to increase membership through another EOI process.

From time to time, GEAC may establish working groups, and may co-opt additional members, including Council officers, if it is considered that additional skills and experience would benefit a specific project or add value to the general performance of the Committee.

3.1 SELECTION PROCESS

The Selection Committee will include the appointed Councillor representative, Director Community & Corporate Services and/or Manager Community Care and a representative

▶ TERMS OF REFERENCE

from the Community Care Early Years, Youth and Healthy Communities team. The Selection Committee will assess the nominations against the selection criteria and recommend appointments to Council.

3.2 REQUIREMENTS FOR MEMBERS (Criteria)

Advisory Committee members will be able to demonstrate some of the following:

- Knowledge and understanding of the needs and issues relevant to gender equity
- An interest and involvement in local and/or broader community partnerships, advocacy, networks or activities
- The ability to contribute to the strategic development of gender equity initiatives at local government level
- Direct links to local community populations and/or organisations.
- Experience and/or understanding of the role of an advisory committee

Council will aim to ensure that members of the Committee reflect the diversity of the Hepburn community including ethnicity, age, gender and different geographical areas across Hepburn. A high level of female representation will be encouraged.

Council will aim to ensure that members of the Committee reflect a balance between individuals and organisations and the community and business sectors.

3.3 TERMS OF APPOINTMENT

- Appointments will be for a minimum four-year (4) term.
- Council will appoint a Councillor to chair the meetings.
- GEAC members completing a four-year term may re-apply for a further four-year term.

The membership of the Committee will be reviewed as part of the on-going review and implementation of the Gender Equality Action Plan (GEAP).

4. HEPBURN SHIRE COUNCIL

4.1 Role and Responsibilities

Council will have accountability for management of the GEAC.

Council is committed to working co-operatively with GEAC members to improve gender equity across the Hepburn Shire Council and community.

5. ADMINISTRATION AND CONDUCT

5.1 Administration

The Committee will receive administration support by a Council Officer in the Early Years and Healthy Communities Team.

The Committee will meet a minimum of four (4) times annually.

Minutes from the Committee Meetings will be presented to Council at the corresponding Ordinary Meeting.

▶ TERMS OF REFERENCE

5.2 Conduct

All members of the GEAC will work in a co-operative and positive manner. Members are expected to:

- Actively participate in meetings and offer opinions and views, and attend a minimum of 50% of meetings;
- Treat all persons with respect and have due regard to the opinions, rights and responsibilities of others;
- Declare any conflicts of interest or perceived conflicts of interest;
- Act with integrity and avoid the release of confidential information;
- Adhere to the principle of clear and open communication;
- Where issues of conflict arise, parties will be encouraged to discuss issues openly and clearly in a respectful manner;
- Where there is difficulty in resolving issues of conflict, Council will make a final decision on any matter.

Breaches of the Terms of Reference may result in revoking the member from representing the committee.

13 SUSTAINABLE ENVIRONMENT

13.1 DECLARATION OF SPECIAL RATES CHARGE - SOLAR SAVERS SCHEME DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

In providing this advice to Council as the Sustainability Officer, I Manny Pasqualini have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL REDACTED - Household Agreement - Declaration of Special Charge Scheme for Solar Savers Households [**13.1.1** - 26 pages]

EXECUTIVE SUMMARY

This report recommends that Council declare a Special Charge Scheme under Section 163 of the Local Government Act 1989 (Act) for the purposes of defraying expenses relating to the provision of solar energy systems on residential properties participating in the Solar Savers scheme.

The residential properties included in the proposed scheme have nominated to participate in the proposed scheme and have signed an agreement based on the quoted cost of the provision of a solar energy system at their property.

Council included \$125,000 funding for the 2020/2021 budget. The total cost of the works is calculated at \$103,242.55 ex GST which property owners will contribute the entirety over an 8-year period (payback period).

Formal submissions on the proposal were sought and no submissions or objections were received.

OFFICER'S RECOMMENDATION

That Council, having received no submissions and received no objections and complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 ("Act"), hereby declares a Special Charge ("Special Charge") under section 163 of the Act as follows:

1. *A special charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day;*
2. *The special charge be declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme, which project:*
 - a. *Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this resolution); and*
 - b. *arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and*

ensuring the peace, order and good government of Council's municipal district.

3. *The total:*
 - a. *cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$103,242.55; and*
 - b. *amount for the special charge to be levied be recorded as \$103,242.55, or such other amount as is lawfully levied as a consequence of this resolution.*
4. *The special charge be declared in relation to all rateable land described in the table included as **Appendix A** to this report, in the amount specified in the table as applying to each piece of rateable land.*
5. *The following be specified as the criteria which form the basis of the special charge so declared:*
 - i. *Ownership of any land described in paragraph 1(d) of this resolution.*
6. *The following be specified as the manner in which the special charge so declared will be assessed and levied:*
 - a. *a special charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which a Householder Agreement has been executed, totalling \$103,242.55, being the total cost of the scheme to Council;*
 - b. *to be levied each year for a period of 8 years.*
7. *Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the special charge in the amount set out in paragraph 1(f) of this resolution in the following manner:*
 - a. *payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or*
 - b. *payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.*
8. *Considers that there will be a special benefit to the persons required to pay the special charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the proposed special charge, as a result of the expenditure proposed by the special charge, in that the properties will have the benefit of a solar energy system being installed.*
9. *Council, for the purposes of having determined the total amount of the special charge to be levied:*
 - a. *considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special*

- benefit from the imposition of the special charge, and there are no community benefits to be paid by Council; and*
- b. formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the special charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the special charge is 100%.*
- 10. Directs that notice be given to all owners and occupiers of properties included in the Scheme and all persons who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Rate are that –*
- a. there is no objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers;*
- b. Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.*
- c. all persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.*
- 11. Agrees where a Householder wishes to withdraw from the Scheme, Council agrees to such withdrawal where the Householder has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the Householder's solar PV system;*
- 12. Receives a further report on the Solar Savers project in 2021 following installation of solar systems at households.*

MOTION

That Council, having received no submissions and received no objections and complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (“Act”), hereby declares a Special Charge (“Special Charge”) under section 163 of the Act as follows:

- 1. A special charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day;*

2. *The special charge be declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme, which project:*
 - a. *Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this resolution); and*
 - b. *arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.*
3. *The total:*
 - a. *cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$103,242.55; and*
 - b. *amount for the special charge to be levied be recorded as \$103,242.55, or such other amount as is lawfully levied as a consequence of this resolution.*
4. *The special charge be declared in relation to all rateable land described in the table included as **Appendix A** to this report, in the amount specified in the table as applying to each piece of rateable land.*
5. *The following be specified as the criteria which form the basis of the special charge so declared:*
 - i. *Ownership of any land described in paragraph 1(d) of this resolution.*
6. *The following be specified as the manner in which the special charge so declared will be assessed and levied:*
 - a. *a special charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which a Householder Agreement has been executed, totalling \$103,242.55, being the total cost of the scheme to Council;*
 - b. *to be levied each year for a period of 8 years.*
7. *Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the special charge in the amount set out in paragraph 1(f) of this resolution in the following manner:*
 - a. *payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or*
 - b. *payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.*
8. *Considers that there will be a special benefit to the persons required to pay the special charge because there will be a benefit to those persons that is over*

and above, or greater than, the benefit that is available to persons who are not subject to the proposed special charge, as a result of the expenditure proposed by the special charge, in that the properties will have the benefit of a solar energy system being installed.

9. Council, for the purposes of having determined the total amount of the special charge to be levied:
 - a. *considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the special charge, and there are no community benefits to be paid by Council; and*
 - b. *formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the special charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the special charge is 100%.*
10. *Directs that notice be given to all owners and occupiers of properties included in the Scheme and all persons who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Rate are that –*
 - a. *there is no objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers;*
 - b. *Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.*
 - c. *all persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.*
11. *Agrees where a Householder wishes to withdraw from the Scheme, Council agrees to such withdrawal where the Householder has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the Householder's solar PV system;*
12. *Receives a further report on the Solar Savers project in 2021 following installation of solar systems at households.*

Moved: Cr Jen Bray

Seconded: Cr Don Henderson

Carried

MOTION

That the Standing Orders of the Ordinary Council Meeting be resumed.

Moved: Cr Don Henderson

Seconded: Cr Tessa Halliday

Carried

The Standing Orders of the Ordinary Council Meeting were resumed at 7:43pm with all Councillors present.

BACKGROUND

Council included \$125,000 funding for the project in the 2020/2021 budget and resolved to implement the Solar Savers project to install solar energy systems on homes receiving pensioner rate rebates through the establishment of a special charge scheme. Through an open tender process led by MAV Procurement, Macedon Ranges Solar Power was appointed to provide quotes and supply and install the solar energy systems.

To ensure that participating homes were aware of and agreed to the quoted system, price and the proposed special charge scheme, an agreement between Council and participants was developed (see Appendix B) (**Householder Agreement**). This agreement has been signed by the owner of each of the 22 households included in the proposed special charge scheme.

3.3kW – 6.6kW solar energy systems were available through the program and have been sized to maximise the financial benefits to participating households. It is estimated that the average participating household will save \$100 above their rate repayments in electricity bills over the first year based on current electricity pricing. After 8 years households are expected to save in the order of \$400 - \$500 per year on electricity bills (although this will vary from household to household).

Council is making solar power more accessible to low income households through the Solar Savers program. It is among the first programs in Australia enabling households to install solar PV systems and pay them off through a special charge scheme over 8 years. Council has committed through its Council Plan (2017-2021) and other programs that it supports, such as Hepburn Z-NET, to not only reduce emissions, but to support those most vulnerable to climate change impacts and increasing energy costs.

On 16 March 2021 Council resolved to give notice of its intention to declare a special charge for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Savers scheme.

Council resolved to advise of its intention to declare a Special Charge, to publish a public notice and to request and to hear submissions under section 223 of the Act. Section 223 requires that Council publish a public notice specifying the date by which submissions are to be made, being a date which is not less than 28 days after the date on which the public notice is published. Section 223 also entitles any person making a submission to request a hearing by Council of their submission.

Public notice was posted in the 20 March 2021 edition of The Courier newspaper. The public notice advised of the proposed declaration and invited submissions under section 223 of the Act by 5pm on 28 April 2021.

- No submissions or objections were received.
- No households have made requests to withdraw from the scheme due to changed circumstances.

KEY ISSUES

Under Section 163 of the Local Government Act 1989 (**Act**), Council is empowered to declare a special charge for the purposes of defraying any expenses in relation to the performance of a function or the exercise of a power of Council, if Council considers that the performance of the function or the exercise of the power is, or will be, of special benefit to the persons required to pay the special rate or special charge.

In this case, the installation of solar energy systems on properties as part of the Solar Saver scheme arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district and promotes the social, economic and environmental viability and sustainability of the municipal district. Each participating property has signed a Householder Agreement with Council to participate in the scheme, which includes the overall cost and rate repayments which would be paid by the property should the scheme be approved (see Appendix A).

In September 2004, the Minister for Local Government issued a guideline for the preparation of special charge schemes. The guideline specifically deals with the calculation of the maximum total amount that a council may levy as a special charge.

The guideline requires that Council identify the following:

- A. Purpose of the works
- B. Ensure coherence
- C. Calculate total cost
- D. Identify special beneficiaries
- E. Determine the properties to include
- F. Estimate total special benefits
- G. Estimate community benefits
- H. Calculate the benefit ratio
- I. Calculate the maximum total levy

This is detailed in the confidential report attached.

Apportionment of Costs

Once the maximum levy amount has been calculated, it is necessary to establish an appropriate way to distribute these costs to all affected landowners.

As the properties have all received individual quotations based on the solar system and work required, it is proposed to apportion the costs based on these quotes. It is noted that the householders have been notified and signed agreements on the basis of these costs for the purpose of declaring this scheme.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

Sustainable Environment

8. Respond to climate change through the reduction of energy use, emissions and other resource use, and helping the community to adapt to the impacts of increase floods and fires. Undertake fire and flood risk reduction works across Council managed facilities and roads, in collaboration with other agencies and landowners to reduce fire risk to our communities.

Council has committed through its Council Plan (2017-2021) not only to reduce emissions, but to support those most vulnerable to climate change impacts and increasing energy costs. This project was specifically aimed at pensioner households, who are more vulnerable to increasing energy costs.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

This project is consistent with Council Plan (2017-2021). The adopted project aims include:

- Assist low income households to save money, reduce emissions and stay cool in heatwaves
- Build capability and capacity within Victorian councils to use special rates charges to provide a stable underpinning finance model
- Catalyse private sector investment within a community sector traditionally viewed as high risk to investors
- Capture economies of scale and implementation efficiencies through a shared service delivery model
- Address market failures restricting low income and vulnerable households from installing solar systems

FINANCIAL IMPLICATIONS

It is estimated that the average participating household will save at least \$100 above their rate repayments in electricity bills over the first year based on current electricity pricing. After 8 years households can save \$400 - \$600 per year. This represents potential funds that can be spent within the Hepburn Shire Council community rather than on utility bills.

The program has been undertaken with the Solar Savers project, which includes the Eastern Alliance for Greenhouse Action and the Northern Alliance for Greenhouse Action. On a longer-term basis this program has the potential to be rolled out Australia-wide creating many more solar installation opportunities for the solar industry, resulting in greater demand/jobs for that industry.

Council will pay \$103,242.55 for the supply and installation of the solar PV systems on the properties listed in **Appendix A**. In accordance with their respective Householder Agreements, property owners will pay for the cost of the solar energy system by equal installments apportioned over an 8-year period, commencing from 31 October 2021.

Council is expected to receive \$12,905.32 ($\$103,242.55 / 8$) in special charge repayments annually for the scheme over the 8 year period. It should be noted that the special charge scheme is effectively an interest free loan to the households.

Payments to Council by property owners for works via special charge schemes are GST exempt.

Should the property be sold during the 8 year period in which the special charge scheme applies, the amount outstanding on the special charge scheme at the time of sale will be fully paid.

RISK IMPLICATIONS

The successful contractor has been awarded after a full tender process. Due diligence was carried out by the Solar Savers team to ensure that the provider is capable of program delivery and that workmanship and components are to an acceptably high standard. The system warranties and contract specifics ensure that Council is not liable for system performance or failures, as all installation agreements are between property owners and the retailer or manufacturer.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Eligible households were contacted directly at the beginning of the program. There has been ongoing discussion between Solar Savers administration, Council and householders while gathering information, providing quotes, signing of agreements and the recent periods of public notice. Householders will continue to be contacted throughout the Council declaration and solar energy system installation process.

Cr Tim Drylie returned to the meeting at 7:37pm.

MOTION

That the Standing Orders of the Ordinary Council Meeting be suspended for 5 minutes.

Moved: Cr Brian Hood

Seconded: Cr Don Henderson

Carried

The Standing Orders of the ordinary Council Meeting were suspended at 7:37pm.

14 HIGH PERFORMING ORGANISATION

14.1 POLICY 6 (C) - REVENUE COLLECTION AND FINANCIAL HARDSHIP POLICY ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Consultant Financial Services, I Glenn Owens have no interests to disclose in this report.

ATTACHMENTS

1. Policy 6 (C) - Revenue Collection and Financial Hardship Policy [14.1.1 - 22 pages]

EXECUTIVE SUMMARY

The existing Revenue Collection and Hardship Policy (adopted by Council on 15 September 2015) has been reviewed. A new version of the Revenue Collection and Financial Hardship Policy 2021 has been developed.

The *Local Government Act 2020* states that one of the principles of good governance, is for Council to ensure its ongoing financial viability. To do this, the Act defines several financial management principles including “*revenue...must be managed in accordance with a Council's financial policies*”.

The Revenue Collection and Financial Hardship Policy 2021 puts this financial management principle into operational practice. It is an important document within the wider Local Government financial framework.

OFFICER'S RECOMMENDATION

That Council:

1. *Rescinds the Revenue Collection and Hardship Policy, adopted on 15 September 2015;*
2. *Adopts the Revenue Collection and Financial Hardship Policy 2021.*

MOTION

That Council:

1. *Rescinds the Revenue Collection and Hardship Policy, adopted on 15 September 2015;*
2. *Adopts the Revenue Collection and Financial Hardship Policy 2021.*

Moved: Cr Brian Hood

Seconded: Cr Tessa Halliday

Carried

BACKGROUND

The collection of revenue is an important function and one which the community expects Council to do well and to do fairly.

This Policy is an administrative policy, and it provides Council Officers with clear directions to ensure the Policy Objectives are achieved.

It describes (a) how the Rates and fees will be collected and (b) how Council may assist persons who are unable to pay Rates and fees because they are experiencing financial hardship.

The 2021 version of the Policy does not change the principals on which the 2015 Policy was based, however, it builds upon the foundation created by the 2015 Policy by adding important details to the **Introduction** as well as the existing sections concerned with –

- **Fees**
- **Rates**
- **Financial Hardship**

The 2021 version also includes completely new sections concerned with –

- **Objectives**
- **Definitions**
- **Payment Plans**
- **Roles and Responsibilities**

Section 8 dealing with **Financial Hardship** was completely redeveloped. It now includes –

- the principles which will guide Council's implementation of Sections 170 and 171A of the Local Government Act;
- how Ratepayers may make an application;
- how applications will be assessed, and decisions made; and
- how Ratepayers may appeal if not satisfied with a decision.

Sections 170 and 171A of the *Local Government Act 1989* are still applicable because the *Local Government Act 2020* is silent on Rates.

Sections 170 and 171A give Council the authority to (a) defer payment of Rates and (b) waive Rates due to financial hardship.

The **Appendix** is also a new addition and reproduces Sections 170 and 171A in full.

KEY ISSUES

In 2019, the Victorian Government appointed an independent panel to review the local government rating system to ensure rates are fair and equitable for all. The panel found the current rating system is consistent with many of the principles underpinning a good taxation system.

The Government decided not to introduce any substantial changes, however, it wants local councils to make sure persons experiencing financial hardship know what assistance may be available and are treated fairly and compassionately.

The function of collecting revenue whilst being responsive to persons experiencing financial hardship was carefully considered during the development of the Policy.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

High Performing Organisation

12. Enhance our processes and systems to deliver excellent customer service. To achieve this, we will focus on internal collaboration and new ways of working, combined with a continued focus on effective and timely communications, engagement and consultation. We will focus on achieving higher customer satisfaction through making it easier to work with Council and by closing the loop on requests received from our community and other customers.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

Other than the purpose of the Policy, there are no other financial implications associated with this report.

RISK IMPLICATIONS

There are no risk implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Policy has been assessed against the Level of Engagement Matrix in the Community Engagement Policy and the assessment confirmed the rating as 'low level' engagement required. Accordingly, the policy will be uploaded onto the Council website. As this is a Council procedural policy no additional community engagement is required.

▶ REVENUE COLLECTION AND FINANCIAL HARDSHIP

POLICY NUMBER:	6 (C)
POLICY NAME:	REVENUE COLLECTION AND FINANCIAL HARDSHIP 2021
DATE APPROVED:	To be inserted
DATE OF NEXT REVIEW:	Four years from date approved
RESPONSIBLE OFFICER:	MANAGER FINANCIAL SERVICES
REFERENCES:	<i>Local Government Act 1989</i> <i>Local Government Act 2020</i> <i>Penalty Interest Rates Act 1983</i>

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1. INTRODUCTION

The role of Hepburn Shire Council [**Council**] is to provide good governance in its municipal district for the benefit and wellbeing of its community. The principles of good governance are specified in the *Local Government Act 2020*, which also confers the power upon Council to do what is necessary in performing its role.

One of the principles of good governance is for Council to ensure its ongoing financial viability. To do this, Council will consider the following financial management principles –

- a) Revenue, expenses, assets, liabilities, investments and financial transactions will be managed in accordance with Council's financial policies and plans.
- b) Financial risks will be monitored and managed prudently having regard to economic circumstances.
- c) Financial policies and plans will seek to provide stability and predictability in the financial impact on the community.
- d) Accounts and records will be kept, and Council will regularly provide reports which explain the financial operations and the financial position of Council.

