



Notice is given that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 28 July 2020
Time: 3pm
Location: Council office, Wedderburn
Public access via audio live stream

AGENDA

Ordinary Council Meeting

28 July 2020

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OPENING COMMENT

THIS MEETING IS BEING CONDUCTED IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 2020 AS TEMPORARILY AMENDED TO ENABLE MEETING BY ELECTRONIC MEANS OF COMMUNICATION.

THIS MEETING IS BEING RECORDED AND AUDIO STREAMED VIA THE COUNCIL WEBSITE AND FACEBOOK.

1 OPENING PRAYER

“Almighty God, we humbly ask you to bless this Council, direct and prosper its deliberations towards the true welfare of your people of the Shire of Loddon.”

2 ACKNOWLEDGEMENT OF COUNTRY

“The Loddon Shire Council acknowledges the Traditional Custodians of the land on which we are gathered and pays its respects to their Elders both past and present.”

3 APOLOGIES

4 DECLARATIONS OF CONFLICT OF INTEREST

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES**

File Number: 02/01/001

Author: Lynne Habner, Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council confirm:

1. The minutes of the Council Briefing of 23 June 2020.
2. The minutes of the Ordinary Council Meeting of 23 June 2020.
3. The minutes of the Confidential Council Meeting of 23 June 2020.
4. The minutes of the Council Forum of 14 July 2020.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

6 ASSEMBLY OF COUNCILLORS**6.1 RECORD OF ASSEMBLY OF COUNCILLORS**

File Number: 02/01/001
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council note the Assembly of Councillors records for the following meetings:

1. Council Briefing 28 June 2020.
2. Council Forum 14 July 2020.

In accordance with Section 80A of the Local Government Act 1989 (the Act), records of Assemblies of Councillors must be reported at the next practicable Council meeting and recorded in the minutes.

An Assembly of Councillors is defined in Section 76AA of the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

The record is therefore presented for Council's noting.

RECORD OF ASSEMBLIES OF COUNCIL

Assembly details	Briefing
Date	28 June 2020
Councillor Attendees	Cr Beattie Cr Condliffe Cr Curnow Cr Holt Cr McKinnon
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services
Items discussed.	<ol style="list-style-type: none"> 1. Transitioning To Community Asset Committees 2. Sale of Land – Lot 1 Ballast Road, Pyramid Hill 3. General business: <ul style="list-style-type: none"> • Community facilities reopening • Delegation to CEO • Day care in Loddon Shire • New Local Government Minister • Drought communities
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	14 July 2020
Councillor Attendees	Cr Beattie Cr Condliffe Cr Curnow Cr Holt Cr McKinnon
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Sarah Perry, A/Manager Community Support Item 3: Goulburn Murray Irrigation District representatives Item 11: Projectura representatives
Items discussed.	<ol style="list-style-type: none"> 1. Economic Development and Tourism Update 2. Update on Rural Council Corporate Collaboration 3. Goulburn Murray Irrigation District Resilience Strategy Briefing 4. Community Grants Assessment - Serpentine Bowling Club 5. Community Grants Assessment 6. Community Grants Review 7. Food Trucks 8. Local Government Act 2020 Implementation Plan Update 9. Public Transparency Policy 10. Community Asset Committee Policy 11. Community Engagement Policy Update 12. Council Expenses Policy 13. Governance Framework 14. Governance Rules 15. Update on Working For Victoria 16. General business: <ul style="list-style-type: none"> • Rural Councils ICT Infrastructure Support Program
Conflict of Interest Disclosures - Councillor/officer making disclosure	Wendy Gladman, item 4.
Councillor/officer left room	Yes

7 REVIEW OF ACTION SHEET**7.1 REVIEW OF ACTIONS**

File Number: 02/01/002

Author: Christine Coombes, Executive and Commercial Services Officer

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Action sheet

RECOMMENDATION

That Council receive and note the action sheet.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

REPORT

Refer attachment.

Finalised	Division: Committee: Officer:	Council	Date From: Date To:	Printed: Monday, 20 July 2020 2:13:57 PM
Action Sheets Report				

Outstanding actions from previous meetings

Meeting	Officer/Director	Section	Subject
Council 28/01/2020	Phillips, Steven Pinyon, Phil	New Item	Skinnners Flat reservoir
<p>Cr Holt requested that Council staff continue to liaise with Grampians Wimmera Mallee Water regarding changes to the originally proposed arrangements for the supply of permanent recreation water to Skinnners Flat, and provide a report to the next Council meeting about progress with finalising the heads of agreement between Council and GWM Water.</p> <p><i>14/02/2020 5:26:20 PM - Steven Phillips</i> Council Staff have been in discussions with GWMWater staff about the terms contained within the Heads of Agreement for several months, with a major sticking point being the allocation of Recreational Water for Skinnners Flat Reservoir. GWMWater is seeking that Council acquire a water entitlement up to the maximum volume as listed at Item 5 of Schedule A of the Heads Of Agreement (currently stated as 200 MI) from Northern Victoria trading zone 1A (Goulburn regulated). Council Officers have been able to secure agreement from GWMWater for the allocation of up to 200 MI of Recreational Water once off as an initial allowance. Arrangements are being made to secure a meeting between senior members of Council and GWMWater to continue negotiations over this matter.</p> <p><i>13/03/2020 5:21:57 PM - Steven Phillips</i> The Southwest Loddon Pipeline Steering Committee has a meeting scheduled for Friday 20 March. GWMWater are continuing discussion with Coliban Water to further investigate opportunities for the provision of an ongoing water supply for Skinnners Flat Reservoir.</p> <p><i>14/04/2020 5:22:52 PM - Steven Phillips</i> Discussions have been undertaken and an agreement has been reached to honor the provision of recreational water to Skinnners Flat.</p> <p><i>11/05/2020 8:42:39 PM - Steven Phillips</i> According to GWMWater staff, a definitive solution to the 200 megalitre problem remains to be found. Discussions are ongoing with GWMWater Staff.</p> <p><i>11/06/2020 2:25:54 PM - Steven Phillips</i> This matter was discussed at the June 2020 Council Forum noting that the supply of water to Skinnners Flat is still an outstanding issue. Cr Beattie undertook to contact the Chairman of the Board of GWMWater to discuss how to progress the matter.</p> <p><i>20/07/2020 1:48:05 PM - Steven Phillips</i> A meeting between Cr Holt, Cr Beattie, Phil Pinyon CEO Loddon Shire Council and Peter Vogel Chairman of the Board of GWMWater and Mark Williams Managing Director GWMWater was held on 22 June 2020 in Beaufort. Following this meeting Cr Holt, Cr Beattie, Phil Pinyon CEO Loddon Shire Council were to meet with Damian Wells Managing Director of Coliban Water to discuss possible solutions to this matter. This meeting has not been able to take place due to COVID-19 restrictions.</p>			

Meeting	Officer/Director	Section	Subject
Council 23/06/2020	Gladman, Wendy Gladman, Wendy	New Item	Community Facility Reopening Support
<p>RESOLUTION 2020/75</p> <p>Moved: Cr Neil Beattie Seconded: Cr Colleen Condliffe</p>			

Finalised	Division: Committee: Officer:	Council	Date From: Date To:
Action Sheets Report			Printed: Monday, 20 July 2020 2:13:57 PM

That Council:

1. assists Loddon Shire Committees of Management of Community facilities, the Library Agencies and the Laanecoorie Camp Ground toilets, to meet the re-opening and operating requirements related to COVID 19
2. uses the facility list as amended to reflect current facilities in operation and applied categories from the Halls and Recreation Reserves Allocation policy to determine levels of support to be provided as an allocation
3. provides \$48,150 from the 2020/2021 Community Recovery budget allocation to assist Committees of Management of Community facilities, the Library Agencies and the Laanecoorie Camp Ground toilets, with the associated costs of undertaking a deep clean and the purchase of bleach based sanitiser.

CARRIED

20/07/2020 12:51:41 PM - Wendy Gladman
 Details are being finalised to allow these funds to be forwarded to facilities in the July payment run.

Actions completed since last meeting

Meeting	Officer/Director	Section	Subject
Council 23/06/2020	Caserta, Deanne Morrison, Sharon	Decision Reports	Adoption of the 2020/21 Budget

RESOLUTION 2020/67

Moved: Cr Neil Beattie
 Seconded: Cr Colleen Condliffe

1. That Council:
 - (a) having advertised the Draft Budget and having received one submission, adopt the 2020/21 Budget.
 - (b) having advertised the Draft Fees and Charges Schedule and having received no submissions, adopt the 2020/21 Fees and Charges Schedule.
 - (c) update the Strategic Resource Plan in the Council Plan 2017-2021 to reflect figures included in the 2020/21 Budget.

CARRIED

15/07/2020 8:16:26 AM - Deanne Caserta
 Action completed by: Caserta, Deanne
 Finalisation complete, published to website and emailed to Minister

Finalised	Division: Committee: Officer:	Council	Date From: Date To:
Action Sheets Report			Printed: Monday, 20 July 2020 2:13:57 PM

Meeting	Officer/Director	Section	Subject
Council 23/06/2020	McKnight, Belinda Gladman, Wendy	Decision Reports	NORTHERN VICTORIAN INTEGRATED MUNICIPAL EMERGENCY MANAGEMENT PLAN
RESOLUTION 2020/68			
Moved: Cr Geoff Curnow Seconded: Cr Neil Beattie			
That Council endorse the Northern Victorian Integrated Municipal Emergency Management Plan - Loddon Shire.			
CARRIED			
25/06/2020 4:24:27 PM - Belinda McKnight Plan updated on Councils website 29/06/2020 12:52:46 PM - Belinda McKnight Action completed by: Coombes, Christine Complete			

Meeting	Officer/Director	Section	Subject
Council 23/06/2020	Habner, Lynne Pinyon, Phil	Decision Reports	Instrument of Delegation to the CEO
RESOLUTION 2020/69			
Moved: Cr Gavan Holt Seconded: Cr Colleen Condliffe			
In the exercise of the power conferred by s 11(1)(b) of the <i>Local Government Act 2020 (the Act)</i> , Council resolves that:			
<ol style="list-style-type: none"> 1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached <i>Instrument of Delegation to the Chief Executive Officer</i>, subject to the conditions and limitations specified in that Instrument, with an amendment to clause 1.1 of the Schedule to replace "[insert amount]" with "\$150,000.00 (inc. GST) for the purchase of goods, services or works and \$200,000.00 (inc. GST) for building and construction works". 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and the CEO is authorised to use the common seal on the instrument. 3. On the coming into force of the instrument all previous S5 delegations to the Chief Executive Officer are revoked. 			

Finalised	Division: Committee: Council Officer:	Date From: Date To:
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4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

25/06/2020 4:54:03 PM - Lynne Habner
Action completed by: Habner, Lynne
Completed. Instrument of Delegation has been finalised.

Meeting	Officer/Director	Section	Subject
Council 23/06/2020	Caserta, Deanne Morrison, Sharon	Decision Reports	Provision for Doubtful Debts and Writing Off Bad Debts Policy v4
RESOLUTION 2020/70			
Moved: Cr Colleen Condliffe Seconded: Cr Gavan Holt			
That Council adopts the Provision for Doubtful Debts and Writing Off Bad Debts Policy v4			
CARRIED			
<i>15/07/2020 8:16:45 AM - Deanne Caserta</i> Action completed by: Caserta, Deanne Document finalised and published to the website.			

Meeting	Officer/Director	Section	Subject
Council 23/06/2020	Caserta, Deanne Morrison, Sharon	Decision Reports	Finance Report for the period ending 31 May 2020
RESOLUTION 2020/71			
Moved: Cr Gavan Holt Seconded: Cr Neil Beattie			
That Council:			
1. receives and notes the 'Finance report for the period ending 31 May 2020'			

Finalised	Division: Committee: Officer:	Council	Date From: Date To:
Action Sheets Report			Printed: Monday, 20 July 2020 2:13:57 PM

<p>2. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2019/20 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2019/20.</p>	CARRIED
<p>15/07/2020 8:15:59 AM - Deanne Caserta Action completed by: Caserta, Deanne For information of Councillors</p>	

Meeting	Officer/Director	Section	Subject
Council 23/06/2020	Coombes, Christine Pinyon, Phil	Decision Reports	2020 Council meeting schedule amendment
RESOLUTION 2020/72			
Moved: Cr Colleen Condliffe			
Seconded: Cr Geoff Curnow			
That Council			
<ol style="list-style-type: none"> approve the amendment to the date, time and location of the Special Council meeting to be held on Thursday 19 November 2020, commencing at 5pm to be held at the Serpentine Memorial Hall; provide public notice of the change of date for the details of the Special Council meeting to be held on Thursday 19 November 2020. 			
CARRIED			
<p>15/07/2020 8:37:18 AM - Christine Coombes Action completed by: Coombes, Christine Public notice has been provided on Council's website for the Special meeting and schedule to be published in the Bendigo Advertiser on Saturday 31 October 2020.</p>			

Meeting	Officer/Director	Section	Subject
Council 23/06/2020	Morrison, Sharon Morrison, Sharon	Decision Reports	Local Government Act 2020 - Audit and Risk Committee

Finalised	Division: Committee: Officer:	Council	Date From: Date To:
Action Sheets Report			Printed: Monday, 20 July 2020 2:13:57 PM

RESOLUTION 2020/73

Moved: Cr Colleen Condliffe
 Seconded: Cr Neil Beattie

That Council:

1. Establishes the Loddon Shire Council Audit and Risk Committee by appointing the persons named in this report as Audit Committee members for the periods stated in this report.
2. Approves the Audit and Risk Committee Charter version 9

CARRIED

8/07/2020 4:11:09 PM - Sharon Morrison
 Action completed by: Morrison, Sharon
 Committee members advised.

8 MAYORAL REPORT

8.1 MAYORAL REPORT

File Number: 02/01/001
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION
 That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

Cr McKinnon

North Central Goldfields Regional Library	
Section 86 Committees: East Loddon Community Centre Committee of Management, Pyramid Hill Memorial Hall Committee of Management, Pyramid Hill Swimming Pool Committee of Management and Reserve Committee of Management	
Nature Tourism Advisory Team	
Other Council activities	
DATE	Activity

9 COUNCILLORS' REPORT

9.1 COUNCILLORS' REPORTS

File Number: 02/01/001
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION
 That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Beattie

Murray Darling Association	
Rail Freight Alliance	
GMW Connections Project:	
Section 86 Committees: Boort Aerodrome Committee of Management, Boort Development Committee Inc., Boort Memorial Hall Committee of Management, Boort Park Committee of Management, Korong Vale Mechanics Hall Committee of Management, Korong Vale Sports Centre Committee of Management, Little Lake Boort Management Committee Inc., Yando Public Hall Committee of Management	
Other Council activities	
DATE	Activity

Cr Condliffe

Calder Highway Improvement Committee	
Section 86 Committees: Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Hub Committee of Management, Jones Eucalyptus Distillery Site Committee of Management	
Australia Day Committee	
Central Victorian Greenhouse Alliance	
Central Victoria Rural Women's Network	
Healthy Minds Network	
Loddon Youth Committee	
Other Council activities	
DATE	Activity

Cr Curnow

Loddon Mallee Waste Resource Recovery Group

Section 86 Committees: Kingower Development and Tourism Committee	
Municipal Emergency Management Plan Committee and Municipal Fire Management Plan Committee	
Other Council activities	
DATE	Activity

Cr Holt

Municipal Association of Victoria	
Section 86 Committees: Donaldson Park Committee of Management, Wedderburn Community Centre Committee of Management, Wedderburn Engine Park Committee of Management, Wedderburn Mechanics Institute Hall Committee of Management, Wedderburn Tourism Committee of Management	
Audit Committee	
Other Council activities	
DATE	Activity

10 DECISION REPORTS**10.1 PROPOSED COUNCIL EXPENSES POLICY V1**

File Number: 18/01/001

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Proposed Council Expenses Policy version 1

RECOMMENDATION

That Council adopts the Council Expenses Policy v1

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Version 4 of the Council Expenses Policy (the Policy) (formerly known as the Councillors Support and Reimbursement of Expenses Policy) was adopted on 13 December 2016 with a four year review date.

BACKGROUND

Section 40 of the Local Government Act 2020 (the Act) states that Councillors and members of delegated committees are entitled to reimbursement of expenses reasonably incurred in the performance of their duties. Section 41 of the Act states that a Council must adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees. The policy must be adopted on or before 1 September 2020.

ISSUES/DISCUSSION

In developing the Council Expenses Policy, Council's existing Councillors Support and Reimbursement of Expenses Policy version 4 was used as a base. This base was then compared to the draft policy issued by Local Government Victoria dated 6 June 2020.

The Council Expenses Policy is a merged version of the Councillors Support and Reimbursement of Expenses Policy and the draft policy issued by Local Government Victoria. This merged document was circulated to staff for feedback before being presented to Councillors for discussion at the July 2020 forum.