Two important sources of Council revenue are Rates and fees.

The Revenue Collection and Financial Hardship Policy has been prepared and adopted to put the financial management principles into practice. It describes (a) how these two sources of revenue will be collected and (b) how Council may assist persons who are unable to pay Rates, fees and debts because they are experiencing financial hardship.

► REVENUE COLLECTION AND FINANCIAL HARDSHIP

2. SCOPE

This Policy includes, but is not limited, to –

- Collection of Council revenue;
- Collection of outstanding debts; and
- Assistance to persons experiencing financial hardship.

Council revenue is described in the Budget and the Revenue and Rating Plan which disclose specific information in relation to –

- The declaration of Council Rates including the differential rating structure and service charges for waste and recycling services.
- The approval of a range of other fees, fines and contributions which are payable to Council for a variety of reasons.

From time to time, other fees which are not described in the Budget (or the Revenue and Rating Plan) may become payable to Council.

This Policy applies to Council Staff, who are responsible for Council activities and services for which a fee is payable and to Financial Services Staff who are responsible for the oversight of Council revenue collection.

All Staff to whom this Policy applies will comply with it to ensure that (a) there is a consistent approach to collecting revenue and managing outstanding debts (b) all persons are treated fairly and equitably and (c) all persons who are experiencing financial hardship are provided with reasonable access to appropriate assistance.

All decisions and approvals made by Council Staff in carrying out this Policy are subject to the conflict of interest provisions as set out in the *Local Government Act 2020* and the *Local Government Act (Governance and Integrity) Regulations 2020* and in the Staff Code of Conduct.

This Policy is subordinate to relevant legislation and regulations and Community Care Funding Agreements.

This Policy does not apply to infringement notices issued by authorised Council Officers because infringement notices are processed through Fines Victoria (Department of Justice and Community Safety).

3. OBJECTIVES

The objectives of this Policy are –

- To ensure revenue collection is consistent with the *Local Government Act 1989*, *Local Government Act 2020* and recognized financial practices.
- To ensure debt collection is undertaken efficiently, effectively, fairly and consistently, and in accordance with good governance and financial management principles.
- To encourage any person or organisation, who is unable to pay the full amount of a fee, debt or Rates by the due date, to apply for a payment plan of regular payments of a reasonable amount.
- To assist ratepayers, who are unable to pay Rates on their primary residence, as well as farmers, because they are experiencing or may experience financial hardship.

4. DEFINITIONS

Bad Debts are debts that have been assessed as being uncollectable.

Community Care Funding Agreements refers to the State Government funded “Home and Community Care Program for Younger People” and the Federal Government funded “Commonwealth Home Support Programme”.

Community Financial Counsellors are accredited welfare specialists who work in the local community to provide remedial, preventative and advocacy services for people in financial hardship (or who are at risk of entering financial hardship).

Debt is money that is owed to Council.

Debtor is a person or organisation that owes money to Council.

Debt Owner means the Council Department which carries out the activity or delivers the service for which a fee or debt applies and has overall responsibility for the fee or debt.

Doubtful Debts are debts that have been assessed as likely to become a bad debt.

Fees are payable by persons for Council activities and services such as aged and disability services, animal registrations, building applications, environmental health applications, facility hire, fire hazard removal, freedom of information, home care and support, infrastructure applications, leases, licences, local law permits, planning applications, swimming pool admissions, waste disposal at transfer stations.

Financial Services means Council’s Finance Department.

Financial Hardship refers to the situation in which a person cannot pay their bills or debts or the repayments on their loans when they are due. This may occur when the total amount they need to pay each month is more than their income each month.

Fines are monetary penalties which are issued when an infringement has occurred, for example, a vehicle parking infringement. Fines are administered by Fines Victoria. Any person who is unable to pay a fine by the due date must contact Fines Victoria to apply for payment by instalments or a payment extension.

Payment Plan is a plan for the debtor or ratepayer to pay an outstanding amount by regular payments of a reasonable amount.

Penalty Interest is interest that is charged on unpaid debts and Rates in accordance with the *Penalty Interest Rates Act 1983*. Penalty interest rates are fixed by the Victorian Government and are not the same as interest rates charged by banks and other financial institutions.

Rates means Council Rates and waste and recycling charges on rateable land including penalty interest on overdue Rates. For the purposes of this Policy, “Rates” also includes any government-imposed charge or levy that Council is required to collect on behalf of the Government, such as the Fire Services Levy.

5. FEES

5.1 Fees

Fees may be either statutory or non-statutory. In both cases, fees are approved by Council as part of its adopted Budget and fees are shown in the Budget Report.

Any person or organization who uses a Council activity or service for which a fee is payable, is required to pay the fee in full.

Council Staff do not have authority to adjust or waive fees, except as defined by –

- Community Facility Hire Fee Waiver Policy.
- Aged and Disability Services Procedure: Fees and Charges.

If the fee is not paid at the time of the activity or service, then an invoice shall be created.

5.2 Invoicing

Currently, Financial Services Staff are the only Council Staff with authority to generate an invoice.

The Debt Owner completes a "debtor invoice request form" and submits it to Financial Services.

Financial Services will issue the invoice and ensure the invoice provides the debtor with clear and concise information about the debt and the payment terms.

5.3 Payment terms

Council's payment terms are 30 days from the date of the invoice unless –

- Payment terms are defined by specific regulations or agreements.
- A payment plan has been set up in accordance with Section 7 of this Policy.

5.4 Monthly Debtor Statements

If an invoice is not paid in full by the due date, the amount of the debt will be included on the monthly debtor statement which is produced by Financial Services and sent to the debtor.

The monthly debtor statement will include a note encouraging the debtor to contact Council to discuss (a) any concern with the debt or (b) the reason why the invoice has not been paid.

5.5 Debts unpaid after 60 days

If a current payment plan does not exist and the debt remains unpaid after 60 days of the due date, then Financial Services will refer the debt to the Debt Owner.

The Debt Owner will contact the debtor to (a) discover why the debt remains unpaid and (b) advise that failure to pay the debt may result in penalty interest (sub-section 5.6) and/or discontinuance of services (sub-section 5.7).

▶ REVENUE COLLECTION AND FINANCIAL HARDSHIP

5.6 Penalty interest where debt is unpaid after 60 days

Council may charge penalty interest on debts that are overdue by more than 60 days, unless –

- The Debt Owner and the Coordinator Financial Services decide not to charge penalty interest, based on the circumstances in each case.
- The debt is governed by relevant legislation or regulations or Community Care Funding Agreements that prohibit the charging of penalty interest.

The penalty interest percentage rate on debtors is fixed under Section 2 of the *Penalty Interest Rates Act 1983* as applied on 1 July each year.

5.7 Discontinuing services where debt is unpaid after 60 days

Council may discontinue services where debts are overdue by more than 60 days, unless –

- The Debt Owner and the Coordinator Financial services decide not to discontinue services, based on the circumstances in each case.
- The debt is governed by relevant legislation or regulations or Community Care Funding Agreements that require the continuation of services regardless of overdue debts.
- The debt is being dealt with in accordance with the Aged and Disability Services Procedure: Fees and Charges.

5.8 Debt collection where debt is unpaid after 120 days

Council acknowledges that debt collection is a serious legal process, because it may have implications on the debtor’s credit rating.

Council also acknowledges that debt collection is an expensive legal process, therefore all costs incurred in the process will be passed onto the debtor in full.

If a current payment plan does not exist and the debt remains unpaid after 120 days of the due date, then Financial Services will advise the Debt Owner of the intention to refer the debt to a debt collection agency.

Financial Services will not take debt collection action if written direction is provided by the relevant Debt Owner to the Manager Financial Services.

Debts owed by community care clients and Not-for-profit community groups will not be referred to a debt collection agency.

Debts covered by relevant legislation, regulations or funding agreements which prohibit debt collection will not be referred to a debt collection agency.

Debts under \$100 will not be referred to a debt collection agency; instead the debt will be written off by the Manager Financial Services and the debtor will be advised they are no longer eligible to receive the service, unless they pay an amount equal to the original debt.

▶ REVENUE COLLECTION AND FINANCIAL HARDSHIP

If initial debt collection action does not result in the debt being paid, then the Manager Financial Services may decide not to pursue any further action.

5.9 Correcting errors

If it is discovered that an error has been made and a debtor has been incorrectly undercharged, Financial Services Staff will (a) correct the error for future billing periods and (b) not apply the correct fees retrospectively.

If it is discovered that an error has been made and a debtor has been incorrectly overcharged, Financial Services Staff will (a) correct the error for current and future billing periods and (b) will apply the correct fees retrospectively to 1 July of the financial year in which the error was discovered.

Upon written application from the debtor who has been incorrectly overcharged, the Director Community and Corporate Services will consider the merits of the matter and may apply the correct fee or charge retrospectively for the financial year(s) prior to 1 July of the financial year in which the error was discovered.

5.10 Refunding fees or debts

There may be circumstances where fees or debts may be refunded because the service was not completed, or the service was provided in an unsatisfactory manner. The refund of fees or debts will be considered and may be approved by the Debt Owner.

5.11 Financial Hardship – fees or debts

Any person or organisation who is unable to pay the full amount of a fee or debt because they are experiencing financial hardship may apply in writing for (a) payment to be deferred or (b) the fee or debt to be waived.

Applications from Community Care clients will be assessed under the Aged and Disability Services Procedure: Fees and Charges.

Other applications will be assessed and determined generally in the manner as described in sub-sections 8.4 and 8.5.

5.12 Doubtful Debts

Financial Services Staff will maintain a provision for doubtful debts in accordance with Australian Accounting Standards and the provision for doubtful debts will be disclosed in the annual financial statements.

5.13 Bad Debts

If, after all attempts to collect the debt have been exhausted, then a decision may be made to declare the debt uncollectable and cause it to be written off.

A recommendation to write off the debt may be made, in writing, by the Debt Owner to the relevant Director.

▶ REVENUE COLLECTION AND FINANCIAL HARDSHIP

The decision to write off the debt may be taken by the relevant Director in accordance with the monetary limits defined by the Instrument of Delegation - Purchasing.

The act of writing off debts must be done by the Manager Financial Services.

Written off debts will be recorded in the nominated accounts, which result in the debts being taken out of Council's Balance Sheet.

If a debt was written off and, in the future, the debtor asks for and is granted the service, then the debtor will be required to pay an amount equal to the original debt before Council Staff will recommence the service.

6. RATES

6.1 Rates Notices

After the adoption of the annual Budget, Rates notices will be prepared by Financial Services and will be issued not less than one month before the due date of the first instalment.

Rates notices will provide the ratepayer with clear and concise information about Rates and payment terms.

Rates are payable by four instalments on the following dates –

- 30 September;
- 30 November;
- 28 February; and
- 31 May.

Instalment payment dates are shown on Council's website.

In addition to the current Rates, the notices will also include the amounts which are outstanding from the previous financial year (Rates arrears) and the penalty interest amount that has accrued. The Rates arrears and penalty interest amount may also be the subject of the collection process described in section 6.8.

If there are Rates arrears, then they must be paid with the first instalment.

6.2 Instalment Notices

Instalment notices will be issued for the second, third and fourth instalment. Instalment notices are issued not less than fourteen days before the due date of payment. Instalment Notices also include unpaid amounts and the penalty interest that has accrued and is payable.

6.3 Monthly Payments

If a ratepayer's Rates are not in arrears, then the ratepayer may elect to pay the current Rates by ten monthly payments of equal amounts by direct debit on the third Friday of September, October, November, December, January, February, March, April, May and June.

The monthly payment option is offered to all ratepayers as an alternative payment option to four instalments, to assist ratepayers with their budgeting and cash flows.

Ratepayers must complete and submit the "Direct Debit Request Form" to authorise Council to arrange for funds to be debited from their account.

6.4 Reminder Notices

Because Instalment Notices are issued, Reminder Notices will not be issued.

6.5 Final Notices

If Rates remain unpaid after the due date of the final instalment, then Final Notices will be issued. Final Notices will state that payment must be made within 7 days.

6.6 Penalty Interest

Council will require a ratepayer to pay penalty interest on Rates (a) which the ratepayer is liable to pay and (b) which have not been paid by the applicable due date.

The penalty interest percentage rate on Rates is fixed under section 2 of the *Penalty Interest Rates Act 1983* as applied on 1 July each year.

Penalty interest will be calculated and charged from the date on which the Rates payment was due and will continue to accrue until the Rates are paid.

6.7 Allocating part payments

If Council receives a part payment, (that is a payment which is not for the full amount that is due and/or overdue), then the part payment, will be allocated to the ratepayers account in the following order –

1. Debt collection costs.
2. Penalty interest.
3. Rates arrears.
4. Current Rates.

6.8 Rates arrears collection process

If Rates remain unpaid after the end of the financial year in which they became payable, the unpaid Rates become Rates arrears.

Rates arrears will be referred to a debt collection agency.

Council acknowledges Rates arrears collection is a serious legal process, because it may have implications on the ratepayer's credit rating.

Council also acknowledges that Rates arrears collection is an expensive process, therefore all costs incurred in the process will be passed onto the ratepayer in full and will also be a debt on the land.

Financial Services Staff may instruct a debt collection agency to take the following actions until the Rates arrears are paid –

1. A Solicitor's letter will be sent to those ratepayers who are eligible to receive a pension concession.
2. A debt collection agency Final Notice will be sent to the ratepayer.
3. An Application will be made to the Magistrates Court for a Complaint to be issued.

▶ REVENUE COLLECTION AND FINANCIAL HARDSHIP

4. A Pre-Judgement warning letter will be sent to the ratepayer.
5. An Application will be made to the Magistrates Court for Judgement.
6. A Pre-Warrant warning letter will be sent to the ratepayer.
7. An Application will be made to the Magistrates Court for a Warrant to be issued.
8. The matter will be referred to the Supreme Court.

If the ratepayer pays the Rates arrears in full, then the legal process will be stopped.

If the ratepayer enters a payment arrangement with the debt collection agency, then the legal process will be suspended.

Penalty interest will continue to be calculated on Rates arrears until they are paid in full.

6.9 Correcting errors

This section does not apply to supplementary property valuations.

If it is discovered that an error has been made and a ratepayer has been incorrectly undercharged, Financial Services Staff will (a) correct the error for future billing periods and (b) not apply the correct fees retrospectively.

If it is discovered that an error has been made and a ratepayer has been incorrectly overcharged, Financial Services Staff will (a) correct the error for current and future billing periods and (b) will apply the correct amount retrospectively to 1 July of the financial year in which the error was discovered.

Upon written application from the ratepayer who has been incorrectly overcharged, the Director Community and Corporate Services will consider the merits of the matter and may apply the correct amount(s) retrospectively for the financial year(s) prior to 1 July of the financial year in which the error was discovered.

6.10 Sale of Land to recover unpaid Rates

Unpaid Rates are a debt on the land.

If unpaid Rates exist for more than three years, then Council may commence the process to sell the land to recover the unpaid Rates.

If unpaid Rates are on land which is the ratepayer's principal place of residence, then Council will not sell the land.

If the land is sold, the unpaid Rates will be paid from the proceeds of the sale before any other disbursements occur. Therefore, it is not necessary to provide for doubtful debts or write off debts.

7. PAYMENT PLANS

7.1 Application

Any person or organisation who is unable to pay the full amount of a fee, debt or Rates by the due date, may apply in writing for a payment plan to pay the fee, debt or Rates by regular payments of a reasonable amount.

In making an application, the applicant should take account of their ongoing living expenses and decide how much they can pay and how frequently, so they are confident they will be able to pay each payment on schedule.

7.2 Assessment

After the application has been submitted it will be assessed by Financial Services Staff. In assessing the application, Financial Services Staff may –

- Ask the applicant to provide further information.
- Ask the applicant to verify the information provided.

Financial Services Staff will endeavour to set up a practical and sustainable payment plan, based on the applicant's capacity to pay. Generally, a payment plan will be –

- for full payment, with or without penalty interest; and
- within a specified timeframe, not exceeding two years.

Only Financial Services Staff have authority to set up a payment plan except –

- Fines, which are administered by Fines Victoria.
- If the debt is being dealt with in accordance with the Aged and Disability Services Fees and Charges Procedures.

7.3 Monitoring

The payment plan will be monitored by Financial Services Staff.

If the debtor or Ratepayer defaults on the payment plan (does not make payments on schedule), then the matter will be acted on by Financial Services Staff as follows –

- A new payment plan may be set up.
- Debts may be referred to a debt collection agency in the manner described in Section 5.8.
- Rates may be referred to a debt collection agency in the manner described in Section 6.8.

8. RATEPAYERS EXPERIENCING FINANCIAL HARDSHIP

8.1 Legislation

Section 170 of the *Local Government Act 1989* provides Council with the ability to defer payment of Rates if Council “considers that an application by that person shows that the payment would cause hardship to that person”.

Section 171A of the *Local Government Act 1989*, provides Council with the ability to grant an application for the waiver of Rates “if the Council is satisfied that the applicant is a person who is suffering financial hardship if that person paid the full amount of the rate or charge for which he or she is liable”.

Sections 170 and 171A are reproduced, in their entirety, as an Appendix to this Policy.

8.2 Principles

In applying Sections 170 and/or 171A of the *Local Government Act 1989*, Council will be guided by the following principles –

- Council will endeavour to assist ratepayers, who are unable to pay Rates on their primary residence, as well as farmers, because they are experiencing or may experience financial hardship.
- Council understands it is important that ratepayers experiencing financial hardship know what support is available and how to seek assistance. Therefore, Council will make sure that information about financial hardship assistance is accessible to all ratepayers.
- Council understands that the level of financial hardship being sought will depend upon the circumstances being experienced by the ratepayer. Therefore, Council will make sure its financial hardship assistance is reasonable, and applied appropriately, according to the circumstances.
- Council recognizes that ratepayers who are experiencing financial hardship may be vulnerable. Therefore, Council will make sure ratepayers seeking financial hardship assistance are treated fairly and compassionately.
- Council understands ratepayers experiencing financial hardship may have other debts owing to other creditors. Therefore, Council will have a flexible approach to assisting ratepayers who are experiencing financial hardship.
- Council will make sure that all information of a personal or financial nature, which is provided by a Ratepayer is treated confidentially.

8.3 Application

If a ratepayer is of the opinion, they are experiencing financial hardship and unable to pay the Rates for which they liable, the ratepayer is invited to –

► REVENUE COLLECTION AND FINANCIAL HARDSHIP

- (a) apply for the payment of Rates to be deferred, in part or in full; or
- (b) apply for the Rates to be waived, in part or in full.

The ratepayer must apply in writing and should use the “Rates Financial Hardship Form” which is available on the Council’s website.

After the application has been received it will be referred to the Coordinator Financial Services.

8.4 Assessment

If the application is for the payment to be deferred, then the application will be assessed by the Coordinator Financial Services.

If the application is for Rates (or debt) to be waived and the application is for less than \$1,000, then the application will be assessed by the Coordinator Financial Services.

If the application is for Rates (or debt) to be waived and the application is for more than \$1,000, then the Coordinator Financial Services will ask the applicant to make an appointment for an assessment with an independent Community Financial Counsellor. The cost of the appointment and assessment will be met by Council.

In assessing the application, the Coordinator Financial Services or the Community Financial Counsellor may –

- Ask the applicant to provide further relevant information.
- Ask the applicant to verify the information provided.

Applications will be assessed based on the applicant’s capacity to pay and that payment would add to the current financial hardship being experienced by the applicant.

After assessment, a written report and recommendation will be prepared.

The recommendation may include any (or any combination) of the following options –

- (a) Payment deferred, with or without further penalty interest, for a specified timeframe but not exceeding two years.
- (b) Payment deferred, with or without further penalty interest, on the basis that the unpaid Rates will remain indefinitely as a debt on the land and when the land is sold, the Rates will be paid from the proceeds of the sale before any other disbursements occur.
- (c) Penalty interest waived, for a specified timeframe but not exceeding two years.
- (d) Rates (or debt) waived, for a specified timeframe but not exceeding two years.