The merged document is presented to Council for adoption, showing tracked changes to clearly identify changes from the former Councillors Support and Reimbursement of Expenses Policy version 4.

COST/BENEFITS

There are costs associated with the adoption of this policy. However, the benefit of adopting the policy is compliance with the Act and good governance in relation to council expenses incurred by Councillors and delegated committee members.

RISK ANALYSIS

There is a risk that the policy does not adequately capture expenses related to Councillors and delegated committee members however this risk is low given that the policy is based on four versions of historical policy as well as a sector template.

CONSULTATION AND ENGAGEMENT

The policy does not require deliberative engagement under the Act. Staff and councillors have been consulted during the development of the policy.



COUNCILLORS SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Approved <u>Draft</u>
POLICY OWNER POSITION:	Chief Executive Officer <u>Director Corporate Services</u>
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Council
DATE ADOPTED:	13/12/2016 <u>td</u>
VERSION NUMBER:	4 <u>5</u>
REVIEW DATE:	11/12/2020 <u>1/08/2024</u>
DATE RESCINDED:	
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Former Councillor support and reimbursement of expenses policy Governance rules Public transparency policy Governance framework Privacy policy Review of Councillor Expenses Internal Audit Report October 2019
RELATED LEGISLATION:	Local Government Act 1989 Carers Recognition Act 2012 Charter of Human Rights and Responsibilities Act 2006 Freedom of Information Act 1982 Local Government Act 2020 Privacy and Data Protection Act 2014 Equal Opportunity Act 2010 Gender Equity Bill 2020 Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources April 2008
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: K:\EXECUTIV\Strategies policies and procedures\Policies - adopted PDF and Word\POL Councillors support and reimbursement of expenses policy v4.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.



COUNCILLORS SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

1 PURPOSE

Significant demands and expectations are placed on Councillors in fulfilling their civic and statutory duties, including attendance at Council and Committee meetings, representing the Council on many other organisations and communicating with residents, business, community groups and others on a range of issues.

Given the costs associated with the demands and expectations placed on Councillors, this policy details how Loddon Shire provides assistance and support to the Mayor and Councillors in carrying out their role and official duties as Councillors.

This policy supports councillors and members of delegated committees to perform their role, as defined under the *Local Government Act 2020*, by ensuring that expenses reasonably incurred in the performance of their role are reimbursed. The policy also provides guidance on:

- entitlements
- processes for reimbursement
- reporting requirements.

The policy is intended to ensure that councillors and members of delegated committees are supported to perform their duties without disadvantage.

2 SCOPE

This policy applies to:

- councillors of Loddon Shire Council
- members of delegated committees of Loddon Shire Council.

Councillor duties are those performed by a councillor as a necessary part of their role, in achieving the objectives of council.

These duties may include (but are not limited to):

- attendance at meetings of council and its committees
- attendance at briefing sessions, workshops, civic events or functions convened by council
- attendance at conferences, workshops and training programs related to the role of councillor, mayor or deputy mayor
- attendance at meetings, events or functions representing council
- duties in relation to constituents concerning council business.

Members of delegated committees exercise powers of councillors, under delegation. This policy also applies to those members in the course of undertaking their role as delegated committee members.

This policy applies to Councillors. The assistance and support set out in this policy is additional to the Mayoral and Councillor annual allowances set by state government.

3 POLICY

The Local Government Act requires the development of a policy to deal with reimbursement of Councillors' expenses and the policy must be available for public inspection. It also requires the policy to address reimbursement of expenses to members of Council committees where applicable. The Recognition and Support Package for Councillors is outlined in the Victorian



COUNCILLORS SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

~~Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources (April 2008), and provides the framework for support of Councillors.~~

~~Councillors and members of delegated committees are entitled, under section 40 of the *Local Government Act 2020* (the Act), to reimbursement of expenses reasonably incurred in the performance of their duties.~~

~~This policy ensures that the reimbursement of these expenses is in accordance with the Act and meets the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the council.~~

~~Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that are:~~

- ~~• bona fide expenses and~~
- ~~• have been reasonably incurred in the performance of the role of councillor and~~
- ~~• are reasonably necessary for the councillor and member of a delegated committee to perform this role.~~

~~In the event of a Councillor completing, or not serving, their full term, all Council property must be returned to the Loddon Shire Council and Councillors are not able to acquire these items upon their departure.~~

3.1 Expenses

3.1.1 Carer and dependent-related expenses

~~Council will provide reimbursement of costs where the provision of childcare is reasonably required for a councillor or member of a delegated committee to perform their role (s 41(2)(c)).~~

~~This applies to the care of a dependent, while the councillor or delegated committee member is undertaking their official duties; and may include expenses such as hourly fees and booking fees, if applicable.~~

~~Council will provide reimbursement of costs where the provision of carer services is reasonably required when a councillor or delegated committee member who is a carer (see *Definitions*) incurs reasonable expenses in the performance of their duties.~~

~~Payments for carer and childcare services will not be made to a person who resides with the councillor or delegated committee member; has any financial or pecuniary interest with the councillor or delegated committee member; or has a relationship with the councillor, delegated committee member or their partner.~~

3.1.2 Legal fees and costs

~~Other than by a specific Council resolution, or in accordance with a Council Policy, any legal expenses incurred by a councillor or delegated committee member shall be the responsibility of that councillor or delegated committee member.~~

3.1.3 Training and development

~~Loddon Shire Council will meet the cost of Councillors' and members of delegated committees' participation in training and development courses, seminars and activities in a variety of professional and personal development areas within the limits of the budget approved by Council. These programs are generally offered by professional bodies, private organisations and educational institutions in Victoria.~~



COUNCILLORS SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

3.1.23.1.4 Conferences and functions

Conferences – ~~Loddon Shire~~ Council will cover registration fees associated with attendance by Councillors and members of delegated committees at approved conferences, seminars and functions held locally, interstate and overseas within the limits of the budget approved by Council. These are normally held by local government related organisations, professional bodies and institutions, and private sector providers on issues and events which impact on the role of Councillors and members of delegated committees and the Shire in general. The cost of partners attending conferences will not be met by Loddon Shire Council.

Events – ~~Loddon Shire~~ Council will meet the cost of Councillor(s) and members of delegated committees attending approved external events to which they have been invited. If a partner has been invited, Loddon Shire Council will meet the cost of the partner attending, where it is necessary for Council to be represented at the function.

Approval of Councillors' and members of delegated committees attendance at conferences and events will be determined by the Mayor in consultation with the Chief Executive Officer, and in accordance with the following guidelines:

- relevance of the program to the efficient and effective operations of the Loddon Shire Council
- cost/benefit of being represented
- expertise, interest and experience of Councillors in the areas of conference business
- numbers to attend being regulated by distance/cost
- a report of the conference will be provided to all Councillors at the next available Council meeting
- in the event that a Councillor attendance is not considered relevant by the Mayor, the matter will be referred to Council for information and review.

Charity events – ~~Loddon Shire~~ Council will meet the cost of the Mayor or his/her representative to attend a charity fundraising event. If other Councillors wish to attend to support the charity, they will be required to make their own contribution to attend.

Political functions - Where Councillors or members of delegated committees attend a political party fundraising event for which payment is required, the cost is to be borne by the individual ~~Councillor~~. Council does not financially support any political party.

Council representation at events and functions - In circumstances where the Mayor has been invited to an event or function in a particular Ward, and is unable to attend, the Ward Councillor will be given the first option to represent the Mayor.

3.1.33.1.5 Travel expenses

3.1.3.13.1.5.1 Within Victoria

~~Loddon Shire~~ Council will meet transport costs incurred in attending meetings, functions and other commitments within Victoria. This includes reimbursement for use of a private vehicle while conducting Council business, car parking fees and the provision of car parking permits.

This category includes costs associated with accommodation and incidentals incurred when travelling on Council business in metropolitan Melbourne and regional Victoria. Reimbursement of private vehicle use will be on the basis of the Council rate per kilometre amount paid to ~~home care~~ staff, as amended from time to time.



COUNCILLORS SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

A remote area travel allowance will be payable for the time spent on long distances travelled by Councillors in remote areas. The allowance provides for a maximum daily rate of shall be payable at the rate of \$40 per approved Council meeting or municipal/community function (to a maximum of \$5,000 in any one year) for each Councillor who permanently resides more than 50 kilometres from the specified meeting centre (ref: Order in Council, Local Government Councillor and Mayoral Allowances, 1 December 2008).

~~Councillors are requested to submit travel and expense claims on a monthly basis and payment will be made within two weeks.~~

~~3.1.3.23.1.5.2~~ Interstate

~~Loddon Shire~~ Council will cover costs associated with Councillors and members of delegated committees travelling interstate on Council business as approved by the Council (with the exception of the Mayor who does not require approval of the Council) within the limits of the budget approved by Council. This comprises airfares, accommodation costs, car hire, taxis and meals.

~~3.1.3.33.1.5.3~~ Overseas

~~Loddon Shire~~ Council will cover costs associated with Councillors and members of delegated committees travelling overseas on Council business as approved by the Council within the limits of the budget approved by Council. This comprises airfares, accommodation, visas, passport costs, car hire, taxis and meals.

3.2 Allowances

Councillors receive an allowance at a level set by the State Government and reflecting the size of the Council.

Members of delegated committees do not receive an allowance but are eligible for reimbursement of expenses set out in 3.1 above.

3.2—Tools, services, facilities and support

3.2.1—Information technology

~~3.2.23.2.1~~ Computer facilities

Internet – Councillors will be provided with an internet connection to allow access to email and internet.

Email – Councillors will be provided with an email account managed through Loddon Shire Council. Councillors' email addresses will be part of the domain name: loddon.vic.gov.au.

Anti-virus – Councillors' laptops will have anti-virus software installed and automatically updated. This process will be seamless to the Councillors.

Document management – Councillors are responsible to-for ensure-ensuring all corporate information is forwarded to Loddon Shire Council for registration in the electronic document management system. This refers to, but is not limited to, formal letters in Microsoft Word and emails.

Personal use – Personal use is permitted as long as it does not affect the primary use of the computer. Councillors will not install any non-council products on the computer.



COUNCILLORS SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

Councillors will be provided with suitable computer and appropriate hardware and software for the primary purpose of accessing and keeping Council meeting agendas and minutes and performing their roles as councillors.

3.2.33.2.2 Telecommunications

Councillors will be provided with a mobile telephone. Where a Councillor wishes to retain their mobile phone for council use, the Council will fund the replacement of one mobile phone per term of office. Councillors must make their personal mobile number available for publication.

Council will, upon receipt of a claim, reimburse Councillors for the council-related portion of their personal phone account on a monthly basis.

The Council telephone number will be made available to the public, and should only be answered by the relevant Councillor or the built-in message bank service. The mobile telephone is provided on the basis that personal calls are to be kept to a minimum. It is acknowledged that on occasion personal calls may be required when a Councillor is:

- unable to access a landline or
- on Council business outside normal business hours.

3.2.43.2.3 Information technology support

The ~~Corporate Services Directorate~~Information and Business Transformation Department will provide familiarisation training for Councillors in addition to documentation aiding Councillors in relation to using the IT systems provided. Council will provide Councillors with application-specific training where necessary through a local training provider.

The ~~Corporate Services Directorate~~Information and Business Transformation Department will update the software on each desktop computer. Any non-council software will be uninstalled during maintenance.

The ~~Corporate Services Directorate~~Information and Business Transformation Department will provide IT support in line with that provided to Council.

All equipment is to be returned to the ~~Corporate Services Directorate~~Information and Business Transformation Department on the conclusion of the Councillor's term, or in the event the Councillor resigns the position earlier.

Faulty equipment or issues are to be reported to the ~~Corporate Services Directorate~~Information and Business Transformation Department as soon as possible.

In the event that equipment is lost, stolen or misplaced the ~~Corporate Services Directorate~~Information and Business Transformation Department is to be informed as soon as possible to put in place all preventative measures.

~~Personal calls in these situations and in urgent and/or emergency situations are acceptable. Personal calls outside the situations referred to above are not permitted.~~

Mobile telephone internet activities should be limited due to the costs associated with internet usage through the mobile telephone. Councillors may be required to reimburse Loddon Shire Council for excess charges if this policy is not followed.



COUNCILLORS SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

Usage of mobile phones and internet will be monitored closely throughout the first few months with changes to the plan where necessary.

~~3.2.5~~3.2.4 Meeting room facilities

Councillors will be provided with meeting room facilities upon request.

~~3.2.6~~3.2.5 Vehicles

Loddon Shire Council will provide the Mayor a vehicle for his/her Council and personal use during their term. The provision of the mayoral vehicle is subject to the following terms and conditions:

- (a) The Mayor will be responsible for maintaining the vehicle in a reasonable state of cleanliness and keeping the vehicle off-street at his/her place of residence.
- (b) All fuel, tolls, insurance and registration for both private and official Council use will be paid for by Loddon Shire Council.
- (c) Any fines or penalties will be at the driver's expense.
- (de) The Mayoral vehicle will be available for Council business use by other Councillors when not required by the Mayor.

~~3.2.7~~3.2.6 Councillors' welfare

Councillors may approach the Chief Executive Officer with regard to any specific guidance, counselling or coaching that may be required to enhance their performance as a Councillor.

Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor, are able to seek counselling on a confidential basis through David Mitchell and Associates Counselling Services The Anna Centre. The service can be contacted on 5442 26055066. ~~Normally, up to three sessions are provided, however, further sessions can be arranged on a needs basis.~~

3.3 Reimbursement of expenses

It is anticipated that there will be occasionally small expenses such as taxi fares, parking fees, meals, and public transport fares paid directly by Councillors when travelling for training, conferences or other events.

If a Councillor expects to incur an out-of-pocket expense of more than \$100, the Councillor should endeavour to contact the Director Corporate Services or CEO to check whether an out-of-pocket expense is appropriate or whether another method of payment would be more suitable.

Loddon Shire Council will reimburse a Councillor for expenses if the Councillor:

- (a) applies in writing for reimbursement of expenses and
- (b) establishes in the application that the expenses were reasonable bona fide Councillors out-of-pocket expenses incurred while performing duties as a Councillor.

Councillors are requested to submit travel and expense claims on a monthly basis and payment will be made within two weeks.

3.3.1 Tax invoices and receipts

Reimbursement of out of pocket expenses is on the basis of tax invoices and receipts, and details of the date and purpose of the event/function associated with the expenditure.



COUNCILLORS SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

Councillors submitting claims for reimbursement of expenses must do so using the Councillor Expense Claim Form available from the Executive Assistant to the CEO.

3.4—Reporting Councillors' expenses

Claims for communications, travel, and out of pocket expenses must be submitted to the CEO for approval.

Costs associated ~~with with interstate and overseas~~ travel are recorded and are available for public inspection in accordance with Local Government Act ~~20204989~~ and the [Public Transparency Policy](#).

3.53.4 Reimbursement of Council's Internal Audit Committee

Council has an active Audit Committee that has been operating since 2001. Members of the Audit Committee are reimbursed for travel expenses related to Audit Committee meetings.

Reimbursement is paid at the same rate as for Councillors (refer ~~Error! Reference source not found.3-6~~ Travel expenses).

Reasonable travel is required by most committee members to attend quarterly meetings and professional development opportunities, and committee members must submit a quarterly claim for this expense.

Independent members of the Audit Committee are also provided remuneration for their services at a rate that is determined by Council each year.

4 MONITORING, EVALUATION AND REVIEW

Quarterly reports of all councillor and delegated committee member expenses will be provided to council, and the council's Audit and Risk Committee.

The report will include:

- expenses incurred by councillors during the quarter
- reimbursement claims made by councillors during the quarter
- reimbursements made by councillors during the quarter.

Council commits to monitoring processes and decision making to understand the overall success of the policy's implementation.

5 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
<u>Carer</u>	<u>A carer is defined under section 4 of the Carers Recognition Act 2012</u>
<u>Delegated committee</u>	<u>Delegated committees are defined under section 63 of the Local Government Act 2020</u>

46 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007). Loddon Shire Council is committed to consultation and cooperation



COUNCIL ~~LORS SUPPORT AND REIMBURSEMENT~~ ~~OF~~ EXPENSES POLICY

between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees

57 REVIEW

The Chief Executive officer will review this policy for any necessary amendments no later than 4 years after adoption of this current version.

10.2 ANNUAL INFRASTRUCTURE PROGRAM 2020 - 2021

File Number: FOL/19/432621

Author: David Southcombe, Manager Assets and Infrastructure

Authoriser: Steven Phillips, Director Operations

Attachments: 1. **Program Budget Summary**
2. **Project listing - Confidential**

This attachment is designated as confidential in accordance with Section 77(2)(c) of the *Local Government Act 1989* on the grounds that it contains information defined as confidential in accordance with Section 3(1)(a) and (g(ii)) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; AND private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

3. **Project listing - without cost estimates**

RECOMMENDATION

That Council adopt the Annual Infrastructure Program 2020 - 2021.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

This issue has not been discussed at any previous Council meeting.