The report will be provided to the Manager Financial Services.

8.5 Decision

The Manager Financial Services will review the report and refer it to the Director Community and Corporate Services for a decision.

A decision to (a) defer payment or (b) waive Rates (or debt) may be made by the Director in accordance with “S7 Instrument of Sub-delegation by the Chief Executive Officer”.

The Coordinator Financial Services will advise the applicant of the decision and provide the applicant with a copy of the report.

If necessary, the Financial Services Staff will monitor the decision and take appropriate action consistent with this Policy to ensure that the decision is brought to its conclusion.

8.6 Review of decision

If the applicant is aggrieved by the decision of the Director Community and Corporate Services, they may seek a review of the decision by the Chief Executive Officer.

If the applicant is aggrieved by the decision of the Chief Executive Officer, they may refer the matter to the Victorian Ombudsman.

The Victorian Ombudsman deals with complaints about services, communication, complaint handling, and unreasonable actions or decisions.

The Victorian Ombudsman can investigate whether Council has unreasonably applied its discretion with respect to an application for payment to be deferred or Rates (or debts) to be waived if the applicant is experiencing financial hardship or is entitled to a concession.

Information on how to make a complaint to the Victorian Ombudsman is available as follows –

- Website: <https://www.ombudsman.vic.gov.au/complaints/#common-complaint-topics>
- Phone: (03) 9613 6222 or 1800 806 314.

9. ROLES & RESPONSIBILITIES

9.1 Debt Owner

The Debt Owner has overall responsibility for the debt as follows –

- Ensuring that the debtor invoice request form is correct and submitted to Financial Services.
- Contacting the debtor when a debt remains unpaid 60 days after the due date.
- Liaising with Financial Services when the debt is unpaid, about whether (a) interest should be charged, (b) the service should be discontinued and (c) the debt should be referred to a debt collection agency.
- Documenting any discussions with debtors in relation to unpaid debts and making the documentation available to Financial Services.
- Considering and approving refund of fees and providing documentation to Financial Services.

9.2 Financial Services

Financial Services is responsible for –

- Sending invoices, Rates Notices and Instalment Notices.
- Recording debts in the financial systems.
- Recording payments in the financial systems.
- Sending monthly debtor statements.
- Advising the Debt Owner when debts remain unpaid 60 days after the due date.
- Arranging and monitoring payment plans.
- Advising the Debt Owner when debts remain unpaid 120 days after the due date and liaising with the Debt Owner on whether debts should be referred to a debt collection agency.
- Determining the level of doubtful debts.
- Liaising with the Debt Owner on whether debts should be waived.
- Advising the Debt Owner when writing off bad debts.
- Receiving, processing and assessing applications for Financial Hardship and monitoring decisions.

FURTHER INFORMATION

The Policy and the relevant forms are available to the public via Council's website or by contacting Council offices in Clunes, Creswick and Daylesford.

Questions about the Policy should be directed to the Manager Financial Services.

OPERATION

The Policy is operational from the date it is adopted by Council until the date it is rescinded by Council unless its operation becomes obsolete by circumstances beyond the control of Council.

The Chief Executive Officer is authorized to make minor administrative amendments to the Policy.

REVIEW

The Policy will be reviewed every four years or sooner if required by Council or by changes in legislation. The Manager Financial Services is responsible for the managing the review process.

APPENDIX

Section 170 and 171A of the *Local Government Act 1989*, as referred to in section 8 of this Policy.

170 Deferred payment

(1) A Council may defer in whole or in part the payment by a person of any rate or charge which is due and payable for a specified period and subject to any conditions determined by the Council if it considers that an application by that person shows that the payment would cause hardship to the person.

(2) On deferral of the payment the person who is liable to make the payment is not liable until the Council sends the person a notice under subsection (3).

(3) A Council may by a notice sent to a person—

(a) require that person to pay the whole or part of any deferred rate or charge by a specified date if—

- (i) it considers that the person's circumstances have so changed that the payment would no longer cause hardship to the person; or
- (ii) the person no longer owns or occupies the land in relation to which the rate or charge was levied; and

(b) require the payment of interest for the late payment of the rate or charge, as if the deferral had not occurred.

171A Waiver by application—financial hardship

(1) A person who—

(a) is suffering financial hardship; or

(b) would suffer financial hardship if that person paid the full amount of a rate or charge for which he or she is liable—

may apply to a Council for the waiver of the whole or part of any rate or charge or of any interest imposed for late payment.

(2) The Council may require the applicant—

(a) to give further particulars; or

(b) to verify particulars—

in relation to the application.

(3) The Council may grant an application if the Council is satisfied that the applicant is a person who is suffering financial hardship if that person paid the full amount of the rate or charge for which he or she is liable.

▶ REVENUE COLLECTION AND FINANCIAL HARDSHIP

(4) A person who—

(a) gives to a Council any information which is false or misleading in any material particular in respect of an application under this section; or

(b) fails to notify a Council of any change in circumstances which is relevant to an application or to a waiver granted under this section—

is guilty of an offence.

Penalty: 10 penalty units.

14.2 POLICY 37 (C) - REVISED COUNCILLOR STAFF INTERACTION POLICY 2021 DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

1. Policy 37 (C) - Councillor Staff Interaction Policy [**14.2.1** - 19 pages]

EXECUTIVE SUMMARY

Policy 37 (C) – Councillor Staff Interaction Policy has been reviewed to align the guidance with the Councillor Code of Conduct and ensure consistency with the *Local Government Act 2020* (2020 Act).

Section 46(3)(c) of the 2020 Act states that the Chief Executive Officers role is to:

“manage the interactions between members of Council Staff and Councillors and ensuring that policies, practices, and protocols that support the arrangements for interactions between members of Council staff and Councillors are developed and implemented.”

The Policy is important for clarity of distinct roles of the administrative and political arm of Council and aims to strengthen the interactions and fostering of positive interactions of both.

OFFICER'S RECOMMENDATION

That Council notes Policy 37 (C) as prepared by the Chief Executive Officer titled ‘Councillor Staff Interaction Policy’ under the Chief Executive Officer’s obligations under section 46(3)(C) of the Local Government Act 2020.

MOTION

That Council notes Policy 37 (C) as prepared by the Chief Executive Officer titled ‘Councillor Staff Interaction Policy’ under the Chief Executive Officer’s obligations under section 46(3)(C) of the Local Government Act 2020.

Moved: Cr Juliet Simpson

Seconded: Cr Brian Hood

Carried

BACKGROUND

Policy 37 (C) – Councillor Staff Relationship Policy was last reviewed and adopted in February 2014.

The review and update of policies ensures that policies remain relevant and consistent with legislation, particularly the *Local Government Act 2020*. Furthermore,

it is important that policies have a review cycle that allows for at least one review within a Council's Term.

Council has the opportunity to review this Policy, and consider amendments as prepared by Officers to reflect their intention as the current Council in Office.

The purpose of the Policy provides guidance to employees of Council (members of Council Staff) and Councillors (elected representatives) with respect to appropriate interactions and an agreed approach to request for information, provision of information and communications.

It reflects provisions in the current Councillor Code of Conduct (as adopted on 23 February 2021) and the current Employee Code of Conduct.

The aim of the Policy is to provide guidelines on interactions as to continue to foster positive interactions between both the political and administrative arm of Council, and support the provision of service, strategic direction and implementation of Council decisions for the liveability and vitality of the Hepburn Shire Community.

The consideration and ultimate adoption of the Policy would reiterate the Councillors commitment to their distinct role and compliments the suite of guidance documents available to Councillors including the Councillor Code of Conduct and the Mayoral Guidance Document.

It is important to note that this policy becomes a policy position that both Councillors and members of Council staff would need to equally abide by, in line with respective obligations. Staff will be advised of the provisions of the Policy to ensure that they also understand their respective obligations.

The Policy further supports Council's compliance with the *Local Government Act 2020* and the Chief Executive Officer's requirement to prepare policies, protocols and practices to support the arrangements for interactions between members of Council staff and Councillors.

KEY ISSUES

The purpose of this Policy is to clarify the roles of Councillors, the Chief Executive Officer, and members of Council staff and to acknowledge the importance of these roles in the development and implementation of the Council Plan, Council Vision, long term budget, community engagement activities, and for the business of Council to be transacted efficiently and effectively at both a strategic and operational level.

The observance of the Councillor Staff interaction protocols is seen as integral in the achievement of the overall achievement of Council's strategic direction, implementation of Council's decisions and vitality of the Community.

Policy 37 (C) – Councillor Staff Interaction Policy has been reviewed with consideration of:

- A review against other Victorian Councils who have a similar policy in place;

- Ensuring consistency with Council Plans and other Policies, and the Councillor Code of Conduct and the Employee Code of Conduct;
- Amending the title from Relationship to Interaction Policy to fit more appropriately with its objectives;
- Ensuring consistency with the *Local Government Act 2020*;
- Repeal of sections relating to the *Local Government Act 1989*; and
- Where appropriate, incorporated feedback from Councillors at a previous Councillor Briefing meeting that was held in December 2020.

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

High Performing Organisation

12. Enhance our processes and systems to deliver excellent customer service. To achieve this, we will focus on internal collaboration and new ways of working, combined with a continued focus on effective and timely communications, engagement and consultation. We will focus on achieving higher customer satisfaction through making it easier to work with Council and by closing the loop on requests received from our community and other customers.

16. Deliver good governance and integrity in all our actions and take steps to improve organisational efficiency including regular process improvements.

Policy 37 (C) – Councillor Staff Interaction Policy has been reviewed to ensure relevance, consistency with legislation and other policies.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report apart from the time that officers have spent time reviewing the Policy and ensuring that it is accurate and reflects current legislation.

RISK IMPLICATIONS

The Councillor Staff Interaction Policy has been drafted to provide clarification of the relative roles of Councillors and staff with the intent that the policy will form the basis for an ongoing healthy relationship where both Councillors and staff are treated appropriately and with due respect.

Without a Policy in place, the Chief Executive Officer will not fulfil their obligations in line with section 46(3)(C) of the *Local Government Act 2020*.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Once adopted by Council, the Councillor Staff Interaction Policy will be placed on the Council website and available to the public.

The Policy and associated communications will be shared to staff and Councillors to ensure all parties are aware of their responsibilities.

As this is a corporate and internal Policy, the Community Engagement Policy or strategies that underpin it were not required to be referred to as this Policy is not required to be subject to a community engagement process.

► COUNCILLOR STAFF INTERACTION POLICY

POLICY NUMBER:	37 (C)
NAME OF POLICY:	Councillor Staff Interaction Policy
DATE OF NEXT REVIEW:	May 2025
DATE APPROVED:	Proposed 18 May 2021
RESPONSIBLE OFFICER:	Manager Governance and Risk
REFERENCES:	<i>Local Government Act 2020</i> <i>Local Government (Governance and Integrity) Regulations 2020</i> Councillor Code of Conduct Employee Code of Conduct Council's Respectful Relationships Policy – Policy 33 (C).

▶ COUNCILLOR STAFF INTERACTION POLICY

Service Performance Principles as defined in section 106 of the *Local Government Act 2020*

Service performance principles:

(1) A Council must plan and deliver services to the municipal community in accordance with the service performance principles.

(2) The following are the service performance principles—

- (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;
- (b) services should be accessible to the members of the municipal community for whom the services are intended;
- (c) quality and costs standards for services set by the Council should provide good value to the municipal community;
- (d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;
- (e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

► COUNCILLOR STAFF INTERACTION POLICY

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▶ COUNCILLOR STAFF INTERACTION POLICY

1. PURPOSE

The purpose of this Policy is to provide for a framework of appropriate interactions for Councillors and Employees of the Hepburn Shire Council to follow to allow for the efficient and effective transaction of business to occur where high standards of good governance and transparency principles are achieved.

The undertaking of the Councillor and Staff Interaction Policy is seen to be an integral achievement of the objectives and principles as detailed in Council's key legislation, the *Local Government Act 2020*.

The Chief Executive Officer as an express obligation under section 46(3)(C) of the *Local Government Act 2020* to:

'manage the interactions between members of Council Staff and Councillors and ensuring that policies, practices, and protocols that support the arrangements for interactions between members of Council staff and Councillors are developed and implemented'.

This Policy should be read in conjunction with the Councillor Code of Conduct – Policy 47 (C) and the Employee Code of Conduct, as well as Council's Respectful Relationships Policy – Policy 33 (C).

2. SCOPE

This Policy relates to Councillors and all employees of the Hepburn Shire Council.

References to interactions includes contact between Councillors and staff where the content or matter relates to the business of Council and includes Councillor requests for information and service requests.

Channels of contact may include, but are not limited to, phone (including text), in person, by email or online and through digital and social media platforms.

This procedure does not apply in the context of social interactions between a Councillor and member of staff who have a personal relationship outside the Council environment.

The Policy does not seek to limit Councillors expressing their views about operational matters but rather outlines how such matters will be communicated. Councillors may contact the CEO on any matter as required.

▶ COUNCILLOR STAFF INTERACTION POLICY

3. FAILURE TO COMPLY

Failure of a Councillor to comply with provisions outlined in this Policy for both Councillors and Employees will be assessed in line with the respective Codes of Conduct.

Penalties and actions may relate to specific breaches, and whether those breaches relate to legislation or develop process as detailed in this Policy.

4. LEGISLATIVE CONTEXT

The Policy has been prepared to satisfy the requirements of the *Local Government Act 2020*, specifically 46(3)(C) of the *Local Government Act 2020*.

Specifically, this Policy complements the Councillor and Employee Codes of Conduct, and the following provisions in the *Local Government Act 2020* and *Local Government Act 1989*:

- Role of a Councillor – section 28 of the *Local Government Act 2020*
- Role of the Chief Executive Officer – section 44 and 46 of the *Local Government Act 2020* and section 94A of the *Local Government Act 1989*.
- Councillor Conduct Standards – Standard 1 - Treatment of Others – Schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020*
- Councillor Conduct Standards – Standard 2 – Performing the Role of a Councillor - Schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020*.
- Councillor Conduct Standards – Standard 3 – Compliance with Good Governance Measures - Schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020*
- Directing a member of Council Staff – section 124 of the *Local Government Act 2020*
- Misuse of Position – section 123 of the *Local Government Act 2020*.

► COUNCILLOR STAFF INTERACTION POLICY

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5. KEY DEFINITIONS

Term	Definition
Acting Chief Executive Officer	<p>Where there is a vacancy in the office of the Chief Executive Officer or the Chief Executive Officer is unable to perform the duties of the Chief Executive Officer, the Council appointed Acting Chief Executive Officer in accordance with section 44(4) of the <i>Local Government Act 2020</i>.</p> <p>The terminology of Acting Chief Executive Officer is also used interchangeably with the term Interim Chief Executive Officer as determined from time to time by Council resolution.</p>
Chief Executive Officer	The Chief Executive Officer as appointed by Council in accordance with section 44 of the <i>Local Government Act 2020</i> .
Council	Hepburn Shire Council.
Councillors	Elected representatives of the Hepburn Shire Council.
Members of Council Staff	Appointed by the Chief Executive Officer in accordance with section 48 of the <i>Local Government Act 2020</i> to enable the functions of Council under the <i>Local Government Act 2020</i> or any other act to be performed

► COUNCILLOR STAFF INTERACTION POLICY

Overarching Governance Principles	Means the principles specified in section 9 of the <i>Local Government Act 2020</i> .
Interactions	The communications, exchanges and interactions between Members of Council Staff, the Chief Executive Officer and Councillors. The interactions are two way.
The Act	The <i>Local Government Act 2020</i> .
Councillor Code of Conduct	Means the Councillor Code of Conduct as developed, prepared and adopted by Council under section 139 of the <i>Local Government Act 2020</i> .
Employee Code of Conduct	Means the Employee Code of Conduct as developed and prepared under section 49 of the <i>Local Government Act 2020</i> , or section 95AA of the <i>Local Government Act 1989</i> .

► COUNCILLOR STAFF INTERACTION POLICY

6. GOVERNANCE PRINCIPLES

A Council must in the performance of its role give effect to the overarching governance principles.

The following are the overarching governance principles—

- 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.

► COUNCILLOR STAFF INTERACTION POLICY

7. ROLE OF A COUNCILLOR

In accordance with section 28 of the *Local Government Act 2020*:

The role of every Councillor is—

- 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.
- d) (2) In performing the role of a Councillor, a Councillor must—
- e) consider the diversity of interests and needs of the municipal community; and
- f) support the role of the Council; and
- g) acknowledge and support the role of the Mayor; and
- h) act lawfully and in accordance with the oath or affirmation of office; and
- i) act in accordance with the standards of conduct; and
- j) comply with Council procedures required for good governance.

To achieve that position, Councillors need to:

- Accept that their role is a leadership, not a management, operational or administrative one.
- Acknowledge that, under the *Local Government Act 2020*, the Chief Executive Officer is primarily responsible for staff.
- Acknowledge that, under the *Local Government Act 2020*, they have no capacity to individually direct members of staff to carry out particular functions.
- Refrain from using their position to improperly influence members of staff in their duties or functions, or to gain an advantage for themselves or others.
- Refrain from publicly criticising staff in a way that casts aspersions on their professional competence or credibility.
- Take no part (direct or indirect) in any personnel matter relating to a staff member or any appointment of staff except in the case of position of Chief Executive Officer.
- Neither seek nor encourage the involvement of any member of staff in promoting the election of any candidate for election as a Councillor.

► COUNCILLOR STAFF INTERACTION POLICY

- Councillors should maintain at all times a professional relationship with staff, acting with respect and integrity at all times.

Councillors should not be overbearing or threatening to Members of Council Staff.

Under the *Local Government Act 2020*, Councillors are obliged to adhere to section 124 which relates to improper or undue influence.

Councillors are prohibited under section 124 to improperly direct or interact with Council staff.

A Councillor must not direct, or seek to direct, a member of Council Staff:

- a) In the exercise of a delegated power, or the performance of a delegated duty or function of the Council; or
- b) In the exercise of a power or the performance of a duty or function exercised or performed by the member as an authorised officer under the Act or any other Act;
- c) In the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under the Act or any other Act; or
- d) In relation to advice provided to the Council or a delegated committee, including advice in a report to the Council or delegated committee.

Improper or undue influence could include:

- Disrespecting the professional opinion, skill or expertise of staff through intimidation, bullying, harassing or disrespectful behaviour
- Using rank or position to seek information outside the processes detailed in the Policy
- Pressuring staff to make a decision outside the formal council decision making processes.

This is outlined in Councillors Code of Conduct as adopted in February 2021.

► COUNCILLOR STAFF INTERACTION POLICY

8. ROLE OF THE CHIEF EXECUTIVE OFFICER

Section 46 of the *Local Government Act 2020* states that the Chief Executive Officer is responsible for:

- supporting the Mayor and the Councillors in the performance of their roles; and
- ensuring the effective and efficient management of the day to day operations of the Council.
- Responsibility, amongst other duties includes:
- ensuring that the decisions of the Council are implemented without undue delay;
- ensuring that the Council receives timely and reliable advice about its obligations under this Act or any other Act;
- supporting the Mayor in the performance of the Mayor's role as Mayor;
- setting the agenda for Council meetings after consulting the Mayor;
- when requested by the Mayor, reporting to the Council in respect of the implementation of a Council decision;
- •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*;
- establishing and maintaining an organisational structure for the Council;
- being responsible for all staffing matters, including appointing, directing, managing and dismissing members of Council staff;
- managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented;
- performing any other function or duty of the Chief Executive Officer specified in the *Local Government Act 2020* or any other Act.