BACKGROUND

Every year Council allocates and spends significant funds on capital infrastructure projects. Council continually carries out scoping of new infrastructure projects and maintains a rolling program of projects. The rolling program is a database that forms the basis of the elements of the Annual Infrastructure Program. Each project is scored based on an assessment matrix relevant to the type of infrastructure as part of the scoping process. This score assists in the development of the Annual Infrastructure Program by providing a level of prioritisation for each of the projects. It is not the only criteria that must be considered in developing a Program. Council has adopted several strategic documents that must also be taken into consideration when preparing the Annual Infrastructure Program. Primarily these are the:

- Council plan
- long term financial plan
- asset management plans
- road register.

The 2020 - 2021 Annual Infrastructure Program has been developed in accordance with the following expenditure requirements of:

- Federal Government Roads to Recovery (R2R) funding of \$2.24 million
- Federal Government Local Roads and Community Infrastructure Program funding of \$2.39 million
- council funds totalling a \$2.25 million
- Heavy Vehicle Safety and Productivity Program \$932,500
- Bridges Renewal Program \$816,325

A budget summary of the 2020 – 2021 Annual Infrastructure Program expenditure by category is included in Attachment 1.

ISSUES/DISCUSSION

The current budget was developed including the allocations of five grant applications that are yet to be determined. Three were made under the Heavy Vehicle Safety and Productivity Program Round Seven, seeking \$932,500 worth of funds for:

- Bridgewater Raywood Rd (Ch 7.21 - Ch 9.21) Reconstruction and Widening
- Echuca-Serpentine Rd (Ch 24.23 - Ch 26) Reconstruction and Widening
- Echuca-Serpentine Rd (Ch 26 - Ch 27.9) Reconstruction and Widening

Two grant applications were made under the Bridges Renewal Program Round Five, seeking \$816,325 worth of funds for:

- Godfrey St Bridge Renewal
- Bailey's Bridge Renewal

If some or all of these grant applications are not successful, the program will be adjusted according to the allocation available and the priority of each of these projects.

Adoption of the proposed program will allow the Council to undertake the following:

- Local Road Gravel Resheet
Funding of \$751,439 has been proposed to resheet and/or treat approximately 19.5 km of the gravel road network. This is an increase on Council's draft budget for the 2020 - 2021 financial year.
- Local Road Shoulder Resheet
Funding of \$86,580 has been proposed to resheet approximately 5.4 km (length include both sides) of the gravel shoulders. This is shorter than the usual length. In 2020 - 2021 the scope reflects the previous good work done in widening sealed pavements on heavily trafficked routes and the current good condition of road shoulders on Council's network.
- Local Road Reconstruction (LRC) – Asset Preservation
Funding of \$2,739,427 has been proposed for asset preservation and upgrade of over 10.47 km of the sealed road network. The projects proposed (see attachment 2) are for the upgrade and rehabilitation of Echuca Serpentine Rd and Bridgewater Raywood Road for which grants have been applied for through the Heavy Vehicle Safety and Productivity Program Round 7. In addition, upgrades are proposed for Laanecoorie Newbridge Rd, Dalziels Rd and Perrys Rd.
- Local Road Reconstruction (LRC) – Safety
Funding of \$100,000 has been proposed for a safety upgrade of the barrier rail on a bridge on Yorkshire Rd.
- Local Road Reconstruction (LRC) – Amenity
Funding of \$264,704 has been proposed for five amenity projects. These projects are all associated with sealing township gravel access (TSA) streets in Pyramid Hill and Wedderburn. They will improve township amenity by reducing dust for adjoining properties. Completing these projects will ensure every property in the Pyramid Hill township has sealed road access.

- Township street improvement (TSI)
Funding of \$924,964 has been proposed to replace and install new footpaths totalling 3,335 sqm in a number of towns and install new kerb and channel in Boort. Details of the individual projects are provided in attachment 2.
- Urban & Township Drainage
Funding of \$429,240 has been proposed for a number of smaller culvert replacements, a Review of the Skinners Flat Reservoir Safety Manual, and for the improvement of drainage in Heales St, Inglewood.
- Local bridges and culverts
Funding of \$1,933,950 has been proposed for a number of culvert replacement and two larger bridge replacements. The bridge replacements are for Baileys Rd Bridge east of Inglewood and Godfrey St Bridge in Wedderburn. Grants have been applied for both of these projects under the Bridges Renewal Program Round 5.
- Reseals
Funding of \$723,259 has been proposed to reseal and final seal approximately 35 km of the sealed road network. The roads to be resealed will be finalised after inspections in the first quarter of 2020 – 2021, with works to be undertaken in early 2021.
- Parks and Gardens
Funding of \$152,510 has been proposed towards betterment of the existing parks and replacement of critical township street trees. The lists of project are included Attachment 2.
- Buildings
Funding of \$527,436 is allocated for a number of building projects. The largest project financially is for the project associated with maintenance works at the Korong Vale Mechanics Institute Hall which requires replacement of its weatherboards and roof.

The total proposed expenditure is summarised at a sub-program level in Attachment 1. Attachment 2 provides details of the individual projects contained within the Program and is provided as a confidential document due to potential commercial sensitivity. Attachment 3 provides the same information as Attachment 2 with the commercially sensitive information removed.

Most expenditure categories exceed what was in the 2020 - 2021 Draft Budget. This is a result of the Federal Government Local Roads and Community Infrastructure Program allocation which was apportioned across a number of categories. In addition, the potential grant funding that has been applied for has been allocated to the relevant categories.

The Road Reseals Work Category is currently allocated \$723,259 without a finalised project list. This list will be finalised after onsite inspections have been completed in the early part of 2020 - 2021 with works to be undertaken later in the financial year.

COST/BENEFITS

The Annual Infrastructure Program is a significant part of Councils annual expenditure. With the additional funds provided to Council through successful grant applications the 2020 – 2021 Program totals \$8,633,509.

The benefit of the proposed expenditure is that it will allow Council to maintain safe public infrastructure and decrease annual liability over all asset classes. Better roads, better public facilities and improved bridges are the key outcomes of the proposed program which aligns with

the strategic objective of “Support development of a prosperous and diverse economy” as stipulated in Council Plan 2017 – 2021.

RISK ANALYSIS

One of the risks identified with the proposed program is cost overrun. The estimated cost of each project has been evaluated based on current unit rates, industry practice and contingencies. The likelihood of the risk is unlikely and the consequence is minor as per Council’s risk matrix. The risk is thus deemed to be low.

The other risk identified is the delay in delivering projects. In previous years, detailed design for projects in the program was only undertaken following Council resolution. However, the design team has already started designing the projects as proposed in the program thus ensuring that such projects are ready to be executed. This mitigation has changed the likelihood of delay to possible from likely. The consequence of the delay is insignificant and as such the risk is deemed low.

There is a risk that not all the grants applied for under the Heavy Vehicle Safety and Productivity Program and Bridges Renewal Program will be successful. If this occurs, the project list will be adjusted according to the available funding and priority of projects.

CONSULTATION AND ENGAGEMENT

The program has been developed in consultation with Council staff, in particular the Assets & Infrastructure Department and the Works Department. Other stakeholders and community members make contributions to the rolling program throughout the year via works requests and onsite meetings and visits conducted by staff.

Loddon Shire Council Annual Infrastructure Program 2020 - 2021 Budget Summary

Works Category	Draft Budget 2020-2021	Proposed Expenditure 2020-21
Local Road Gravel Resheet		
Council Funded (4)	\$ -	\$ 169,907
Roads to Recovery Standard (7)	\$ 324,730	\$ 581,532
Subtotal	\$ 324,730	\$ 751,439
Local Road Shoulder Resheet		
Council Funded (4)	\$ -	\$ -
Roads to Recovery Standard (7)	\$ 378,851	\$ 86,580
Subtotal	\$ 378,851	\$ 86,580
Local Road Construction - Asset Preservation		
Council Funded (4)	\$ 163,229	\$ 2,739,427
Roads to Recovery Standard (7)	\$ 968,995	\$ -
Subtotal	\$ 1,132,224	\$ 2,739,427
Local Road Construction - Amenity		
Council Funded (4)	\$ -	\$ 264,704
Roads to Recovery Standard (7)	\$ 129,892	\$ -
Subtotal	\$ 129,892	\$ 264,704
Local Road Construction - Safety		
Council Funded (4)	\$ -	\$ 100,000
Roads to Recovery Standard (7)	\$ 162,365	\$ -
Subtotal	\$ 162,365	\$ 100,000
Township Street Improvements		
Council Funded (4)	\$ -	\$ 924,964
Roads to Recovery Standard (7)	\$ 278,928	\$ -
Subtotal	\$ 278,928	\$ 924,964
Urban & Township Drainage		
Council Funded (4)	\$ 350,000	\$ 125,000
Roads to Recovery Standard (7)		\$ 304,240
Subtotal	\$ 350,000	\$ 429,240
Local Bridges & Culverts		
Council Funded (4)	\$ 143,965	\$ 1,246,450
Roads to Recovery Standard (7)	\$ -	\$ 687,500
Others		
Subtotal	\$ 143,965	\$ 1,933,950
Road Reseals		
Council Funded (4)	\$ 1,096,003	\$ -
Roads to Recovery Standard (7)	\$ -	\$ 723,259
Subtotal	\$ 1,096,003	\$ 723,259
Parks and Gardens (Townscape Services)		
Council Funded	\$ 100,000	\$ 152,510
Subtotal	\$ 100,000	\$ 152,510
Buildings		
Council Funded	\$ 400,000	\$ 527,436
Subtotal	\$ 400,000	\$ 527,436
TOTAL	\$ 4,496,958	\$ 8,633,509
FUNDING		
Council Funded (4)	\$ 2,253,197	\$ 2,113,847
Roads to Recovery Standard (7)	\$ 2,243,761	\$ 2,383,111
Local Roads and Community Infrastructure Program		\$ 2,387,726
Other Grants		\$ 1,748,825

LODDON SHIRE COUNCIL - ROLLING PROGRAM				
Program: Local Road Gravel Re-sheets				
Project No.	Project Name	Project Type [R=Renewal, U=Upgrade and N=New]	Location	PROJECT DETAILS
LRS0817	Mincha North Rd	R	Ch 3.6 - 4.7km (00 = Mincha Canary Island Rd)	Resheet 1.1kmx4.6x100m
LRS1011	Ervins Road	R	Ch 2.8 - 4.30km (00 = Bendigo Pyramid Road)	Resheet 1.50km x 4.6m x 100mm
LRS1152	Barraport East Rd	R	Ch 1.6-2.8km (00 = Boort Quambatook Rd)	Resheet 1.2kmx4.7mx100
LRS1160	Thomas Rd	R	Ch 0 - 1.1 km (East 1.1km from Bendigo-Pyramid)	Resheet 1.1km x 4.6m x 100mm
LRS1171	Raywood Durham Ox Rd	R	Ch 19.00 - 21 (From Echuca Serpentine Rd to	Resheet 2.6km x 4.6m x 100mm
LRS1177	Leeds Rd	R	Ch 0 - 0.96 (00 = Bendigo-Pyramid Rd) (Seg ID 2252,	Resheet 2.46km x 4.6m x 100mm
LRS1185	Twiggs La	R	Ch 0 - 0.43 km (00 = Bridgewater-Maldon Rd)	Resheet 0.43km x 4.5m x 100mm
LRS1189	Coonooer-Gower Road	R	Ch 5.2 to 6.5	Resheet 1.3 kms x 4.7 x 100 mm
LRS1194	Berrimal-Nine Mile Road	R	Ch 7.1 to 8.2	Resheet 1.1 kms x 4.7 m wide x 100 mm depth
LRS1195	Gowar Logan Rd	R	Ch 8.4 to 9.4	Resheet 1.0 kms x 4.7 m wide x 100 mm depth
LRS1196	Gowar Berrimal Rd	R	Ch 1.2 to 2.0 kms	Resheet 0.8 kms x 4.7 m x 100 mm
LRS1197	Gowar Logan Rd	R	Ch 0.0 to 2.9 kms	Resheet 2.9 kms x 4.7 m wide x 100 mm depth
LRS1211	Nixons Rd	R	Ch 1.6 - 2.6	Resheet 1.0 km x 4.7m wide x 100 mm depth
LRS1212	Northlands Rd	R	Ch 5.38 - 7.18	Resheet 1.8 km x 4.7m wide x 100 mm depth
LRS1227	Lagoona Rd	R	Upgrade to GMW pump project	Provide all weather access to GMW pump station
LRS1228	Wet Lane, Walker Lane & Wattle Drive	U	Inglewood Rural Living Zoning	Resheet 4.7 km x 4.7m wide x 100 mm depth

LODDON SHIRE COUNCIL - ROLLING PROGRAM				
Program: Local Road Gravel Shoulder Re-sheets				
Project No.	Project Name	Project Type [R=Renewal,	Location	Project Details
LRSS0 47	Longdale Inyanial Rd	R	Ch 6.8 - 7.9km (00= Boort=Wedderburn Rd)	Shoulder resheet 1.1km x 1.8m x 100mm x 2 sides
LRSS0 50A	Dingee Rochester Rd	R	Ch 0 - 1.58km (From Bendigo-Pyramid Rd to McElwains Rd)	Shoulder resheet and seal 1.58km x 1.5m x 100mm x 2 sides

LODDON SHIRE COUNCIL - ROLLING PROGRAM					
Program: Local Roads Construction - Asset Preservation					
Project No.	Project Name	Project Type [R=Renewal, U=Upgrade and N=New]	Location	PROJECT DETAILS	Construction Category
LRC0484	Echuca Serpentine Rd	U	Ch 26 - 27.9 km (00 = Loddon alley ighway)	Rehabilitation and widening of existing pavement and seal	Rehab & Seal
LRC0485	Echuca Serpentine Rd	U	Ch 24.23 - 26 km (00 = Loddon alley ighway)	Rehabilitation and widening of existing pavement and seal	Rehab & Seal
LRC0486	Bridgewater Raywood Rd	U	Ch 7.21 - 9.21 km (00 Calder ighway)	Rehabilitation and widening of existing pavement and seal	Rehab & Seal
LRC0496	Laanecoorie-Newbridge Rd	U	Ch 2.35 - 5.55km (00 Tarnagulla-Laanecoorie Rd)	Rehabilitation and widening of existing pavement and seal	Widen
LRC0507	Dal iels Road and Perry Rd	U	Upgrade and Seal road between end of seal on Dal iels Rd to entrance to chicken farr	Reconstruction and Sealing of 1.6km of Dal iels Rd and Perr Rd	Rehab & Seal

LODDON SHIRE COUNCIL - ROLLING PROGRAM					
Program: Local Roads Construction - Amenity					
Project No.	Project Name	Project Type [R=Renewal, U=Upgrade and N=New]	Location	PROJECT DETAILS	Construction Category
	S/R Avenue of Honour, Pyramid Hill	U	Ch 0 - 0.195 km, 00=Victoria St	Sealing of local township road beside residential property to reduce dust	Seal
	McGillvray St, Pyramid Hill	U	Ch 0.172 - 0.287km	Sealing of local township road beside residential property to reduce dust	Seal
	Bramley St, Pyramid Hill	U	Ch 0 - 0.136km	Sealing of local township road beside residential property to reduce dust	Seal
	Gregory St, Pyramid Hill	U	Ch 0.182 - 0.232km	Sealing of local township road from end of existing seal to driveway of no 24	Seal
	Lane b/h E of High St, Wedderburn	U	Ch 0.237 - 0.340km	Sealing of local township road	Seal

LODDON SHIRE COUNCIL - ROLLING PROGRAM					
Program: Local Roads Construction - Safety					
Project No.	Project Name	Project Type [R=Renewal, U=Upgrade and N=New]	Location	PROJECT DETAILS	Construction Category
SA 00 4	orkshire Road Bridge Guardrail Upgrade	U	Ch 11.170km over Spring Creek	pproach guardrail is too low and existing terminals are non complainant making this a safety issue	Guard Rail