► COUNCILLOR STAFF INTERACTION POLICY

The Chief Executive Officer must:

- develop and maintain a workforce plan that:
 - describes the organisational structure of the Council; and
 - specifies the projected staffing requirements for a period of at least 4 years; and sets out measures to seek to ensure gender equality, diversity and inclusiveness; and
 - inform the Council before implementing an organisational restructure that will affect the capacity of the Council to deliver the Council Plan; and
 - consult members of Council staff affected by a proposed organisational restructure, before implementing the organisational restructure.
- A Council and the Chief Executive Officer must, in giving effect to gender equality, diversity and inclusiveness, comply with any processes and requirements prescribed by the regulations for the purposes of this section.
- A Chief Executive Officer must ensure that the Mayor, Deputy Mayor, Councillors and members of Council staff have access to the workforce plan.
- A Chief Executive Officer must develop the first workforce plan under this section within 6 months from 1 July 2021.
- The Chief Executive Officer may also, through instrument of delegation, delegate any duty, power or function of Council that has been delegated to the Chief Executive Officer by the Council to:
 - A member of Council staff;
 - The members of a Community Asset Committee.
- A Chief Executive Officer must also submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which members have been given delegation, and
- Keep a register of delegations made under section 47 of the *Local Government Act 2020*.

► COUNCILLOR STAFF INTERACTION POLICY

9. ROLE OF EMPLOYEES OF COUNCIL (STAFF, MEMBERS OF COUNCIL STAFF, OFFICERS OF COUNCIL)

Members of Council staff are appointed as employees of Council, operating to the implementation of the Council Plan and Vision and implementation of Council decisions, fulfilling a service delivery capacity and providing professional and technical advice to Councillors to enable the transaction of business to occur.

Collectively with Councillors, the Hepburn Shire Council operate to improve the vitality and life of Hepburn Shire constituents.

Some members of Council staff have delegated authority or operate in an authorised statutory function that is provided for under various instruments of delegation and instruments of appointment to authorised officers.

Staff make up the administrative arm of the organisation and are accountable to their supervisions, managers, directors and ultimately the Chief Executive Officer.

Staff recognise that that Councillors have the primary role in:

- Representing the Community;
- Setting the objectives and strategies to achieve the Council Plan and Council Vision;
- Establishing and adopting the Annual Budget, Long Term Financial Plan and other required legislative plans;
- Monitoring the progressive achievement of those objectives and strategies.

In doing so, members of Council staff will:

- Acknowledge the leadership role of Councillors and accept their own role in the areas of management and administration;
- Be responsive to requests from Councillors for information and professional advice required to carry out their role;
- Provide professional advice and then accept and implement the decisions of Council;
- Refrain from lobbying the Councillors or using personal influence to gain an advantage for themselves or others;
- Refrain from public criticism of Councillors;

► COUNCILLOR STAFF INTERACTION POLICY

- Not accept instruction or direction from councillors in relation to their professional duties and refer perceived instruction or direction to Manager and / or Director
- Not directly or indirectly approach Councillors in regards to matters of a personal nature unless it is in their capacity as a constituent of the Shire;
- When a consultative process has begun and a Councillor has been involved in that process, staff will ensure that the Councillor is informed of any substantial development relating to that particular area.
- •Members of Council staff should maintain at all times a professional relationship with Councillors, acting with respect and integrity at all times.
- Officers should not be overbearing or threatening to Councillors.

Any enquires relating to this Policy should be directed to the Chief Executive Officer, Director or Manger Governance and Risk.

10. INTERACTIONS BETWEEN COUNCILLORS AND MEMBERS OF COUNCIL STAFF

Councillors will generally interact with members of council staff for the following reasons:

- Requests for information
- Requests for service (generally on behalf of others)
- General discussion about Council matters
- During Councillor Briefing meetings, Council Meetings or advisory committee or project reference groups or community reference group meetings and follow up.

Members of Council Staff will generally interact with Councillors for the following reasons:

- Capacity as the representative officer of advisory committees or other committees of Council such as project reference groups or community reference groups.
- Preparation of Councillor Briefing Reports and associated presentations on matters
- Preparation and presentation of Council reports at Special and Ordinary Council Meetings on matters.

Interactions between Councillors and members of Council staff should occur through the Chief Executive Officer (CEO) or Directors (who together form part of the Executive Leadership Team) and Managers (who form part of The Leadership Team).

► COUNCILLOR STAFF INTERACTION POLICY

It is also appropriate for Councillors to contact the following staff in relation to their roles and functions:

- Executive Assistant to the CEO and Councillors
- The Governance Team
- Officers supporting advisory committees and community reference groups or project reference groups.

Councillors should always cc (in email) managers and directors when undertaking the above as much as reasonably possible.

For service requests, Councillors in the first instance are encouraged to lodge the request via Council's website.

If lodging of the request is not possible then Councillors should direct their enquires directly to Directors and Department Managers to follow up on service requests or requests for information.

Staff other than the CEO, Directors, Managers or those listed above are to advise their Manager if a Councillor has contacted them without the prior approval of the Manager or Director.

All members of Council Staff should include their manager via cc (in email) in correspondence they are sending to Councillors.

Correspondingly, members of staff should not seek or make direct contact with Councillors without their Managers consent.

► COUNCILLOR STAFF INTERACTION POLICY

11. REQUESTS FOR INFORMATION

11.1. VIA THE CHIEF EXECUTIVE OFFICER OR DIRECTOR

All requests for information should be directed to the Chief Executive Officer, the relevant Director or Manager who will work with members of Council staff to prepare a response to each request.

If a request from a Councillor relates to matters which is a whole of Council significance or relevance then all the Councillors will be copied into the reply.

The CEO should be copied in or otherwise informed of all communication between members of Council staff and Councillors.

11.2. COUNCILLOR BULLETIN

The establishment of the Councillor Bulletin and continued dissemination each week provides Councillors with regular high-level updates from relevant Departments on key updates that members of Council staff believe Councillor should or would want to be aware of.

The key contact at the end of each bulletin item is the relevant Department Manager should Councillors wish to seek further information on that item.

11.3. UNREASONABLE REQUESTS

Where the CEO or a Director determines that the request to be unreasonable, or the information cannot be provided, they must state to the Councillor the reasons for the decision if access is refused.

Examples of what is unreasonable may include:

- Information that is not readily available and would require significant officer resource to gather;
- Is not required for the Councillor to perform their civic duty and is operational in nature;
- Information that is protected by privacy provisions or legislation – for example the number of freedom of information requests in action may be provided on request, but Officers would not disclose the name of the applicant or the details of the information being sought, or where a Councillor wishes to know details of a personal affair nature of a complainant or any information that may unreasonably disclose someone's identify;

► COUNCILLOR STAFF INTERACTION POLICY

- Information relating to staff personnel files;
- Information relating to Public Interest Disclosure matters that Council's Public Interest Disclosure Officer is managing through direct receipt, or via an IBAC or Victorian Ombudsman enquiry.

11.4. OPTIONS FOR COUNCILLORS WHERE INFORMATION IS REFUSED AND COUNCILLORS DISAGREE WITH CEO DETERMINATION

If a Councillor is seeking information that is refused from the Chief Executive Officer, or requests action the following mechanisms can be elicited to seek information or for a decision to be determined by Council:

- Calling of a special council meeting
- Admission of urgent business
- A notice of motion

All of the above can be enacted provided that they meet the requirements of the Hepburn Shire Council Governance Rules and do not breach any state or commonwealth legislation i.e., Privacy and Data Protection Act 2014, the *Local Government Act 2020*, Public Interest Disclosure Act 2012 or the Freedom of Information Act 1982 by way of example.

11.5. CONFIDENTIAL INFORMATION AND PRIVACY PROVISIONS

Councillors are required to treat all information provided by staff appropriately and confidentially in line with the Privacy and Data Protection Act 2014, Council's Privacy Policy and section 125 of the *Local Government Act 2020*.

If a Councillor is unsure whether a document or advice is confidential, they should contact the CEO or the relevant Director for clarification prior to releasing the information.

Where possible staff will clearly identify information which is confidential to assist Councillors in the appropriate handling of such information, however it is the Councillors responsibility to ensure they use the information in an ethical and legal manner.

12. MANAGING CORRESPONDENCE AND COMMUNITY REQUESTS

In the first instance, Councillors should advise community members to log request for service through Council directly.

When a Councillor receives a letter or email addressed to them personally, they will need to make a judgement as to whether the correspondence should be forwarded to the

▶ COUNCILLOR STAFF INTERACTION POLICY

relevant Director for action or if the correspondence was simply of a persona nature to them as an individual.

While Councillors are not required to forward all correspondence to Council to be registered, they should be aware that correspondence receive in the course of their duties are classified as Council records, including any email sent to or from their Councillor email account, which is searchable under Freedom of Information provisions and or could be subpoenaed.

13. EMPLOYEE MATTERS

If a Councillor has any concerns in regards to the way in which they have been treated or responded to by a member of Council staff, those concerns should only be raised with the relevant Director or the Chief Executive Officer who has exclusive responsibility for all personnel matters.

14. USE OF COUNCILLOR EMAIL ADDRESSES AND PHONES

When contacting Council or a member of Council staff as a private constituent, or regarding personnel matters, Councillors are encouraged to use their personal phones and email addresses, rather than their Council issued phone and email.

Councillors are also encouraged to include the Manager of the Department in the correspondence.

► COUNCILLOR STAFF INTERACTION POLICY

15. REVIEW

The Councillor Staff Interaction Policy will be reviewed at a minimum, once every 4 years in line with the Council Term, or earlier if necessary, or due to legislative reform.

16. VERSION

Version Number	Title	Adoption Date	Description of change
1.0	Councillor Staff Relationship Policy	2014	Initial release
1.2	Councillor Staff Interaction Policy	May 2021	Full review and revision, inclusion of new legislation, provisions, template and title of policy.

14.3 ANNUAL PLAN 2020/2021 - QUARTER 3 UPDATE - JANUARY TO MARCH 2021 ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Executive Assistant Community and Corporate Services, I Danielle Kraak have no interests to disclose in this report.

ATTACHMENTS

1. Annual Plan 2020/2021 - Q3 January-March 2021 - Projects Update [**14.3.1** - 12 pages]

EXECUTIVE SUMMARY

The attached report provides a list of the projects included in the Annual Plan 2020/2021 and a progress comment has been provided for each project by a responsible officer.

OFFICER'S RECOMMENDATION

That Council:

1. *Notes the Annual Plan 2020/2021 Quarter 3 updates; and*
2. *Notes that this report will be published on Council's website*

MOTION

That Council:

1. *Notes the Annual Plan 2020/2021 Quarter 3 updates; and*
2. *Notes that this report will be published on Council's website.*

Moved: Cr Tim Drylie

Seconded: Cr Brian Hood

Carried

BACKGROUND

The Annual Plan outlines the actions for 2020/2021 that will be implemented as priorities from the Council Plan 2017-2021 and Annual Budget 2020/2021. The Annual Plan was adopted by Council at its Ordinary Meeting on 18 August 2020.

The Annual Plan details to the organisation, Councillors and the community how Council will monitor progress towards actions in the Council Plan, and the quarterly progress report updates Councillors and the Community on the progress on the actions.

KEY ISSUES

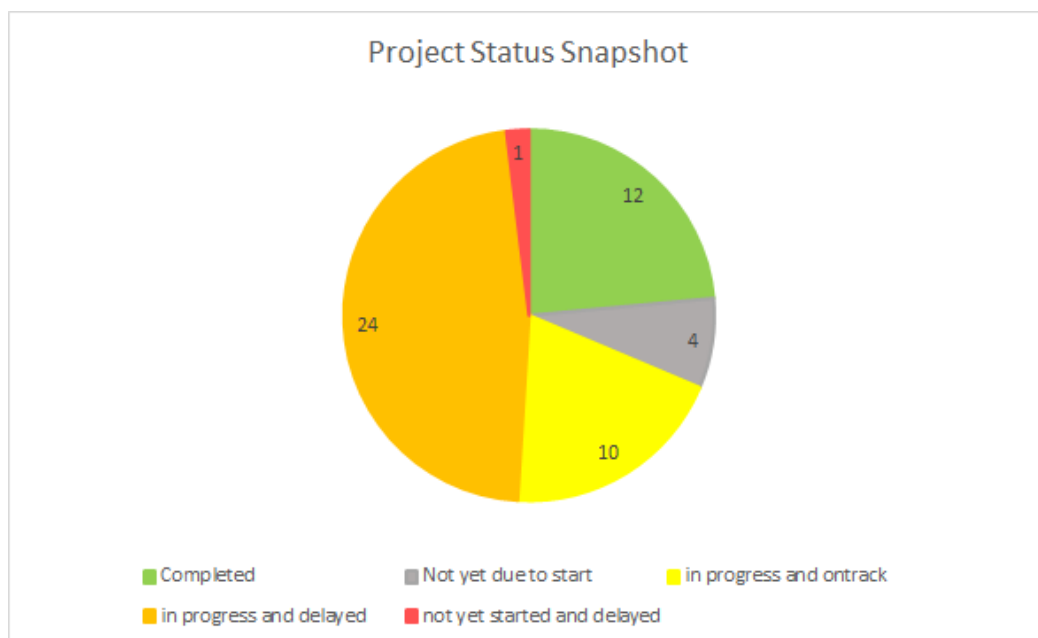
The attached report provides a list of the projects included in the Annual Plan 2020/2021 and a progress comment has been provided for each project by a responsible officer, for the period ended 31 March 2021.

It should be noted that the Annual Plan does not include all projects to be undertaken during the year, and as it was adopted in August 2020 does not include a

number of new actions and opportunities have been undertaken by Council, which were not included in the Plan.

Some projects have been delayed as a result of announcements of government funding, delays in project delivery or in recent months as a result of the impacts of the COVID-19 Pandemic. It should be noted that funding (if required) for these projects will be carry-forward and these projects will be delivered by Officers in this financial year.

The following graph provides a snapshot of the current status of projects as at 31 March 2021. Although only a limited number of projects have been fully completed, it is important that significant progress has been made on many and the majority of projects are on track to be completed by the end of the financial year.



POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

High Performing Organisation

13. Deliver sustainable financial management, supported by effective long term financial planning (10 Years), cost savings and efficient purchasing, and developing additional income streams beyond rates revenue.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report. Individual projects will consider sustainability implications where appropriate.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. Projects have allocated projects for delivery.

RISK IMPLICATIONS

There are no risk implications associated with this report. Officers ensure that the projects included in the Annual Plan 2020/2021 are reported against with associated progress comments to demonstrate implementation of each.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with this report. Community Engagement in accordance with the adopted policy is considered on a project by project basis. The update will be placed on Council's website.

Legend:

Completed	In progress and on track	In progress and delayed	Not yet due to start	Not yet started and delayed
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	Project Name	Description	Budget - 2020/2021	Target Completion Date	Business Unit	March Comments	
QUALITY COMMUNITY INFRASTRUCTURE	Trentham Community Hub	Complete detailed design of the new Trentham Community Hub at the site of the Trentham Mechanics Institute and continue advocacy for government funding.	\$207,000	June 2021	Major Projects	Design revision complete based on community engagement feedback. Engagement to inform community of revised design to take place in April and May. Council to consider adopting final concept design in June.	
	Hepburn Hub at the Rex	Complete construction of the Hepburn Hub at The Rex to deliver improved community spaces.	Carry-forward + \$3.012M	July 2021	Major Projects	Resolution of Stage 1 Early Works complete. Certificate of Final Inspection issued by building surveyor in January. Stage 2 Building permit issued by building surveyor in January Stage 2 Construction delayed due to issues identified by the builder related to existing conditions both apparent and latent. Council are working through these issues constructively with the builder with a view to commencing construction as soon as possible. Estimated commencement date April 2021. Estimated completion date in October 2021. Occupation and decanting of staff and facilities will follow.	
	Clunes Town Hall	Complete construction of Clunes Town Hall and Court House Remedial Works (Stage A)	Carry-forward	December 2020	Manager Environment and Waste	Main hall building complete with some minor cosmetic touch-ups being attended to. Additional works in court house close to completion, once plaster has reached adequate moisture content paint can be applied which we aim to achieve by end of April.	

▶ ANNUAL PLAN 2020/2021

Pavement Rehabilitation Program	Undertake Council's annual road rehabilitation program of selected roads throughout the Shire.	\$1.40M	June 2021	Operations	<p>Council's 2020/21 Road Rehabilitation program includes the following large projects</p> <ul style="list-style-type: none"> • Old Ballarat Road, Daylesford – This project is now complete • Creswick Lawrence Rd, Allendale – This project is now complete • Daylesford Clunes Rd, Smeaton - This project is co-funded by Council and will be constructed in October 2021. • Clunes Campbelltown Rd /Clunes Mt Cameron Road Intersection – This project has been deferred by Council to enable further analysis. 	
Gravel Resheeting Program	Undertake 13 kilometres of gravel resheeting of roads across the Shire.	\$433,000	March 2021	Operations	Council's Operations team have now completed the 2020/21 Gravel Road Resheet Program.	
Creswick Fountain Refurbishment	Repair and reinstate the Creswick fountain to permanent use.	\$42,350	June 2021	Operations	Following a structural assessment, design work is currently underway. Temporary works will be in place for Anzac Day commemorations with reconstruction works to follow. Project requires extra funding and a project manager approximate finish date December 2021.	
Hammon Park Facilities Upgrade	Identify further needs for the current buildings at Hammon Park Reserve and provide drawings to the level of tender issue for any proposed works.	\$50,000	January 2021	Manager Environment and Waste	In March Council was successful in obtaining 2.1M in funding to implement the Masterplan of Hammon Park over the next 18 months. Expression of Interest to be released in April for Hammon Park Pavillion Management.	
Glenlyon Recreation Reserve Community Pavilion	Complete detailed design of the new pavilion at the Glenlyon Recreation Reserve following adoption of the masterplan and continue advocacy for government funding.	\$121,000	June 2021	Community and Economic Development	Engagement of Architectural Services are in progress and anticipated by May 2021. Community Engagement will be undertaken in June 2021, the project was delayed to finalise contamination investigation works.	

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
ACTIVE AND ENGAGED COMMUNITIES	Hepburn Football Netball Club Pavilion Project	Redevelopment of the Hepburn Recreation Community Pavilion to improve universal access and create gender appropriate change room facilities.	\$544,500	June 2021	Community and Economic Development	Construction contractors have been engaged and project delivery commenced in April 2021. Project to be completed by mid June 2021 in accordance with Sport and Recreation Victoria's funding agreement requirements.	
	Daylesford Macedon Rail Trail Feasibility Study	Complete the Daylesford to Hanging Rock Rail Trail (Daylesford to Tylden) Feasibility Project, incorporating planning of the Crossing the Divide (Spa Country Railway) project.	Carry-forward	March 2021	Community and Economic Development	Major stakeholder engagement is underway as part of preparation of feasibility study for the trail network. Feasibility study is due for completion in June 2021.	
	Trentham Recreation Reserve Community Pavilion	Complete detailed design of the proposed pavilion redevelopment project to deliver high quality and relevant community infrastructure and advocate for government funding to assist in the construction of the project.	\$200,000	May 2021	Community and Economic Development	Architectural Services City Collective have been engaged and have commenced the detailed design phase of the project. The project has been submitted into Round Two of Sport and Recreation Victoria's Community Sports Infrastructure Stimulus Program with a funding announcement due in June 2021.	
	Arts and Culture Strategy	Develop and adopt an Arts and Culture Strategy to set the future direction for art and culture in the Shire, in order to nurture and expand experiences.	\$37,000	March 2022	Community and Economic Development	Requests for Quotes have closed, and assessments are taking place currently. Shortlisted candidates to three. Work to begin in October 2021 following Council's decision to defer to the 2021/22 year.	
	Community Engagement Policy and Implementation	Develop a new Community Engagement Policy to work with the community to achieve long-term and sustainable outcomes, processes, relationships, discourse, decision-making, and implementation of projects and initiatives, as required by the new Local Government Act 2020.	Operational Budget	March 2021	Community and Economic Development	Community engagement Policy adopted in February 2021. Working through the roll out of recommendations. Community Engagement report posted on Participate Hepburn.	
	Community Planning	Work with appointed Charter Groups to review or endorse Community Plans for Lyonville, Glenlyon and District and Hepburn/Hepburn Springs.	Operational Budget	May 2021	Community and Economic Development	Lyonville Community Planning Group held several in person drop in sessions. All other Community Planning projects have been put on hold until Hepburn Together project has been completed and Guidelines and associated documents have been considered by Council.	