RE COUNCIL - ROLLING PROGRAM Township Street Improvements Loddon Shire Council Program: Township Street Improvement						
Project No.	Project Name	Project Type [R=Renewal, U=Upgrade	Location	Township	PROJECT DETAILS	Footpath Township Improvement
TSI086	Lakeview St Boort	N	Ch 1.389 - 1.605 km (00= Barclay St)	Boort	No erb and Channel - storm water problem ing St to Weaver St (West Side	& C
TSI0400	ndrews St Boort	N	Between Weaver St to Coutts St	Boort	160m erb & Channel	& C
TSI0412	Barber Street Pyramid Hill	N	From ictoria Street on Eastern side.	Pyramid Hill	Construct new footpath on Eastern side of Barber Street.	Footpath
TSI0456	Sullivan St Inglewood	N	New footpath from ouston St to North St	Inglewood	230m x 1.5m footpath on one side	Footpath
TSI0460	Godfrey Street Pedestrian Bridge over Nardoo Creek	N	Godfrey Street, Wedderburn over the Nardoo Creek	Wedderburn	Install footbridge Boardwalk over Nardoo Creek	Footpath
TSI0495	Southey St Inglewood	N	New footpath from end of existing to North St	Inglewood	130m x 1.5m footpath on west side	Footpath
TSI0496	Belmont St Inglewood	N	New footpath between ouston St and North St	Inglewood	230m x 1.5m footpath on one side	Footpath
TSI0498	Belmont St Inglewood	N	New footpath between North St and Deeble St	Inglewood	330m x 1.5m footpath on one side	Footpath
TSI0499	rmstrong St Boort	N	New footpath between Malone St and Coutts St	Boort	180m x 1.5m footpath on one side	Footpath
TSI0500	rmstrong St Boort	N	New footpath between Coutts St and McMillans Rd	Boort	145m x 1.5m footpath on one side	Footpath
TSI0501	McMillans Rd	N	New footpath between rmstrong St and olloway S	Boort	170m x 1.5m footpath West Side	Footpath
TSI0502	Nelson St	N	New footpath between Lyons St and Giffard St	Newbridge	210m x 1.5m footpath East side	Footpath

LODDON SHIRE COUNCIL - ROLLING PROGRAM					
Program: Township Drainage					
Project No.	Project Name	Project Type	Location	Township	PROJECT DETAILS
TSD0144	Victoria Street Pyramid Hill	U	In front of swimming pool	Pyramid Hill	Installation of pit and pipe to remove pooling water in front of swimming pool
TSD0148	Arnold Rd Bridgewater	R	Arnold Road Bridgewater	Bridgewater	Existing pipe is damaged
TSD0149	Inglewood Tennis Club Building Drainage	U	Calderwy, Inglewood	Inglewood	Upgrade drainage
TSD0172	Canning Street Culvert Replacement	R	350 m west of intersection with Gladstone St	Tarnagulla	Replacement of damaged culvert
TSD017	Skidders Flat Safety Manual and Site Investigation	U	Skidders Flat Reservoir	Wedderburn	Develop a safety manual and engage consultant to inspect reservoir and recommend safety upgrades
TSD0174	Deales St Drainage	U	Deales St Inglewood	Inglewood	Improve drainage in Deales St

LODDON SHIRE COUNCIL - ROLLING PROGRAM				
Program: Local roads Culverts				
Project No.	Project Name	Project Type [R=Renewal, U=Upgrade, and N=New]	Location	PROJECT DETAILS
L CC026	Arnold West Inglewood Rd	U	Ch 2.05km (00= Inglewood Rheola)	Install RC apron d s sid
L CC026	Woolshed Flat Rd	N	Ch 2.060km (00 = Tormeys Rd)	Install 450mm dia RCP x 12.2m x 2 Wing walls.
L CC027	Gredgwin East Rd	R	Gredgwin East -Piccoli Rd Intersection (00 = Boort Quambatook	Replace existing 300mm RCP
L CC0296	arklin West Rd (SN086)	U	SN086 - arklin West Rd (1.4km East of urstwood School Rd)	Concrete Patching, Deck Sealing & Beaching
L CC0297	arklin West Rd (SN086)	R	SN086 - arklin West Rd (1.4km East of urstwood School Rd)	Guard Rail
L CC0 65	Main St, Laanecoorie	R	250m East of anevale Bridge, next to marker post	Replace existing culvert with 375mm dia RCP with endwalls on both sides
L CC0 70	Pickles Rd	R	Ch 1.7 km (00 = Raywood Durham Ox Rd) Seg ID 3005	Replace box culvert
L CC0 71	Barraport West Rd	R	Ch 5.2 km (d jacent to Woods Rd) (00 = Boort Quambatook Rd) (Not sure that this is the correct location)	Replace existing culvert with a larger one
L CC0 72	Barraport West Rd	R	Ch 5.3 km (50m west of Woods Rd) (00 = Boort Quambatook Rd) (Not sure that this is the correct locatior	Existing 375mm culvert needs replacing perhaps with a larger culvert
L CC0 79	Baileys Rd Bridge (SN0164)	R	Baileys Rd - crossing Bullock Creek (SN 0164)	Replace bridge
L CC0 85	itkens Rd Bridge Replacement (SN92)	R	Ch 7580 (00 Bendigo-Pyramid RD) over Myers Creek	Replace with Stone floodway replacement and 2 reinforced box culverts 5m width and length improvements.
L CC0 95	Prairie West Road Culvert Replacement	R	Ch 5830m (00 Loddon alley wy) over unnamed creek	Culvert Replacement
L CC0411	Miles Rd at the Intersection with arklii arrawalla Rd Calivil Culvert Replacmen	R	Miles Rd at the Intersection with arklin- arrawalla Rd Calivil	Culvert Replacement
L CC0421	Godfrey St Bridge	U	Godfrey St, WEDDERBURN C 1.10 km	Replace culvert and upgrade

Loddon Shire Council

[Program: Parks and Gardens Townscape Services](#)

Project number	Project Name	Project Type [R=Renewal, N=New U=Upgrade]	Location	Town	Project details	Category
PGC025	Public Place Bin Renewal and Street Furniture Upgrade	R	Shire Wide	Shire Wide	Complete rollout of replacement public place bins	Open Space treatment
PGC028	Boort Park Playground Footpath	N	53-83 Malone St	Boort	Footpath installation	Park facilities
PGC029	The Hill Reserve Works	R	Leitchville-Pyramid Hill Rd	Pyramid Hill	Car Park, walk track entry, picnic ground. Retaining wall, furniture renewal, public place bin surround, tree assessment and uplift, and planting out native shrubs.	Park facilities
PGC031	Longvale Recreation Reserve Old Toilet Removal	U	McLennan St	Longvale	Remove decommissioned brick toilet block south of the bowling green	Park facilities
PGC032	Progress Park Newbridge Upgrade	U	Lyons & Burke St	Newbridge	Install a BBQ and shelter	Park facilities
PGC034	Township Tree Identification Project	R	Townships	Shire Wide	Tree identification of all street trees within Council township boundaries, parks and open spaces. In audit of tree species on nature strips by township	Open Space treatment
PGC035	Boort Sprinkler Replacement	R	Godfrey St	Boort	Replacement of sprinkler system	Open Space treatment

Loddon Shire Council
 Program: Buildings

Project number	Project Name	Location	Town	Project Details 1	Category	Status	Target Completion Date
BLD047	Inglewood Botanic Gardens septic tank and field replacement	Botanic Gardens	Inglewood	Replace septic field	N	Programmed	Jun 21
BLD048	Inglewood Town hall new deck	Town hall	Inglewood	Install deck in atrium	N	Programmed	Jun 21
BLD052	Pyramid Hill Memorial Hall	Memorial Hall	Pyramid Hill	Damp course replacement	R	Programmed	Jun 21
BLD060	Building Emergency Works Allocation	Various	Various	Allowance for emergency works	R	Programmed	Jun 21
BLD066	Longvale Mechanics Institute Hall	6-8 Ellen St	Longvale	Replace whole outer building facade including but not limited to Roof, Weatherboards, Windows, Doors, and Fascia. Also maybe significant water rot in frame and restumping in parts. Recommended by Council's Building Maintenance Officer.	R	Programmed	Jun 21
BLD067	Allocation for updating Building floor plans	Various	Multiple	Providing new floor plan drawings for nominated list of buildings	R	Programmed	Jun 21
BLD068	Building Compliance audits & minor rectification works	Various	Multiple	Undertake 12 x buildings audits (1 per month) & minor rectification works	R	Programmed	Jun 21
BLD069	Serpentine Public Toilets	Serpentine	Serpentine	New septic field (rest stop toilets)	U	Programmed	Jun 2
BLD072	Boort Courthouse paint exterior and drainage paving	Courthouse	Boort	Paint exterior and drainage paving of Boort Courthouse building	R	Programmed	Jun 21
BLD073	Boort Tennis Club	Tennis Club	Boort	Replace guttering	R	Programmed	Jun 2
BLD078	Boort Memorial Hall	Memorial Hall	Boort	Foundation restumping	R	Programmed	Jun 21
BLD079	Boort Croquet Club	Croquet Club	Boort	Water supply from pool upgrade	U	Programmed	Jun 2
BLD081	Inglewood Rec Reserve Clubroom	Recreation Reserve	Inglewood	Repaint exterior	R	Programmed	Jun 21
BLD085	Wedderburn Senior Citizen	Senior Citizen	Wedderburn	Remove partial wall left of front verandah	R	Programmed	Jun 2
BLD086	Bandstand public hall	Public Hall	Wedderburn	Replace distribution board	R	Programmed	Jun 2
BLD087	Bandstand public hall	Public Hall	Wedderburn	Paint exterior, windows and fascias	R	Programmed	Jun 2
BLD088	Tarnagulla Water Treatment System Replacement	Tarnagulla Rd	Tarnagulla	Replace waste water system	R	Programmed	Jun 21
BLD090	Pyramid Hill Preschool Cooling System	67 Emily St	Pyramid Hill	Replace split system	R	Programmed	Jun 2
BLD091	Black Park Bandstand Refurbishment	Chapel St	Wedderburn	Finish refurbishment works	R	Programmed	Jun 2
BLD092	Eddington Public Toilets Refurbishment	Playfair St	Eddington	Replace floor tiles and cubicle doors	R	Programmed	Jun 2
BLD093	Tarnagulla Public Toilets Refurbishment	67 Commercial Road	Tarnagulla	Install floor tiles and replace cubicle doors	R	Programmed	Jun 21
BLD094	Boort Courthouse public toilets revinyl floor	Courthouse	Boort	Revinyl floor	R	Programmed	Jun 21
BLD095	Wedderburn depot lunch room air conditioning	Depot	Wedderburn	Replace air con	R	Programmed	Jun 21