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
	Daylesford Aquatic and Civic Plaza Precinct	Undertake detailed design, tender and begin construction of the Daylesford Aquatic and Civic Plaza Precinct.	CARRY-FORWARD + \$1.02M	April 2021	Community and Economic Development	Council endorsed to cancel this project at the March 17, 2021 Ordinary Council Meeting.	
	Community Connector Program	Deliver the COVID-19 Community Connector Program, funded through DHHS	Operational Budget	January 2021	Development Services	<p>Project completed, however an extension of funding has been announced and the Community Connector program will continue until June 2021.</p> <p>Community Recovery Program funded during Jan – March, 2021. Community support initiatives identified and approved by the Local Support Network.</p> <p>Coordinating ‘Bridges out of Poverty’ training for Councillors, Leadership, targeted staff along with key stakeholders in the community who work with vulnerable people within the Shire. Training scheduled for July & August, 2021.</p> <p>A grant application for \$40K was successful to extend free public wifi to Daylesford and Trentham. Project on-track.</p>	

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
HIGH PERFORMING ORGANISATION	Implementation of the Local Government Act 2020	Implement changes, as required to the Local Government Act 2020.	Operational Budget	June 2021	Governance and Risk	Implementation of the <i>Local Government Act 2020</i> continues as the provisions in the legislation that are due to be enacted and come into force are prepared. Officers continue to meet the statutory deadlines as set by the Minister for Local Government. Recent achievements have been the preparation and adoption of the Councillor Code of Conduct, preparation of the Draft Councillor Gift Policy, and continued implementation of the requirements to induct councillors with respect to the mandatory councillor induction program mandates. Officers have also prepared and Council has adopted the Council Community Engagement Policy as required under the Act, as well as working towards the finalisation of the Council Plan, Council Vision and Annual Budget and 4 year Financial Plan.	
	General Elections 2020	Provide administrative support to the Victoria Electoral Commission to undertake Council elections.	\$210,000	November 2020	Governance and Risk	The 2020 General Elections have concluded. As of 30 March 2021 the VEC are issuing infringement notices to those that did not respond to their Failure to Vote Notices or where their reason for voting has been deemed an insufficient reason to be executed for failing to vote in the Elections. The penalty imposed is \$83.00 and the deadline for payment is 4 May 2021. Council will be in receipt of the funds incurred through the failure to vote infringement process.	
	Councillor Induction Program	Develop a thorough induction program for Councillors, targeting clarity of roles and responsibilities.	\$20,000	April 2021	Governance and Risk	The Councillor Induction Program for Councillors continues to be implemented as required under the Local Government Act 2020. Councillors recently received Media and Communications Training, and are about to receive Cultural Awareness Training and a training program focusing on gender equality, diversity and inclusiveness. This will satisfy all the requirements, amongst others enshrined in the Act that have already provided to councillors via induction, pursuant to section 32 of the Local Government Act 2020.	

▶ ANNUAL PLAN 2020/2021

Customer Service at Trentham	Establish Council customer service for the Trentham community at the Trentham Library.	\$62,000	February 2021	Community and Economic Development	Customer Service is now live at Trentham, launched in February.	
Review and Implement HSC Workforce Strategy and Plan	Develop, in accordance with the Local Government Act 2020, a Workforce Plan that describes the organisational structure of the Council and specifies projected staffing requirements for a period of at least 4 years.	Operational Budget	June 2021	People and Culture	LG Act requires development of a Workforce Plan by 31 December 2021. This project will not commence until industry guidance is available late 2021	
Develop and Implement Gender Equity Action Plan	Develop, in accordance with the Gender Equality Act 2020, a Gender Equality Action Plan. The plan will include strategies for improving gender equality in the workplace. Council will report publicly every two years on its progress.	Operational Budget	June 2021	People and Culture	Act requires development of a Gender Equality Action Plan and first reporting by October 2021. Industry guidance has only just become available since commencement of Act 31 March.	
Customer Service Strategy	Implement a Customer Service Strategy.	Operational Budget	June 2021	Community and Economic Development	Review continuing. Internal workshops have taken place and report from Consultant due end-April.	
Community Vision, Strategy and Policy	Undertake appropriate community engagement to develop and adopt a Community Vision, Council Plan and Municipal Public Health and Wellbeing Plan.	\$40,000	June 2021	Executive	Ongoing and on-track - This project has significantly commenced with Community Engagement sessions underway. Council adopted a Community Engagement Policy in February. Broad community engagement in relation to the Community Vision, Council Plan (including Municipal Health and Wellbeing Plan), and Financial plan has been undertaken throughout February and March. Legislation dates of adoption of documents will be met throughout 2021.	
Priority Projects	Continued advocacy for State and Federal Government funding of Council's adopted priority projects.	Operational Budget	June 2021	Executive	Advocacy to all levels of government is ongoing. A webpage has been launched – Participate Hepburn and will be updated to provide information on each of our priority projects - https://www.hepburn.vic.gov.au/priority-projects/ Funding for some priority projects, including Hammon Park redevelopment have been successful.	

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
VIBRANT ECONOMY	Artists in Residency Pilot program	Undertake as a pilot an Artist in Residency Programme utilising the Caretakers Cottage at Hepburn Mineral Springs Reserve.	Operational Budget	June 2021	Community and Economic Development	Project postponed to Q4 2021 pending confirmation of program scope and approval from DELWP on terms and model of tenancy.	
	Buy Local Campaign	Participate in the GO LOCAL First program, to support business by buying local.	Operational Budget	October 2020	Community and Economic Development	4 new videos complete, promoting the Shire for visitation. Social media campaign featuring a business each month continuing.	
	Hub for Premium Produce	Undertake Year 2 (of 3) Actions, focused on connecting and actively working with the Premium Produce Enterprises (PPE) in the Hepburn Shire and surrounding region to navigate processes, unlock opportunities, and build the ongoing capacity and skills of the sector to collectively grow and thrive.	\$240,000	June 2021	Community and Economic Development	<p>Two upcoming Producers & Growers events:</p> <ul style="list-style-type: none"> New and Aspiring farmers forum and farm walk – Saturday 24 April. Regenerative Farming Chit Chat and farm walk – Monday 17 May. <p>On farm meetings with Artisan Agriculture Producers with COVID safe protocols in place.</p> <p>The next 3 months to include:</p> <p>Further on-site producer meetings, workshops/groups to discuss barriers for the sector, investigation into a support program for business mentoring, scope for produce hub website.</p>	
	Revised Hepburn Planning Scheme	Complete Stage 2 of the Hepburn Planning Scheme Review, including the adoption of the new scheme.	\$120,000	June 2021	Development Services	C80hep Planning Scheme amendment adopted by Council, all amendment documentation has now been forwarded to the Minister of Planning for final authorisation.	
	City (Region) of Gastronomy	Partner with the City of Greater Bendigo to seek opportunities for our region flowing from the City (Region) of Gastronomy initiative and continue advocacy for the planning of the Institute of Gastronomy.	Operational Budget	June 2021	Community and Economic Development	Council officers continuing to participate in regional meetings conducting by City of Greater Bendigo and planning promotional activities to highlight good food/quality produce in the region.	
	Central Victorian Goldfields	Partner with other Council's to advocate for the World Heritage Listing of the Central Victorian Goldfields.	Operational Budget	June 2021	Community and Economic Development	Ongoing advocacy. Economic Development team continuing to work on this project. Happiness Survey is currently open for the community to participate in.	

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
	Hepburn Recovery and Resilience	Coordinate the Business Response and Recovery Taskforce and Community Recovery Taskforce to support and foster a coordinated response to the community's recovery.	Operational Budget	June 2021	Community and Economic Development	Taskforce established. Business Taskforce met in February and were asked to consider Outdoor Dining. Feedback is being compiled by Economic Development Team. Taskforce members were also invited to participate in the Participate Hepburn workshop, with some members taking the opportunity. Next meeting planned early May.	

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
SUSTAINABLE ENVIRONMENT	Biodiversity Strategy	Finalise the delivery of the 2017-21 Biodiversity Strategy and the draft of the 2021-25 Strategy	Operational Budget	June 2021	Waste and Environment	Work on drafting of project brief to develop Biodiversity Strategy has begun.	
	Improvement of Recycling Program (Waste reduction)	Undertake resource recovery education programs and initiatives across the Shire.	Operational Budget	June 2021	Waste and Environment	Complete and ongoing. Significant campaign in newsletters, facebook and in person community engagement, especially in Clunes during the organics trial. Preparing for recycling bin inspections.	
	Waste Transition plan	Develop a plan to demonstrate Councils transition to improved services in response to the State Government waste reforms inclusive of a business case for organic waste kerbside collection	Operational Budget	March 2021	Waste and Environment	Completed transition plan: Council worked with DELWP to develop a transition plan at the officer level, including modelling a probable plan for transition to organic kerbside collection and separation of glass from the commingled recycling stream.	
	Western Victoria Transmission Line	Advocate for detailed community engagement and underground construction of the proposed Western Victoria Transmission Line.	Operational Budget	June 2021	Development Services	Ongoing, officers have continued to advocate undergrounding and for better community outcomes. Council will be briefed in April on the project to understand Councils expectation of officer resource allocation.	
	Tree Management	Adoption of a Tree Management Plan and 5-Year Street Tree Strategy	Operational Budget	February 2021	Operations	The Tree Management Plan is currently in draft form with community consultation planned for April/May 2021. Officers intend to have the plan adopted by Council in mid-2021. The 5 Year Street Tree Strategy has been drafted in line with the draft tree management plan.	

CARRY FORWARD PROJECTS FROM 2019/2020 INTO 2020/2021

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
	Future Water Security	Central Highlands Water partnership for Integrated Water Management (IWM)	Carry-forward	June 2021	Parks and Open Spaces	<p>Council is partnering with Central Highlands Water to deliver two projects</p> <p>Daylesford IWM Plan -</p> <p>Project Work Group meetings including all stakeholders have commenced with further project planning continuing. Engagement details are being considered and expected to take place mid-2021.</p> <p>Newlyn Recreation Reserve irrigation -</p> <p>Preliminary drilling works are complete with initial yields not to expected levels. Ongoing discussion between CHW and Goulbourn Murray Water are continuing to determine if a ground water license will be granted.</p> <p>CHW are project managing these works in close consultation with Council</p>	
	Vincent Street Parklet	Construction of 'parklet'	Carry-forward	June 2021	Parks and Open Spaces	As per Council's March Ordinary Meeting of Council, this project has been cancelled.	
	On-street accessible Parking facilities	Upgrade and make on-street accessible parking (12 spaces across shire)	Carry-forward	June 2021	Operations	<p>All works in Trentham, Creswick and Clunes are now complete.</p> <p>In consultation with the Disability Advisory Committee, the proposed works in Daylesford has now been rescoped and are expected to be constructed in May/June 2021.</p>	

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
	Creswick Trails Project	Undertake a tender process and begin construction on the Creswick Trails.	Carry-forward	June 2021	Major Projects	With required permissions from land managers, Council and RDV in place, the Creswick Trails Network Stage One progressed to public community engagement and planning permit application. Pending the outcome of this process and upon successful receipt of a planning permit, Stage One can progress to construction tender advertising.	
ACTIVE AND ENGAGED COMMUNITIES	Recreation Facilities and Management Models	Complete a study to review the current management models of Community Recreation Facilities	Carry-forward	June 2020	Community and Economic Development	Officers are reviewing the project plan for this project and will update Councillors on a revised Council reporting timeline through the Councillor Bulletin in April 2021.	
	Early Years Plan	Adopt a Municipal Early Years Plan	Operational Budget	May 2020	Community Care	Project has been delayed due to pandemic. This will be a new project in 21/22 year.	
	Daylesford Library Service	Complete the construction and transition of the Daylesford Library to the Hepburn Hub at the Rex.	Carry-forward	March 2020	Community and Economic Development	Project on hold pending confirmation of building fit out commencement. Occupation and decanting of staff and facilities pending confirmation of construction dates.	
	Recreation Facilities – Masterplans	Work with community groups to undertake and adopt masterplans for Glenlyon, Trentham, Doug Lindsay and Clunes Recreation Facilities	Carry-forward	March 2020	Community and Economic Development	The Glenlyon Recreation Reserve Master Plan has recommenced key stakeholder engagement with broader community engagement to be undertaken in June 2021 together with the Glenlyon Pavilion Redevelopment design process. Clunes Recreation Facilities master planning – Stage one Community Engagement has been completed. Draft masterplans development on track for Council reporting in June 2021.	

	Project Name	Description	Budget - 2020/21	Target Completion Date	Business Unit	March Comments	
HIGH PERFORMING ORGANISATION	Governance Software	Purchase, install and implement software to manager and enhance Council's risk and incident management reporting including management of Council delegations	Carry-forward	October 2019	Governance and Risk	Recruitment has been finalised to the Procurement, Insurance and Risk Team and a focus has been on the implementation of the Risk Management Roadmap. Once Council engages with a Risk Management Consultant, with a current Request for Quote out seeking submissions, the procurement of supporting software will be further investigated.	
	Long Term Financial Plan	Develop a long term financial plan (10 Year) for adoption by Council as part of the 2020/2021 budget process	Operational Budget	September 2020	Financial Services	The development of the 2021/22 draft budget is the first step in the development of this plan. The budget is set to be endorsed at the April Council meeting. Council is on track to meet the statutory requirement date of October 2021.	
	Contractor Management	Continue the training and development of staff skills in relation to Contractor Management, including the rollout of an online induction system for contractors	Operational Budget	March 2020	People and Culture	Preparation for the implementation of OHS management system has commenced.	
SUSTAINABLE ENVIRONMENT	Towards Zero Emissions Roadmap - Streetlights	Continue implementation of the towards Zero Emissions Roadmap by upgrading 133 Street lights as part of the 'Major Road Lighting' Project.	Carry-forward	June 2020	Waste and Environment	Agreements ready to be signed in April	
	Waste to Energy	Construct a plant and expand the waste to energy project to full scale (pending the outcome of the current pilot project)	Carry-forward	June 2020	Waste and Environment	Composting units purchased and delivered. To be commissioned in April. Clunes organic kerbside collection trial has commenced.	
	Waste Management Service Contract	Undertake a review of waste services and conduct a public tender for kerbside collection of waste.	Operational Budget	March 2020	Waste and Environment	Kerbside collection contract tender process to complete in April with council decision at April meeting.	

14.4 HEPBURN HUB - LOAN CONTRACT DELEGATION ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Consultant Financial Services, I Glenn Owens have no interests to disclose in this report.

ATTACHMENTS

1. Nil

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council on 21 July 2020, Council adopted its Budget for 2020/2021. Whilst doing so, Council also declared “borrowings for the financial year 2020/2021 of \$3.012 million for the completion of the Hepburn Hub”.

Quotes for the loan were invited from financial organisations within the region who were deemed to have the capacity to offer a loan of this magnitude.

An Evaluation Panel will be formed, and it will be the responsibility of the Panel to evaluate the quotes and make a recommendation on which quote to accept.

OFFICER’S RECOMMENDATION

That Council:

1. *Delegates authority to the Chief Executive Officer to accept a quote for Loan 24 for \$3.012 million for the completion of the Hepburn Hub:*
2. *Authorises the Chief Executive Officer and the Mayor to sign and seal all relevant loan documents on behalf of Council.*

MOTION

That Council:

1. *Delegates authority to the Chief Executive Officer to accept a quote for Loan 24 for \$3.012 million for the completion of the Hepburn Hub:*
2. *Authorises the Chief Executive Officer and the Mayor to sign and seal all relevant loan documents on behalf of Council.*

Moved: Cr Brian Hood

Seconded: Cr Tim Drylie

Carried

BACKGROUND

Quotes for the loan were invited from:

- Australia and New Zealand Bank
- Bendigo Bank
- Commonwealth Bank Australia
- Community Bank Creswick
- Community Bank Daylesford
- Community Bank Trentham

- National Australia Bank
- Westpac Banking Corporation

KEY ISSUES

All quotes received will be assessed in accordance with the following evaluation criteria:

CRITERIA	DESCRIPTION	WEIGHTING
Price	Quotes will be evaluated based on the full cost of the loan including total amount of interest payments, fees, charges and any other costs.	60%
Local Content	Quotes will be evaluated based on evidence provided in the quote of the respondent's contribution to the Hepburn Shire community including local employment and business, grants to or sponsorships of community groups and participation in community events.	20%
Experience and Qualifications	Quotes will be evaluated based on evidence provided in the quote on the respondent's experience and qualifications of offering loans to Victorian councils of similar amounts, terms and conditions.	15%
Business and Financial Stability and Capacity	Quotes will be evaluated based on evidence in the quote that the respondent is financially stable and profitable, such as independent banking and financial ratings.	5%
Sustainability	Quotes will be evaluated based on evidence in the quote of the respondent's commitment to sustainable work practices and support of environmentally sustainable industries and companies.	5%

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

High Performing Organisation

13. Deliver sustainable financial management, supported by effective long term financial planning (10 Years), cost savings and efficient purchasing, and developing additional income streams beyond rates revenue.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

This report concerns the raising and repayment (principal and interest) of a loan. There are no other financial implications associated with this report.

RISK IMPLICATIONS

There are no risk implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council's current Community Engagement policy is not applicable to this item as this is an administrative report to enact the previously adopted 2020/2021 budget. Note: Community Engagement was undertaken prior to adoption of the 2020/2021 budget in accordance with the Community Engagement Policy applicable at that time.

**14.5 RECOMMENDATIONS TO COUNCIL FROM AUDIT AND RISK COMMITTEE (ARC)
MEETING HELD ON 22 FEBRUARY 2021
ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

In providing this advice to Council as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

1. Draft Public Minutes - Audit and Risk Committee - 22 February 2021 [14.5.1 - 27 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Councillors to consider advice from the Audit and Risk Committee meeting that was held on 22 February 2021.

The Audit and Risk Committee was established by Council resolution on 28 August 2020 in line with section 53 of the *Local Government Act 2020*.

OFFICER'S RECOMMENDATION

That Council:

1. *Receives the draft minutes of the Audit and Risk Committee Meeting that was held on the 22 February 2021; and*
2. *Notes the recommendations and resolutions of the Audit and Risk Committee that were moved at the meeting on 22 February 2021 and that are detailed in the body of this Council report.*

MOTION

That Council:

1. *Receives the draft minutes of the Audit and Risk Committee Meeting that was held on the 22 February 2021; and*
2. *Notes the recommendations and resolutions of the Audit and Risk Committee that were moved at the meeting on 22 February 2021 and that are detailed in the body of this Council report.*

Moved: Cr Don Henderson

Seconded: Cr Tessa Halliday

Carried

BACKGROUND

The purpose of the Audit and Risk Committee is to oversee and monitor the effectiveness of Council in carrying out its responsibilities for accountable financial

management and risk, good corporate governance, provide experience in public sector management, and the maintenance of systems of internal control, and the fostering of an ethical environment.

The Audit and Risk Committee is not a delegated committee and cannot exercise statutory functions and powers of the Council under delegation, and essentially acts as an advisory body on behalf of Council.

The Audit and Risk Committee is governed by section 53 of the *Local Government Act 2020*, and operate in line with the Hepburn Shire Council Audit and Risk Committee Charter and develop a workplan to align with their obligations.

The Audit and Risk Committee meetings are closed to the public.

Officers prepare a public set of meeting minutes to be presented to the next practicable Ordinary Council Meeting that presents the recommendations of the Audit and Risk Committee for adoption. As such this report provides the Council with the recommendations from the Audit and Risk Committee meeting held on 22 February 2021 in preparation for its presentation at the Council meeting for May 2021.

The Audit and Risk Committee last met on 22 February 2021 and resolved to recommend to Council a number of recommendations for Council's consideration as detailed in this report.

Council is committed to the principles of transparency and accountability and provide a public set of meeting minutes of the Audit and Risk Committee that are available on Council's website for the current and previous financial year which can be found via the website link

<https://www.hepburn.vic.gov.au/our-council/about-council/arc/>.

Under Section 54 of the Local Government Act 2020, the Audit and Risk Committee must—

- (a) undertake an annual assessment of its performance against the Audit and Risk Committee Charter; and
- (b) provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting.

In line with the legislation, the Annual Assessment is provided to Councillors as an attachment to this report.

KEY ISSUES

The Audit and Risk Committee held its quarterly meeting on 22 February 2021.

The Committee passed a number of resolutions for consideration by the Council.

The resolutions and recommendations to Council are as follows:

Item 4 - Confirmation of Minutes

That the Minutes of the meeting of the Audit and Risk Committee held on 21 December 2020 be confirmed.

Item 7 – Matters arising from the previous meeting

That the Audit and Risk Committee notes the update on matters arising from previous meetings.

Item 8.1 – Risk Update

That the Audit and Risk Advisory Committee receive and note the Review of Risk Event Summary Report.

Item 8.2 – Hepburn Hub at the Rex Project – December Update

That the Audit and Risk Committee receives and notes the project update report regarding the Hepburn Hub at the Rex Project and that the Audit and Risk Committee is updated out of session on any significant developments with respect to time and cost and scope of works.

Item 8.3 – Trentham Community Hub Project Update

That the Audit and Risk Committee note the progress report on the progress of the Trentham Community Hub project.

Item 8.4 – Creswick Trails Project Update

That the Audit and Risk Committee notes the update on the Creswick Trails project.

Item 9.1 – Outstanding Action of Internal Audits

That the Audit and Risk Committee:

- 1. Receives and notes the current internal audit action register as disseminated to members outside of the agenda papers; and request officers review the listing to ensure adequacy of risk ratings and ensure outstanding high risk items are reviewed in detail prior to the next Audit and Risk Committee Meeting, and recommend that Council review its risk appetite;*
- 2. Notes that officers regularly review and report against the status of each finding for corporate quarterly reporting purposes and Audit and Risk Committee meetings and will continue to do so in line with these requirements;*
- 3. Includes the outcomes and agreed findings into the register from the internal audit that was recently undertaken by HLB Mann Judd into Accounts Payable and Credit Cards once recommended to Council for adoption by the Audit and Risk Committee;*

4. *Recommends that the register as disseminated outside of the agenda papers is include in the meeting minutes of this meeting.*

Item 9.2 – Internal audit function and update on Local Government recent report and publications

That the Audit and Risk Committee:

1. *Notes the Strategic Internal Audit Plan Final as attached to this report;*
2. *Notes that the next Internal Audit to be undertaken by HLB Mann Judd will be into Procurement and Contract Management.*
3. *Receives and notes the Final Scope Document for the Internal Audit – Procurement and Contract Management.*
4. *Receives and notes the Local Government – Recent Reports and Publications (February 2021) and receive the verbal update from HLB Mann Judd with respect to reports and publications that relate to learnings that could be applied by Hepburn Shire Council.*

Item 9.3 – VAGO Performance Audit – Update to the Audit and Risk Committee

That the Audit and Risk Committee:

1. *Notes the correspondence received relating to VAGO’s three-year audit program.*
2. *Notes that officers are preparing a response to the Scope document as provided by VAGO with respect to the audit program and will include the final scope documents to the Audit and Risk Committee at its meeting in May 2021.*
3. *Notes that Hepburn Shire Council, along with Banyule City Council, the MAV, Mitchell Shire Council, Nillumbik Shire Council and Wodonga Shire Council have been selected for the audit to be undertaken focusing on fraud and corruption risk in local government procurement.*
4. *Notes that regular updates with respect to this audit will be presented to the Audit and Risk Committee at relevant and future meetings of the Committee.*

Item 9.4 – Review of Account Payable and Credit Cards (Inc. Data Interrogation)

That the Audit and Risk Committee:

- 1. receives and notes the report; and,*
- 2. approves the recommendations within the attached final report to be added to the outstanding audit actions report for ongoing tracking and reporting purposes.*

Item 10.1 – Annual Plan – 2020/2021 Quarter 2 Update

That the Audit and Risk Committee receive and note the report for Quarter 2, noting it was presented to Councils February Ordinary Meeting.

Item 11.1 – Update to the Implementation of the Local Government Act 2020

That the Audit and Risk Committee:

- 1. Receive and note the update provided relating to the implementation of the Local Government Act 2020*
- 2. Note that a Special Council Meeting scheduled for Tuesday 23 February 2021 the Councillor Code of Conduct and the Community Engagement Policy as part of the Hepburn Together Project will be presented to Councillors for consideration and adoption.*
- 3. Note that Officers will provide to the Audit and Risk Committee both the Councillor Code of Conduct and the Community Engagement Policy when officers circulate the meeting minutes from the 22 February 2021 Audit and Risk Committee Meeting.*

Item 11.2 – Audit and Risk Committee Compliance Matters - Workplan

That the Audit and Risk Committee:

- 1. Considers and adopts the developed Audit and Risk Committee Workplan for 2021;*
- 2. Notes that the workplan will be a standing agenda item that the Committee will be presented with providing a status on items being presented to the committee and frequency of reports.*

Item 11.3 – Audit and Risk Committee Compliance Matters – Status of the Appointment of Committee Members

That the Audit and Risk Committee:

1. *Receives and notes the report as prepared by officers on the current membership and appointments for the Audit and Risk Committee members;*
2. *Acknowledges that Ms Rachelle Tippett's current membership appointment is due to expire on 22 April 2021 and that pursuant to the Audit and Risk Committee Charter stating that a member can only be appointed for 1 subsequent term (2 in total) her appointment on the Committee expires on 22 April 2021 and she is not able to be reappointed;*
3. *Thanks Ms Rachelle Tippett for her participation and contribution to Council's Audit and Risk Committee providing her sound expertise in internal control, financial management and risk and contribution to the deliberations of the Committee and recommendations to Council on behalf of the Audit and Risk Committee;*
4. *Acknowledges that Mr Trevor Shard's current membership appointment is due to expire on 22 April 2021 and that pursuant to the Audit and Risk Committee Charter stating that a member can be appointed for 1 subsequent term, is able to reapply and be appointed for 1 subsequent term;*
5. *Thanks Mr Trevor Shard for his contribution to the Committee to date;*
6. *Notes that all Audit and Risk Committee independent members membership and tenure are governed by the Audit and Risk Committee Charter as adopted by Council in August 2020 and that new appointments of independent committee members will be appointed under the Charter for a four year term after a public advertisement process has been undertaken.*

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

High Performing Organisation

16. Deliver good governance and integrity in all our actions, and take steps to improve organisational efficiency including regular process improvements.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

There are no major risk implications associated with this report.

The Audit and Risk Committee were duly briefed on all reports and a robust discussion was had on all items before they carried motions for each as detailed in the body of this report. Should Council disagree with any recommendations that the Audit and Risk Committee present for its consideration, then Council will need to, via a resolution of Council and in line with Council's good governance framework, state which motions Council do not accept.

If officers do not present this report to Council at the next practicable Council meeting for consideration then there will be a breach of the Audit and Risk Committee Charter.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with this report. The Audit and Risk Committee, representatives from both VAGO and HLB Mann Judd (Council's external and internal auditors respectively) have been engaged and consulted on reports that relate to their function and duty to council. All members of the Audit and Risk Committee were presented with agenda papers and full reports, and were all present at the Audit and Risk Committee Meeting that was held on 22 February 2021.

As a legislated committee of council, it is not appropriate to engage the community on the contents of the report therefore Council's Community Engagement policy is not applicable for this report.



HEPBURN SHIRE COUNCIL
AUDIT AND RISK COMMITTEE MEETING
PUBLIC MINUTES

Monday 22 February 2021

Virtual Meeting
via Video Conference

1:00PM

MINUTES

Monday 22 February 2021

Virtual Meeting

via Video Conference

Commencing at 1:00PM

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1 OPENING OF MEETING

COMMITTEE MEMBERS PRESENT: Cr Lesley Hewitt, Cr Brian Hood, Mr Robert Taylor, Mr Trevor Shard, Ms Carol Pagnon, Ms Rachelle Tippett

COUNCIL OFFICERS PRESENT:

Mr Bradley Thomas – Interim CEO
Mr Bruce Lucas – Director Infrastructure & Development Services
Mr Andrew Burgess – Acting Director Community & Corporate Services
Ms Krysten Forte – Manager Governance and Risk
Mr Rob Ellis – Acting Manager Financial Services
Mr Ben Grounds – Manager Major Projects
Ms Alison Breach – Project Manager
Mr Bruce Maclsaac – Project Manager Hepburn Hub at the Rex

EXTERNAL ATTENDEES:

Mr Mark Holloway - HLB Mann Judd

The meeting opened at 1:03pm.

2 APOLOGIES

Nil.

3 DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Audit and Risk Committee held on 21 December 2020 be confirmed.

MOTION

That the Minutes of the meeting of the Audit and Risk Committee held on 21 December 2020 be confirmed.

Moved: Cr Brian Hood

Seconded: Ms Rachelle Tippett

Carried

5 UPDATE FROM THE CEO ON THE INSPECTORATE REPORT

6 IN CAMERA MEETING TO SET MEETING PRIORITIES

7 MATTERS ARISING FROM THE PREVIOUS MEETING

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee notes the update on matters arising from previous meetings.

MOTION

That the Audit and Risk Committee notes the update on matters arising from previous meetings.

Moved: Ms Carol Pagnon

Seconded: Cr Brian Hood

Carried

8 RISK UPDATE**8.1 RISK UPDATE****DIRECTOR COMMUNITY AND CORPORATE SERVICES**

In providing this advice to Audit and Risk Committee as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

The purpose of this report is to provide the Audit and Risk Committee with an update on high and urgent risk areas and incidents including fraud, injuries and claims.

In order for the Audit and Risk Committee to be informed about areas of focus or concern, this report provides a summary of fraud and protected disclosure events, incidents and urgent risks.

OFFICER'S RECOMMENDATION

That the Audit and Risk Advisory Committee receive and note the Review of Risk Event Summary Report.

MOTION

That the Audit and Risk Advisory Committee receive and note the Review of Risk Event Summary Report.

Moved: Ms Carol Pagnon

Seconded: Cr Brian Hood

Carried

Mr Bruce Maclsaac joined the meeting at 2:10pm.

8.2 HEPBURN HUB AT THE REX PROJECT - FEBRUARY UPDATE DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

In providing this advice to the Audit and Risk Committee as the Project Manager – Hepburn Hub, I Bruce MacIsaac have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

The purpose of this report is:

- To provide an appropriate level of information to allow to Audit and Risk Committee and Council to properly monitor the progress of the project against the Project Plan endorsed on the 18 February 2020 and as amended on 15 September 2020.
- To acquit Council’s resolution that management provide periodic reporting to Council on the progress of the Hepburn Hub at the Rex.

OFFICER’S RECOMMENDATION

That the Audit and Risk Committee receives and notes the project update report regarding the Hepburn Hub at the Rex Project.

MOTION

That the Audit and Risk Committee receives and notes the project update report regarding the Hepburn Hub at the Rex Project and that the Audit and Risk Committee is updated out of session on any significant developments with respect to time and cost and scope of works.

Moved: Mr Robert Taylor

Seconded: Cr Brian Hood

Carried

Mr Bruce MacIsaac left the meeting at 2:34pm.

Mr Ben Grounds joined the meeting at 2:34pm.

8.3 TRENTHAM COMMUNITY HUB PROJECT UPDATE ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to the Audit and Risk Committee as the Manager Major Projects, I Ben Grounds have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

The purpose of this report is to provide to the Audit and Risk Committee an update on the Trentham Community Hub project. The project has completed broad community consultation, which closed at the end of August. Council will be briefed prior to another round of community engagement. Subsequently, Council will consider adopting the final concept design at a Council meeting in May 2021.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee note the progress report on the progress of the Trentham Community Hub project.

MOTION

That the Audit and Risk Committee note the progress report on the progress of the Trentham Community Hub project.

Moved: Cr Lesley Hewitt

Seconded: Mr Robert Taylor

Carried

Mr Ben Grounds left the meeting at 2:38pm.

Ms Alison Breach joined the meeting at 2:38pm.

**8.4 CRESWICK TRAILS PROJECT UPDATE
DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

In providing this advice to the Audit and Risk Committee as the Project Manager - Creswick Trails, I Alison Breach have no interests to disclose in this report.

ATTACHMENTS

1. Nil

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on the Creswick Trails project.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee notes the update on the Creswick Trails project.

MOTION

That the Audit and Risk Committee notes the update on the Creswick Trails project.

Moved: Mr Robert Taylor

Seconded: Ms Carol Pagnon

Carried

Ms Alison Breach left the meeting at 2:43pm.

9 INTERNAL AUDIT

9.1 OUTSTANDING ACTIONS OF INTERNAL AUDITS

ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to the Audit and Risk Committee as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

The purpose of this report is for Audit and Risk Committee to consider the internal audit action register that is regularly updated to incorporate new recommendations that arise out of internal audits undertaken in line with Councils Strategic Internal Audit Plan.

HLB Mann Judd, through issued final reports prepare findings from internal audits that are undertaken.

These internal audits are captured in the internal audit action register to ensure that management regularly review the actions and associated timeframes associated with agree findings. This allows for compliance and regular reporting requirements.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee:

- 1. Receives and notes the current internal audit action register as disseminated to members outside of the agenda papers;*
- 2. Notes that officers regularly review and report against the status of each finding for corporate quarterly reporting purposes and Audit and Risk Committee meetings and will continue to do so in line with these requirements;*
- 3. Includes the outcomes and agreed findings into the register from the internal audit that was recently undertaken by HLB Mann Judd into Accounts Payable and Credit Cards once recommended to Council for adoption by the Audit and Risk Committee.*
- 4. Recommends that the register as disseminated outside of the agenda papers is include in the meeting minutes of this meeting.*

MOTION

That the Audit and Risk Committee:

1. *Receives and notes the current internal audit action register as disseminated to members outside of the agenda papers; and request officers review the listing to ensure adequacy of risk ratings and ensure outstanding high risk items are reviewed in detail prior to the next Audit and Risk Committee Meeting, and recommend that Council review its risk appetite;*
2. *Notes that officers regularly review and report against the status of each finding for corporate quarterly reporting purposes and Audit and Risk Committee meetings and will continue to do so in line with these requirements;*
3. *Includes the outcomes and agreed findings into the register from the internal audit that was recently undertaken by HLB Mann Judd into Accounts Payable and Credit Cards once recommended to Council for adoption by the Audit and Risk Committee;*
4. *Recommends that the register as disseminated outside of the agenda papers is include in the meeting minutes of this meeting.*

Moved: Cr Brian Hood

Seconded: Ms Carol Pagnon

Carried

Item 9.4 was heard next on the Agenda.

Mr Mark Holloway joined the meeting at 3:23pm.

Ms Rachelle Tippett left the meeting at 3:24pm.

Ms Rachelle Tippett returned to the meeting at 3:25pm.

Mr Rob Ellis joined the meeting at 3:25pm.

9.2 INTERNAL AUDIT FUNCTION AND UPDATE ON LOCAL GOVERNMENT RECENT REPORTS AND PUBLICATIONS ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to the Audit and Risk Committee as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

1. Review of Procurement Contract Management IA Plan Final [9.2.1 - 10 pages]
2. Strategic Internal Audit Plan 2019-23 (2020-21 Focus) - Final [9.2.2 - 23 pages]
3. Local Government Recent Reports and Publications February 2021 [9.2.3 - 17 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Audit and Risk Committee to note the Strategic Internal Audit Plan and consider and review the final Scope Document for the next scheduled internal audit into Procurement and Contract Management.

The report also provides the Strategic Internal Audit Plan and a regular report from HLB Mann Judd that details recent and upcoming reports and publications for local government consideration.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee:

1. *Notes the Strategic Internal Audit Plan Final as attached to this report;*
2. *Notes that the next Internal Audit to be undertaken by HLB Mann Judd will be into Procurement and Contract Management.*
3. *Receives and notes the Final Scope Document for the Internal Audit – Procurement and Contract Management.*
4. *Receives and notes the Local Government – Recent Reports and Publications (February 2021) and receive the verbal update from HLB Mann Judd with respect to reports and publications that relate to learnings that could be applied by Hepburn Shire Council.*

MOTION

That the Audit and Risk Committee:

- 1. Notes the Strategic Internal Audit Plan Final as attached to this report;*
- 2. Notes that the next Internal Audit to be undertaken by HLB Mann Judd will be into Procurement and Contract Management.*
- 3. Receives and notes the Final Scope Document for the Internal Audit – Procurement and Contract Management.*
- 4. Receives and notes the Local Government – Recent Reports and Publications (February 2021) and receive the verbal update from HLB Mann Judd with respect to reports and publications that relate to learnings that could be applied by Hepburn Shire Council.*

Moved: Mr Robert Taylor

Seconded: Ms Carol Pagnon

Carried

Mr Rob Ellis left the meeting at 3:36pm.

Mr Mark Holloway left the meeting at 3:36pm.

9.3 VAGO PERFORMANCE AUDIT - UPDATE TO THE AUDIT AND RISK COMMITTEE INTERIM CHIEF EXECUTIVE OFFICER

In providing this advice to the Audit and Risk Committee as the Interim Chief Executive Officer, I Bradley Thomas have no interests to disclose in this report.

ATTACHMENTS

1. Draft three-year program of proposed performance audits for 2021-2024 [9.3.1 - 1 page]
2. Specifications - Hepburn Shire Council [9.3.2 - 3 pages]
3. Synopses - Hepburn Shire Council [9.3.3 - 5 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Audit and Risk Committee to be aware of the recent correspondence that Council received on 9 February 2021 from the Office of the Auditor-General (VAGO) relating to their proposed three-year audit program.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee:

1. *Notes the correspondence received relating to VAGO's three-year audit program.*
2. *Notes that officers are preparing a response to the Scope document as provided by VAGO with respect to the audit program and will include the final scope documents to the Audit and Risk Committee at its meeting in May 2021.*
3. *Notes that Hepburn Shire Council, along with Banyule City Council, the MAV, Mitchell Shire Council, Nillumbik Shire Council and Wodonga Shire Council have been selected for the audit to be undertaken focusing on fraud and corporation risk in local government procurement.*
4. *Notes that regular updates with respect to this audit will be presented to the Audit and Risk Committee at relevant and future meetings of the Committee.*

MOTION

That the Audit and Risk Committee:

- 1. Notes the correspondence received relating to VAGO's three-year audit program.*
- 2. Notes that officers are preparing a response to the Scope document as provided by VAGO with respect to the audit program and will include the final scope documents to the Audit and Risk Committee at its meeting in May 2021.*
- 3. Notes that Hepburn Shire Council, along with Banyule City Council, the MAV, Mitchell Shire Council, Nillumbik Shire Council and Wodonga Shire Council have been selected for the audit to be undertaken focusing on fraud and corruption risk in local government procurement.*
- 4. Notes that regular updates with respect to this audit will be presented to the Audit and Risk Committee at relevant and future meetings of the Committee.*

Moved: Cr Brian Hood

Seconded: Mr Robert Taylor

Carried

9.4 REVIEW OF ACCOUNTS PAYABLE AND CREDIT CARDS (INC. DATA INTERROGATION) ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to the Audit and Risk Committee as the Manager Financial Services, I Hannah White have no interests to disclose in this report.

ATTACHMENTS

1. Review of Accounts Payable and Credit Cards (incl. data interrogation) - Final Report [9.4.1 - 49 pages]

EXECUTIVE SUMMARY

As part of the 2020/2021 Internal Audit Program, an audit on accounts payable and credit card processes was undertaken during November and December 2020.

The primary objective of this review was to assess and evaluate the effectiveness and efficiency of internal controls embedded in accounts payable and credit card management processes, and to identify potential risks and opportunities to improve related practices.

The audit report highlighted a number of good practices being undertaken, as well as 14 recommendations for action.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee:

1. *receives and notes the report; and,*
2. *approves the recommendations within the attached final report to be added to the outstanding audit actions report for ongoing tracking and reporting purposes.*

MOTION

That the Audit and Risk Committee:

1. *receives and notes the report; and,*
2. *approves the recommendations within the attached final report to be added to the outstanding audit actions report for ongoing tracking and reporting purposes.*

Moved: Cr Lesley Hewitt

Seconded: Ms Rachelle Tippett

Carried

10 FINANCIAL AND MANAGEMENT REPORTING**10.1 ANNUAL PLAN - 2020/2021 QUARTER 2 UPDATE
ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

In providing this advice to the Audit and Risk Committee as the Acting Director Community and Corporate Services, I Andrew Burgess have no interests to disclose in this report.

ATTACHMENTS

1. Annual Plan 2020 - Q2 Projects Update [**10.1.1** - 14 pages]

EXECUTIVE SUMMARY

The attached report provides a list of the projects included in the Annual Plan 2020/2021 and a progress comment has been provided for each project by a responsible officer.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee receive and note the report for Quarter 2, noting it was presented to Councils February Ordinary Meeting.

MOTION

That the Audit and Risk Committee receive and note the report for Quarter 2, noting it was presented to Councils February Ordinary Meeting.

Moved: Mr Robert Taylor

Seconded: Ms Carol Pagnon

Carried

11 AUDIT COMMITTEE COMPLIANCE AND GOVERNANCE

11.1 UPDATE TO THE IMPLEMENTATION OF THE LOCAL GOVERNMENT ACT 2020 ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to the Audit and Risk Committee as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

1. Hepburn Together Engagement Plan [11.1.1 - 12 pages]
2. Presentation to Councillors - Community Engagement Policy and findings [11.1.2 - 24 pages]

EXECUTIVE SUMMARY

The purpose of this report is for the Audit and Risk Committee to be provided with an update on Council's progress with respect to the implementation of the *Local Government Act 2020* and presentation of the roadmap of work that is required to be undertaken for Council to continue to meet its obligations under the *Local Government Act 2020*.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee:

1. *Receive and note the update provided relating to the implementation of the Local Government Act 2020*
2. *Note that a Special Council Meeting scheduled for Tuesday 23 February 2021 the Councillor Code of Conduct and the Community Engagement Policy as part of the Hepburn Together Project will be presented to Councillors for consideration and adoption.*
3. *Note that Officers will provide to the Audit and Risk Committee both the Councillor Code of Conduct and the Community Engagement Policy when officers circulate the meeting minutes from the 22 February 2021 Audit and Risk Committee Meeting.*

MOTION

That the Audit and Risk Committee:

1. *Receive and note the update provided relating to the implementation of the Local Government Act 2020*
2. *Note that a Special Council Meeting scheduled for Tuesday 23 February 2021 the Councillor Code of Conduct and the Community Engagement Policy as part of the*

Hepburn Together Project will be presented to Councillors for consideration and adoption.

3. Note that Officers will provide to the Audit and Risk Committee both the Councillor Code of Conduct and the Community Engagement Policy when officers circulate the meeting minutes from the 22 February 2021 Audit and Risk Committee Meeting.

Moved: Ms Rachelle Tippet

Seconded: Cr Brian Hood

Carried

11.2 AUDIT AND RISK COMMITTEE COMPLIANCE MATTERS - WORKPLAN ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to the Audit and Risk Committee as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

- Audit and Risk Committee Workplan 2021 [12.2.1 - 11 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Audit and Risk Committee to consider the Audit and Risk Committee Workplan as attached to this report.

The *Local Government Act 2020* stipulates Audit and Risk Committees established under section 53 must adopt an annual workplan.

The requirement to adopt a workplan is detailed in section 54(3) of the *Local Government Act 2020*.

The workplan has been developed to align to the Audit and Risk Committee Charter and provides for the various reports and functions that officers are to present to the Audit and Risk Committee scheduled meetings.

At the meeting held on 21 December 2020 officers presented the Audit and Risk Committee workplan that had been developed to align to the Charter as well as recommendations from sector wide engagement from Local Government Victoria through implementation of the *Local Government Act 2020*.

The Audit and Risk Committee provided feedback seeking specifically:

- Alignment to the ARC Charter and
- Alignment to the ARC meeting dates agreed by Council for the 2021 calendar year.
- Alignment to legislative requirements
- Re format and structure

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee considers and adopts the developed Audit and Risk Committee Workplan for 2021.

MOTION

That the Audit and Risk Committee:

- 1. Considers and adopts the developed Audit and Risk Committee Workplan for 2021;*
- 2. Notes that the workplan will be a standing agenda item that the Committee will be presented with providing a status on items being presented to the committee and frequency of reports.*

Moved: Mr Robert Taylor

Seconded: Ms Carol Pagnon

Carried

**11.3 AUDIT AND RISK COMMITTEE COMPLIANCE MATTERS - STATUS OF APPOINTMENT OF COMMITTEE MEMBERS
ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

In providing this advice to the Audit and Risk Committee as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

On 25 August 2020 Council established the Audit and Risk Committee under section 53 of the *Local Government Act 2020* as required under the legislation.

At the same meeting, the Council confirmed the previous Council resolutions made relating to the appointments of Council's current Councillor and independent committee members to the Audit and Risk Committee for the terms previously resolved by Council.

Preparation for Council to consider a reappointment for Trevor Shard will be underway should he make application to reapply for 1 subsequent term.

Preparation for the recruitment campaign to replace the position Ms Rachelle Tippett held will be undertaken.

OFFICER'S RECOMMENDATION

That the Audit and Risk Committee:

- 1. Receives and notes the report as prepared by officers on the current membership and appointments for the Audit and Risk Committee members;*
- 2. Acknowledges that Ms Rachelle Tippett's current membership appointment is due to expire on 22 April 2021 and that pursuant to the Audit and Risk Committee Charter stating that a member can only be appointed for 1 subsequent term (2 in total) her appointment on the Committee expires on 22 April 2021 and she is not able to be reappointed;*
- 3. Thanks Ms Rachelle Tippett for her participation and contribution to Council's Audit and Risk Committee providing her sound expertise in internal control, financial management and risk and contribution to the deliberations of the Committee and recommendations to Council on behalf of the Audit and Risk Committee;*
- 4. Acknowledges that Mr Trevor Shard's current membership appointment is due to expire on 22 April 2021 and that pursuant to the Audit and Risk Committee*

Charter stating that a member can be appointed for 1 subsequent term, is able to reapply and be appointed for 1 subsequent term;

5. *Thanks Mr Trevor Shard for his contribution to the Committee to date;*
6. *Notes that all Audit and Risk Committee independent members membership and tenure are governed by the Audit and Risk Committee Charter as adopted by Council in August 2020 and that new appointments of independent committee members will be appointed under the Charter for a four year term after a public advertisement process has been undertaken.*

MOTION

That the Audit and Risk Committee:

1. *Receives and notes the report as prepared by officers on the current membership and appointments for the Audit and Risk Committee members;*
2. *Acknowledges that Ms Rachelle Tippett's current membership appointment is due to expire on 22 April 2021 and that pursuant to the Audit and Risk Committee Charter stating that a member can only be appointed for 1 subsequent term (2 in total) her appointment on the Committee expires on 22 April 2021 and she is not able to be reappointed;*
3. *Thanks Ms Rachelle Tippett for her participation and contribution to Council's Audit and Risk Committee providing her sound expertise in internal control, financial management and risk and contribution to the deliberations of the Committee and recommendations to Council on behalf of the Audit and Risk Committee;*
4. *Acknowledges that Mr Trevor Shard's current membership appointment is due to expire on 22 April 2021 and that pursuant to the Audit and Risk Committee Charter stating that a member can be appointed for 1 subsequent term, is able to reapply and be appointed for 1 subsequent term;*
5. *Thanks Mr Trevor Shard for his contribution to the Committee to date;*
6. *Notes that all Audit and Risk Committee independent members membership and tenure are governed by the Audit and Risk Committee Charter as adopted by Council in August 2020 and that new appointments of independent committee members will be appointed under the Charter for a four year term after a public advertisement process has been undertaken.*

Moved: Cr Lesley Hewitt
Seconded: Cr Brian Hood
Carried

12 GENERAL BUSINESS

12.1 GENERAL BUSINESS

The Interim CEO provided a verbal update to the Committee on the status of the mid-year budget review.

MOTION

That the Audit and Risk Committee received a verbal report updating the Committee on the status from the Interim CEO, and will receive an update on the mid-year budget review report at the May meeting of the Committee.

Moved: Ms Carol Pagnon

Seconded: Mr Robert Taylor

Carried

12.2 OPPORTUNITY TO DISCUSS MATTERS FOR REFERRAL TO COUNCIL (IF ANY)

The purpose of this standing item is to provide the opportunity for members of the Audit and Risk Committee to discuss any other matters that the Audit and Risk Committee agree to be of importance to bring to Council's attention.

These items will be in the form of recommendations to Council.

MOTION

The Audit and Risk Committee Chair to prepare a summary of the discussion that took place on the 22 February 2021 ARC meeting and circulate it to the committee for submission to Council.

Moved: Mr Robert Taylor

Seconded: Ms Rachelle Tippett

Carried

12.3 CHAIR'S REPORT

SUMMARY NOTES – Audit and Risk Advisory Committee meeting held on Monday 22 February 2021

At the 22 February 2021 meeting the items of significance are noted below.

1. Agenda

The Committee was advised by Councilor members that the 31 December 2020 financial statements (which would normally have been considered at this meeting) had been delayed because of Councillors' concern over Hepburn Shire Council's financial outlook for the remainder of the year. Forecast to be reviewed at May meeting.

2. Item 5 – Update on the Inspectorate Report

The acting CEO provided a verbal update on the progress of the Inspectorate

Report. The Committee awaits the report with keen interest.

3. Item 8.1 Review of Risk Events

Items of interest in this report were;

- o No reported fraud events
- o Complaints – no consistent themes among complaints
- o 3 FOI requests relating to Creswick Trails
- o No Worksafe notifiable incidents

4. Item 8.2 Rex Project

Report from Mr Maclsaac outlined progress on the Rex Project. Project parameters unchanged from previous meeting. An issue has arisen with the builder, who has raised a number of queries regarding the existing conditions. These issues are being investigated to determine if they are satisfactory and if they may result in additional works. Project completion date potentially at risk.

5. Item 8.3 Trentham Hub

Report from Ben Grounds. Project on track

6. Item 8.4 Creswick Trails

Report from Alison Breach. Project on track.

7. Item 9.2 Procurement and Contract Management

Work to begin in March – report to May ARC.

8. Item 9.4 Accounts Payable and Credit Cards

Recommendations noted and accepted.

9. Item 11.3 Draft FY '21 Budget

Committee member dates of appointment – Rachelle Tippet unable to reapply. Trevor Shard to be advised of process for re-appointment in due course.

Trevor Shard

Chair – Audit and Risk Committee

13 IN CAMERA REFLECTION**14 NEXT MEETING**

The next Audit and Risk Committee meeting will be held on Monday 24 May 2021. The location of the meeting will be determined at a later date based on restrictions due to COVID-19. The in-camera session for committee members will commence at 1.00pm, with officers and external attendees joining the meeting from 1:30pm.

15 CLOSE OF MEETING

The Meeting closed at 4:40pm.

14.6 REVIEW OF MAYORAL AND COUNCILLOR ALLOWANCES - PURSUANT TO SECTION 74 OF THE LOCAL GOVERNMENT ACT 1989 ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.

ATTACHMENTS

- Nil

EXECUTIVE SUMMARY

Mayors and councillors are entitled to receive an allowance while performing their duties as an elected official. Pursuant to section 39 of the *Local Government Act 2020* (LGA 2020), allowances for the Mayor, Deputy Mayor and Councillors are provided in accordance with a Determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

Despite the repeal of the allowance provisions under the *Local Government Act 1989* (LGA 1989), those sections of the *Local Government Act 1989* continue to apply in respect of allowances until such time as the first Determination is made by the Victorian Independent Remuneration Tribunal. This is in line with section 74 of the *Local Government Act 1989*.

Accordingly, Council is required to review and determine the level of mayoral and councillor allowances within the period of 6 months after a general election or by the next 30 June, whichever is later.

A person has a right to make a submission under section 223 of the *Local Government Act 1989* in respect of a review of allowances.

OFFICER'S RECOMMENDATION

That Council:

- Endorses, in principle, the setting of the Mayoral and Councillor allowances at the top level 1 category which is:
 - Mayoral Allowance - \$62,884
 - Councillor Allowance - \$21,049
 - Plus, an additional 9.5% of the above allowances is payable as an equivalent of the Commonwealth Superannuation Guarantee.
- Authorises commencement of the statutory process of the Mayor and Councillor allowance in accordance with Part 5 of the *Local Government Act 1989*, by giving public notice of its intention to make the Mayor and Councillor Allowance and inviting submissions under section 223 of the Act;

- Note that the invitation of submissions will be from Wednesday 19 May to Tuesday 15 June 2021;
- That the Chief Executive Officer be given authority to make all the administrative amendments in relation to conducting a meeting under s223 of the *Local Government Act 1989* that has been scheduled to be undertaken at the Ordinary Council Meeting scheduled for Tuesday 22 June 2021;
- Receive a report to a Special Council Meeting scheduled for 29 June 2021 to consider the adoption of the Mayoral and Councillor Allowances.

MOTION

That Council:

- *Endorses, in principle, the setting of the Mayoral and Councillor allowances at the top level 1 category which is:*
 - *Mayoral Allowance - \$62,884*
 - *Councillor Allowance - \$21,049*
 - *Plus, an additional 9.5% of the above allowances is payable as an equivalent of the Commonwealth Superannuation Guarantee.*
- *Authorises commencement of the statutory process of the Mayor and Councillor allowance in accordance with Part 5 of the Local Government Act 1989, by giving public notice of its intention to make the Mayor and Councillor Allowance and inviting submissions under section 223 of the Act;*
- *Note that the invitation of submissions will be from Wednesday 19 May to Tuesday 15 June 2021;*
- *That the Chief Executive Officer be given authority to make all the administrative amendments in relation to conducting a meeting under s223 of the Local Government Act 1989 that has been scheduled to be undertaken at the Ordinary Council Meeting scheduled for Tuesday 22 June 2021;*
- *Receive a report to a Special Council Meeting scheduled for 29 June 2021 to consider the adoption of the Mayoral and Councillor Allowances.*

Moved: Cr Juliet Simpson

Seconded: Cr Jen Bray

Carried

BACKGROUND

Mayors and councillors are entitled to receive remuneration in the form of an allowance while performing their duties as an elected official.

As outlined in the executive summary, until such time as the Victorian Independent Remuneration Tribunal makes its first determination on allowances, the provisions of the LGA 1989 continue to apply in respect of the review and determination of mayoral and councillor allowances. Therefore, councils are required to undertake a

review of allowances in accordance with section 74 of the *Local Government Act 1989*.

Section 74 requires a Council to review and determine the level of allowance within the period of 6 months after a general election or by the next 30 June, whichever is later.

The allowance set will remain in effect for the full term of the Council being 2020-2024 subject to an annual review by the Minister for Local Government or a Determination by the Victorian Independent Remuneration Tribunal, expect in late 2021.

Any review of mayoral and councillor allowances must involve public consultation under section 223 of the *Local Government Act 1989*.

KEY ISSUES

Under the *Local Government Act 1989* the Victorian Government sets the upper and lower limits for all allowances paid to the mayor and councillors by Order in Council with reference to the size and constituency of the municipality. Council then needs to establish an allowance within the range prescribed by the Ministerial order.

The range in which Hepburn Shire Council sit is category 1. The current range for Category 1 is:

- **Councillors \$8,833-\$21,049**
- **Mayor up to \$62,884**

The current allowance that the Councillors receive is at the top of the Category 1.

- Councillors fortnightly pay \$806.45 based on annual pay of \$22,960, less 9.50% super (super of \$76.60)
- Mayor fortnightly pay \$2,409.35 based on annual pay of \$68,594.24, less 9.50% super (super of \$228.89).

Mayoral and councillor allowances are also subject to the addition of the equivalent of the superannuation guarantee (9.5%).

Note that this percentage is scheduled to increase to 10.0% from 1 July 2021.

In determining allowances, consideration should be given to the scale and increasing complexity in the roles of both the mayor and councillors. The duties of a councillor demand time, energy and commitment with many reducing their time in paid employment to meet the demands of the role. While an allowance helps in part to compensate councillors, it does not reflect the actual value of the time and commitment they contribute to the role and the community.

It is recommended that Council support in principle the setting of the mayoral and councillor allowances for the 2020-2024 Council term at the maximum of the allowable range of category 1.

The process and timing for determining mayoral and councillor allowances is proposed below:

Stage	Date
Endorse allowances in principle for public consultation	Tuesday 18 May 2021
Public notice of submissions	Wednesday 19 May 2021
Close of submissions	Tuesday 15 June 2021
Hearing of submissions	Tuesday 22 June 2021
Council to determine and adopt allowances	Tuesday 29 June 2021
Allowances come into effect from the date of adoption	Tentatively Tuesday 29 June 2021

POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

High Performing Organisation

16. Deliver good governance and integrity in all our actions and take steps to improve organisational efficiency including regular process improvements.

The provision of mayoral and councillor allowances supports elected representatives in the performance of their role which entails contributing to the strategic direction of the Council through the development and review of key strategic documents including the Council Plan.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

FINANCIAL IMPLICATIONS

A continuation of existing allowances, account for the increase in superannuation, will be accommodated in Council's 2021/2022 budget.

RISK IMPLICATIONS

There are no risk implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Section 74(4) of the *Local Government Act 1989* provides that a person has a right to make a submission under section 223 of the *Local Government Act 1989* in respect of a review of allowances.

Council must give public notice specifying that the mayoral and councillor allowances are being reviewed and invite submissions.

The Act provides that the submission period must be open for at least 28 days from the date of publication of the notice.

Notice will be placed in local publications, on Council's website and social media channels inviting submissions.

Extract from Section 223 of the *Local Government Act 1989*

The following provisions apply if a person is given a right to make a submission to the Council under this section (whether under this or any other Act)—

(1)

(a) the Council must publish a public notice—

(i) specifying the matter in respect of which the right to make a submission applies;

(ii) containing the prescribed details in respect of that matter;

(iii) specifying the date by which submissions are to be submitted, being a date which is not less than 28 days after the date on which the public notice is published;

(iv) stating that a person making a submission is entitled to request in the submission that the person wishes to appear in person, or to be represented by a person specified in the submission, at a meeting to be heard in support of the submission;

(b) if a request has been made under paragraph (a)(iv), the Council must—

(i) provide the person with the opportunity to be heard in support of the submission in accordance with the request at a meeting of the Council or of a committee determined by the Council;

(ii) fix the day, time and place of the meeting;

(iii) give reasonable notice of the day, time and place of the meeting to each person who made a request;

(c) if the committee determined under paragraph (b)(i) is not responsible for making the decision in respect of which the submissions have been made, the committee must provide a report on its proceedings, including a summary of hearings, to the Council or the special committee which is responsible for making the decision;

(d) the Council or special committee responsible for making the decision must—

- (i) consider all the submissions made under this section and any report made under paragraph (c);
- (ii) notify in writing, each person who has made a separate submission, and in the case of a submission made on behalf of a number of persons, one of those persons, of the decision and the reasons for that decision.

14.7 RECORDS OF COUNCILLOR ATTENDANCE ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Governance Specialist, I Rebecca Smith have no interests to disclose in this report.

ATTACHMENTS

1. Record of Councilor Attendance - Municipal Emergency Management Planning Committee - 11 March 2021 [**14.7.1** - 1 page]
2. Record of Councillor Attendance - Councillor Briefing - 30 March 2021 [**14.7.2** - 3 pages]
3. Record of Councillor Attendance - Councillor Briefing - 6 April 2021 [**14.7.3** - 5 pages]
4. Record of Councillor Attendance - Councillor Briefing - 13 April 2021 [**14.7.4** - 4 pages]
5. Record of Councillor Attendance - Pre-Council Meeting Briefing - 20 April 2021 [**14.7.5** - 2 pages]
6. Record of Councillor Attendance - Councillor Briefing - 27 April 2021 [**14.7.6** - 3 pages]
7. Record of Councillor Attendance - Councillor Briefing - 4 May 2021 [**14.7.7** - 5 pages]

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive and note Records of Councillor Attendance, formerly known as Assemblies of Councillors records required to be presented under provisions of the *Local Government Act 1989*.

OFFICER'S RECOMMENDATION

That Council receives and notes the Records of Councillor Attendance as detailed in the report.

MOTION

That Council receives and notes the Records of Councillor Attendance as detailed in the report.

Moved: Cr Don Henderson

Seconded: Cr Jen Bray

Carried

BACKGROUND

Under the *Local Government Act 1989 (1989 Act)*, Council was required to keep records of assemblies of Councillors as defined under the Act:

...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

- *the subject of a decision of the Council; or*
- *subject to the exercise of a function, duty of power of the Council that has been delegated to a person or committee –*

but does not include a meeting of the Council, a special committee of the Council, as audit committee established under Section 139, a club, association, peak body, political party of other organisation.

With this section of the 1989 Act now repealed, Council’s Governance Rules, chapter 6 section 1, requires that:

If there is a meeting of Councillors that:

- 1. is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;*
- 2. is attended by at least one member of Council staff; and*
- 3. is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting*

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- a. tabled at the next convenient Council meeting; and*
- b. recorded in the minutes of that Council meeting.*

To full-fill this requirement and promote transparency, records of councillor attendance are kept where the above definition is met and brought to Council for noting, as attached.

KEY ISSUES

The following records of Councillor attendance are reported:

Date	Committee Name	Location
11 March 2021	Municipal Emergency Management Planning Committee	Council Chamber / Video Conference
30 March 2021	Councillor Briefing	Council Chamber / Video Conference
6 April 2021	Councillor Briefing	Council Chamber / Video Conference
13 April 2021	Councillor Briefing	Council Chamber /

		Video Conference
20 April 2021	Pre-Council Meeting Briefing	Council Chamber
27 April 2021	Councillor Briefing	Council Chamber / Video Conference
4 May 2021	Councillor Briefing	Council Chamber / Video Conference

POLICY AND STATUTORY IMPLICATIONS

The report full fills Council's requirements under the Governance Rules.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

The inclusion of the attached records of Councillor attendance in the Council Agenda and their availability to the public will increase awareness of the activities of Council and promote community involvement in decision making at Council level.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

If records of Councillor attendance are not included in the Public Agenda at a Council Meeting, Council would be in breach of its Governance Rules as adopted on the 25 August 2020.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Using Council's adopted Community Engagement Framework, International Public Participation Consultation, this report presents information via the Council Agenda.

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING:	Municipal Emergency Management Planning Committee Meeting	DATE	Thursday, March 11, 2021
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	
COUNCILLORS PRESENT	<input type="checkbox"/> Cr Jen Bray <input type="checkbox"/> Cr Tim Drylie <input type="checkbox"/> Cr Tessa Halliday <input type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input type="checkbox"/> CEO - Evan King <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input type="checkbox"/> Director Community and Corporate Services – Bradley Thomas Others (Position Title and Name): David George – Coordinator Community Safety Travis Dixon – Emergency Management Officer Paulette Pleasance – EA Director Infrastructure and Development Services		

MATTERS CONSIDERED

Agenda attached – CM Reference: doc/21/12165

OR

List matters considered:

[Click or tap here to enter text.](#)

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

Paulette Pleasance – EA to Director Infrastructure and Development Services

Signed: 

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, March 30, 2021
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	TIME	9:00am to 2:00pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Interim CEO – Bradley Thomas (apology) <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Acting Manager Financial Services – Robert Ellis Senior Financial Advisor – Glenn Owens		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/21/17695

OR

List matters considered:

As per Briefing Agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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NOTES:

External presentation Revenue & Rating – Mark Davies

RECORD COMPLETED BY

- Interim CEO – Bradley Thomas
- Director Infrastructure and Development Services – Bruce Lucas
- Acting Director Community and Corporate Services – Andrew Burgess

Other:

Signed:



Tuesday 30 March 2021
Daylesford Town Hall, 76 Vincent Street Daylesford
9:00am – 2:00pm

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

MR BRADLEY THOMAS

INTERIM CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Interim Chief Executive Officer Andrew Burgess – Acting Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services
CHAIR:		Councillor Lesley Hewitt - Mayor Bradley Thomas – Interim Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Presentation	2020/2021 Annual Draft Budget (full report to be tabled)	Acting Manager Financial Services	3
	12:30pm		Lunch		
1.2	1:00pm	Report	Revenue and Rating Plan Workshop	Mach2 Consulting Acting Manager Financial Services	4
2	2:00pm		Close of Meeting		19

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, April 06, 2021
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	TIME	9:00am to 5:00pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Interim CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Acting Manager Environment and Waste – Simon Mennie Acting Manager Community and Economic Development – Rebecca Pedretti Coordinator Sport and Active Recreation – Jacquie Phiddian Community Development Officer – Inga Hamilton Manager Governance and Risk – Krysten Forte Governance Specialist – Rebecca Smith Coordinator Community Partnerships – Michelle Whyte Manager Major Projects – Ben Grounds Manager Community Care – Fran Fogarty		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/21/18913

OR

List matters considered:

As per Briefing Agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Hood	Community Grants Trentham 1055 NH House		1057
Cr Drylie	Community Grants – Mungo 1105 Park Music, Creswick NH Centre		1107

NOTES:

RECORD COMPLETED BY

- Interim CEO – Bradley Thomas
 Director Infrastructure and Development Services – Bruce Lucas

▶ RECORD OF COUNCILLOR ATTENDANCE

Acting Director Community and Corporate Services – Andrew Burgess
Other:

Signed: 

Tuesday 6 April 2021
Daylesford Town Hall, 76 Vincent Street Daylesford
9:00am – 5:00pm

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

BRADLEY THOMAS

INTERIM CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Interim Chief Executive Officer Andrew Burgess – Acting Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services
CHAIR:		Councillor Lesley Hewitt - Mayor Bradley Thomas – Interim Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Presentation	Kerbside Collection Contract Update	Acting Manager Environment & Waste Acting Coordinator Waste	5
1.2	9:30am	External Presentation	Aquatic Strategy	Managing Director / Otium Planning Group Senior Consultant / Otium Planning Group	24
	10:30am		Break		
1.3	10:45am	Report	Community Grants Program 2020/2021 - Round 3	Community Development Officer	48
1.4	11:15am	Report	Response to Petition - Glenlyon Public Art Project - Planned Location of Artwork	Arts Culture and Reconciliation Officer	56
1.5	11:45am	Report	Draft Policy 84 (C) Councillor Gift, Benefits and Hospitality Policy - Requirement under the Local Government Act 2020	Manager Governance and Risk Governance Specialist	62
1.6	12:15pm	Discussion	Management of Glenlyon Dam	Manager Governance and Risk Governance Specialist	86
	12:45pm		Lunch		

1.7	1:15pm	Report	Revision of Instruments of Delegation from Council to the CEO (S5) and Council Staff (S6)	Manager Governance and Risk Governance Specialist	109
1.8	2:00pm	Presentation	Review of broad Community Engagement and Deliberative Engagement Plan	Projectura	626
	3:00pm		Break		
1.9	3:15pm	Report	Trentham Community Hub	Manager Major Projects	627
1.10	3:45pm	Report	Draft Social and Affordable Housing Policy	Manager Community Care	669
1.11	4:30pm	Discussion	Councillor "Burning Issues" Discussion	Interim Chief Executive Officer	683
1.12	4:40pm	Discussion	Executive Issues Update	Interim Chief Executive Officer	684
1.13	4:50pm	Discussion	External Committee Update	Interim Chief Executive Officer	685
1.14	4:55pm	Discussion	Advisory Committee Minutes	Interim Chief Executive Officer	691
2	5:00pm		Close of Meeting		706

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, April 13, 2021
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	TIME	9:30am to 4:30pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson - refer notes.		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Interim CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Acting Manager Community and Economic Development – Rebecca Pedretti Coordinator Community Partnerships – Michelle Whyte Manager Community Care – Fran Fogarty Acting Manager Financial Services – Robert Ellis EA to the Director of Community and Corporate Services – Dannielle Kraak		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/21/20366

OR

List matters considered:

As per Briefing Agenda

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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NOTES:

Cr Simpson attended 9.45 am

Cr Halliday attended 9.57 am

Cr Bray absent from 1.00 pm – 1.11 pm

External presentation Craig Kenny - Mach2 Consulting – Aged Care Reforms

RECORD COMPLETED BY

Interim CEO – Bradley Thomas

Director Infrastructure and Development Services – Bruce Lucas

▶ RECORD OF COUNCILLOR ATTENDANCE

Acting Director Community and Corporate Services – Andrew Burgess
Other:

Signed:



Tuesday 13 April 2021
Daylesford Town Hall, 76 Vincent Street Daylesford
9:30am – 4:15pm

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

MR BRADLEY THOMAS

INTERIM CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Interim Chief Executive Officer Andrew Burgess – Acting Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services
CHAIR:		Councillor Lesley Hewitt - Mayor Bradley Thomas – Interim Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:30am	Presentation	Councillor Workshop - Council Plan and Community Vision	Projectura	3
	11:00am		Break		
	11:15am		Councillor Workshop - Council Plan and Community Vision Cont.	Projectura	
	12:30pm		Lunch		
	1:00pm		Councillor Workshop - Council Plan and Community Vision Cont.	Projectura	
1.2	2:00pm	Presentation	Aged Care Reforms	Mach2 Consulting Manager Community Care	8
	3:00pm		Break		
1.3	3:15pm	Presentation	2020/2021 Annual Draft Budget	Acting Manager Financial Services	34
1.4	4:00pm	Report	Revenue and Rating Plan Workshop	Mach2 Consulting Acting Manager Financial Services	36
2	4:15pm		Close of Meeting		39

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, April 20, 2021
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	TIME	3:00pm to 5:00pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Interim CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Manager Development and Community Safety - Bronwyn Southee Manager Operations - Tristan May Acting Manager Waste and Environment - Simon Mennie Manager Governance and Risk – Krysten Forte Manager ICT – Chris Whyte		

MATTERS CONSIDERED

Agenda attached –

OR

List matters considered:

As per Council Meeting Agenda for 20 April 2021.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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NOTES:

RECORD COMPLETED BY

- Interim CEO – Bradley Thomas
 - Director Infrastructure and Development Services – Bruce Lucas
 - Acting Director Community and Corporate Services – Andrew Burgess
- Other:

▶ RECORD OF COUNCILLOR ATTENDANCE



Signed:

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Council Briefing – Planning	DATE	Tuesday, April 27, 2021
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	TIME	9:30am to 2:15pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Interim CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Manager Development and Community Safety - Bronwyn Southee Strategic Planner – Glenn Musto		

MATTERS CONSIDERED

Agenda attached –

OR

List matters considered:

As per Council Briefing (Planning) Agenda for 27 April 2021.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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NOTES:

RECORD COMPLETED BY

- Interim CEO – Bradley Thomas
 - Director Infrastructure and Development Services – Bruce Lucas
 - Acting Director Community and Corporate Services – Andrew Burgess
- Other:

Signed:



Tuesday 27 April 2021
Daylesford Town Hall 76 Vincent Street Daylesford
9:30am – 2.15pm

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

MR BRADLEY THOMAS

INTERIM CHIEF EXECUTIVE OFFICER

INVITED:

Councillors

Councillor Jen Bray, Birch Ward
Councillor Tim Drylie, Creswick Ward
Councillor Tessa Halliday, Cameron Ward
Councillor Don Henderson, Creswick Ward
Councillor Lesley Hewitt, Birch Ward
Councillor Brian Hood, Coliban Ward
Councillor Juliet Simpson, Holcombe Ward

Officers

Bradley Thomas – Interim Chief Executive Officer
Andrew Burgess – Acting Director Community and Corporate Services
Bruce Lucas – Director Infrastructure and Development Services

CHAIR:

Councillor Lesley Hewitt - Mayor
Bradley Thomas – Interim Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:30am	Discussion	Western Victorian Transmission Network Project Update	Manager Development and Community Safety	3
	10.30am		Break		
1.1	10.45am	Discussion	Item Continued Western Victorian Transmission Network Project Update	Manager Development and Community Safety	3
1.2	11:15am	Briefing Only	Planning Application 3053 - Construction and display of one (1) promotion sign with a display area of 3sq m at 22 Raglan Street Daylesford - Councillor Briefing - 27 April 2020	Statutory Planner	4
1.3	11:45am	Discussion	Strategic Planning Priorities	Manager Development and Community Safety	33
	12.45pm		Lunch		
1.4	1:15pm	Discussion	Communications - Inspectorate Report	Interim Chief Executive Officer	35
2	2:15pm		Close of Meeting		36

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, May 04, 2021
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	TIME	9.30am to 3:15pm
COUNCILLORS PRESENT	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Interim CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Acting Manager Waste and Environment - Simon Mennie Sustainability Officer - Manny Pasqualini Manager Governance and Risk – Krysten Forte Governance Specialist – Rebecca Smith Coordinator Early Years and Healthy Communities – Kate Procter Manager Community Care – Fran Fogarty Officer Healthy Communities – Tamara Patterson Acting Finance Manager – Robert Ellis		

MATTERS CONSIDERED

Agenda attached –

OR

List matters considered:

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Drylie	Z-net Briefing 'Solar Savers'	10.26 am	10.28 am

NOTES:

RECORD COMPLETED BY

- Interim CEO – Bradley Thomas
- Director Infrastructure and Development Services – Bruce Lucas
- Acting Director Community and Corporate Services – Andrew Burgess

Other:

▶ RECORD OF COUNCILLOR ATTENDANCE



Signed:

Tuesday 4 May 2021
Daylesford Town Hall, 76 Vincent Street Daylesford
9:30am – 3.15pm

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

BRADLEY THOMAS

INTERIM CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Interim Chief Executive Officer Andrew Burgess – Acting Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services
CHAIR:		Councillor Lesley Hewitt - Mayor Bradley Thomas – Interim Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:30am	Discussion	Councillor "Burning Issues" Discussion	Interim Chief Executive Officer	4
1.2	9:45am	Discussion	Executive Issues Update	Interim Chief Executive Officer	5
1.3	10:00am	Presentation	Presentation - The Hepburn Z-NET Community Transition	Hepburn Wind Jonai Farms	6
	10:45am		Break		
1.4	11.00am	Report	Revised & Proposed Councillor Staff Interaction Policy 2021	Manager Governance and Risk Governance Specialist	24
1.5	11:30am	Report	Review of Councillor Allowances - Pursuant to section 74 of the Local Government Act 1989	Manager Governance and Risk Governance Specialist	49
	12:00pm		Lunch		
1.6	12:45pm	Report	Revenue Collection and Financial Hardship Policy	Consultant Financial Services Acting Manager Financial Services	58

1.7	1:15pm	Report	Gender Equity Advisory Committee Terms of Reference	Health and Wellbeing Officer Hepburn Shire Council Coordinator Early Years and Healthy Communities	83
1.8	1:45pm	Report	Quarterly Corporate Reporting 2020/2021 - Q3 (January to March)	Acting Director Community and Corporate Services	90
1.9	2:15pm	Report	Annual Plan 2020/21 - March 2021 Update	Acting Director Community and Corporate Services	148
1.10	2:45pm	Discussion	External Committee Update	Interim Chief Executive Officer	163
1.11	3:00pm	Discussion	Advisory Committee Minutes	Interim Chief Executive Officer	164
2	3:15pm		Close of Meeting		168

15 CONFIDENTIAL ITEMS

15.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Pursuant to section 66(1) of the *Local Government Act 2020* (the Act) 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 detailed in section 66(2) of the Act 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.

RECOMMENDATION

That Council resolves to close the Ordinary Council Meeting to the public pursuant to section 66(2)(a) of the Local Government Act 2020 to consider confidential matters. The information is determined to be confidential pursuant to section 3(1) of the Local Government Act 2020, specifically as it is:

- a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;*
- g) *private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets; or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;*
 - o This ground applies because the agenda concerns the details of a contractual and commercial negotiations and would, if prematurely released, diminish the strength of Councils position in those negotiations and unreasonably expose the business, commercial or financial undertaking to disadvantage.

MOTION

That Council resolves to close the Ordinary Council Meeting to the public pursuant to section 66(2)(a) of the Local Government Act 2020 to consider confidential matters. The information is determined to be confidential pursuant to section 3(1) of the Local Government Act 2020, specifically as it is:

- a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;*
- g) *private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets; or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;*

- This ground applies because the agenda concerns the details of a contractual and commercial negotiations and would, if prematurely released, diminish the strength of Councils position in those negotiations and unreasonably expose the business, commercial or financial undertaking to disadvantage.

Moved: Cr Juliet Simpson

Seconded: Cr Don Henderson

Carried

The meeting closed to the public at 8:18pm.

The item has been determined to remain confidential at the time of the meeting minutes being prepared as the report concerns details of information that is deemed to be confidential information for the purposes of section 3 (1) of the Local Government Act 2020 because it is Council business information and if released at this time it could prejudice Councils position in commercial negotiations (section 3(1)).

16 REOPENING OF MEETING TO THE PUBLIC

RECOMMENDATION

That Council, having considered the confidential items, re-opens the Meeting to members of the public.

MOTION

That Council, having considered the confidential items, re-opens the Meeting to members of the public.

Moved: Cr Don Henderson

Seconded: Cr Jen Bray

Carried

The meeting re-opened to the public at 8:30pm.

17 GENERAL BUSINESS

Cr Juliet Simpson declared a material conflict of interest and left the meeting at 8:31pm.

MOTION

That Council grants Cr Juliet Simpson a leave of absence from Wednesday 19 May to Thursday 3 June 2021 inclusive, and note that during this time Cr Juliet Simpson has requested to participate in Councillor Confidential Briefings on both Tuesday 25 May 2021 and Tuesday 1 June 2021.

Moved: Cr Don Henderson

Seconded: Cr Tessa Halliday

Carried

Cr Juliet Simpson returned to the meeting at 8:33pm and resumed her seat.

Cr Don Henderson declared a material conflict of interest and left the meeting at 8:33pm

MOTION

That Council grants Cr Don Henderson a leave of absence from 24 May and 28 May 2021 inclusive.

Moved: Cr Juliet Simpson

Seconded: Cr Tessa Halliday

Carried

Cr Don Henderson returned to the meeting at 8:34pm and resumed his seat.

MOTION

That Council appoint Cr Brian Hood to be appointed as temporary chairperson.

Moved: Cr Jen Bray

Seconded: Cr Juliet Simpson

Carried

Cr Lesley Hewitt departed the Chair and Cr Brian Hood took the chair at 8:34pm.

Cr Lesley Hewitt declared a material conflict of interest and left the meeting at 8:34pm.

MOTION

That Council grants Cr Lesley Hewitt a leave of absence from Thursday 20 May to 11 June 2021 inclusive.

Cr Hewitt will continue to attend Councillor Confidential Briefings on both Tuesday 25 May 2021 and Tuesday 1 June 2021 electronically.

Moved: Cr Juliet Simpson

Seconded: Cr Tessa Halliday

Carried

Cr Lesley Hewitt returned to the meeting at 8:36pm and resumed her seat

Cr Hood departed the Chair and resumed his seat and Cr Lesley Hewitt resumed the Chair at 8:36pm.

18 CLOSE OF MEETING

The Meeting closed at 8:37pm.