10.3 TARNAGULLA WARD STRATEGIC FUND ALLOCATION - SHELBOURNE RAILWAY STATION

File Number: FOL/19/120565
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council allocate a provisional budget of \$1,500 to support the purchase of interpretive signage and frames for the Shelbourne Railway Station Complex from the Tarnagulla Ward strategic fund.

CONFLICT OF INTEREST

There are no conflicts of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

There has been no previous Council discussion related to the item within this report. Council has previously considered an application for a project specific allocation from the Tarnagulla Ward strategic fund and use of the Tarnagulla Ward strategic fund to deliver a number of smaller projects.

BACKGROUND

Council has previously resolved to, by exception, allow the Tarnagulla Ward strategic fund to be used to deliver a number of smaller projects, with an initial \$40,000 allocation to support the re-pointing of brickwork in the Newbridge Hall, \$20,000 to support the painting of the Laanecoorie Hall, \$40,000 to support the Newbridge Recreation Reserve Committee of Management to purchase a tractor for use at the reserve, and in-principle support for a project to asphalt the entrance to the Tarnagulla Community Centre and associated drainage works, with a future report to be prepared detailing the costs.

ISSUES/DISCUSSION

An additional project has been identified in the Tarnagulla Ward which is proposed for Council consideration for allocation of funding.

In July 2019, Cr Curnow passed on a request for Council support for interpretive signage at the Shelbourne Railway Station Complex, as well as heritage overlay listing for the site. An extract from the Shelbourne Railway Station Complex Heritage Assessment, April 2019, states:

Shelbourne Railway Station Complex materially assists in the interpretation of the layout of stations in the wheat belt authorised under the Railway (Octopus) Act no 821. First, the original approximately 200-foot long passenger platform mound with ramped ends is intact, as is the approach roadway. A remnant of the platform wall is also in place. Second, it is situated in a remote location adding to its sense of history. It stands out prominently in the landscape. Third, the former Grain Elevators Board assemblage of Williamstown Type silos, original Hawke and Company weighbridge, Victorian Oats Pool shed, gate office and round closet have survived with a high degree of integrity making the place unique amongst the sites compared.

At the time, Council staff suggested that funding for purchase and installation of signage could be applied for through the Community Planning process. The ongoing responsibility for maintenance

and replacement of signs, once installed, would be 'owned' and maintained by the community group.

Council staff have obtained indicative estimates for signage and stands, which total \$1170. It is proposed to seek a provisional allocation of \$1,500 from the Tarnagulla Ward strategic fund to allow for any contingencies.

Any unspent funds, if the project is delivered within this provisional amount, will be returned to the reserved Tarnagulla Ward strategic funds.

COST/BENEFITS

With a number of smaller towns within the Tarnagulla Ward, the ability to use the Tarnagulla Ward strategic fund to deliver a number of smaller projects provides a direct benefit to these communities through the delivery of important local projects that may otherwise not be undertaken.

With \$400,000 of the initial strategic funding available, there are sufficient funds to provide the provisional amount recommended for allocation to this project.

RISK ANALYSIS

There is little risk associated with the deliverable components of this report. The associated risk is that without the support of the Tarnagulla Ward strategic fund this project, which has been identified as important to the local communities, may not be undertaken.

CONSULTATION AND ENGAGEMENT

The information to support the development of this report has been provided by Cr Curnow. Council staff have been involved in the preliminary work undertaken.

10.4 DRAFT GOVERNANCE RULES - PUBLIC COMMENT

File Number: fol/19/126277

Author: Lynne Habner, Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Governance rules - final draft for public comment July 2020

RECOMMENDATION

That Council resolves to advertise the draft Governance Rules for public comment, from 1 August to 17 August 2020.

CONFLICT OF INTEREST

There are no conflicts of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

A presentation was provided to the July Council Forum outlining the development process and timeframe for delivery of a draft set of Governance Rules.

BACKGROUND

Section 60 of the Local Government Act 2020 states:

60 Governance Rules

- (1) A Council must develop, adopt and keep in force Governance Rules for or with respect to the following—
 - (a) the conduct of Council meetings;
 - (b) the conduct of meetings of delegated committees;
 - (c) the form and availability of meeting records;
 - (d) the election of the Mayor and the Deputy Mayor;
 - (da) the appointment of an Acting Mayor;
 - (e) an election period policy in accordance with section 69;
 - (f) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;
 - (g) the procedure for the disclosure of a conflict of interest by a Councillor under section 131;
 - (h) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
 - (i) any other matters prescribed by the regulations.
- (2) The Governance Rules must provide for a Council to—
 - (a) consider and make decisions on any matter being considered by the Council fairly and on the merits; and
 - (b) institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered.
- (3) A Council may amend its Governance Rules.
- (4) Subject to subsection (5), a Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules.
- (5) Subsection (4) does not apply if the Council is developing and adopting or amending a Governance Rule that only adopts a good practice guideline issued by the Minister under section 87.

- (6) A Council must comply with its Governance Rules.
- (7) A Council must adopt the first Governance Rules under this section on or before 1 September 2020.
- (8) Until a Council adopts Governance Rules under this section, the Local Law Meeting Procedures made by the Council under the Local Government Act 1989 apply as if the Local Law Meeting Procedures had been adopted as Governance Rules under this section.

ISSUES/DISCUSSION

Council had adopted its current version of Local Law 1 - Processes of Municipal Government in April 2017, following a thorough review and consultation conducted by a consultant.

Local Government Victoria has produced a template to assist councils in developing their new Governance Rules. On reviewing the template, it was found to be significantly more complex and detailed than the current Local Law 1.

Given the short timeframe required for Council to adopt the new Governance Rules, a consultant was engaged to review Local Law 1 with a view to changing it into the required Governance Rules by incorporating the elements that are required under the Local Government Act 2020, but without making the new document any more complex than is necessary.

The amendments considered necessary to comply with the new Act included:

- Committee arrangements under the new Act
- Provision for Deputy Mayor, if desired by future Councils
- New meeting descriptions to replace “ordinary” and “special” council meetings
- Replacing more technical meeting procedures with:
 - empowering the Mayor to decide many procedural matters such as putting the question, adjourning debate, suspending standing orders, altering speaking times, etc. without requiring a formal motion and vote
 - providing that matters not covered in the Governance Rules will be decided by the Mayor (noting that capacity for the Mayor to misuse these powers is limited by the ability of Council to dissent from a Mayor’s decision).
- Describing the role of the Mayor as leading the meeting in a way that ensures good decision making, which will provide guidance for the exercise of the Mayor’s powers and reinforce the Act. Good decision making:
 - Is informed about relevant circumstances and requirements
 - Involves open participation by councillors
 - Is transparent to participants and observers
 - Allows a fair hearing for anyone affected by a decision
 - Reflects the results of community engagement
 - Is focussed on the issues at hand
 - Is conducted in an orderly manner.
- Describing the role of the CEO in Council meetings to clarify that the CEO has important roles under the Act to support the Mayor and councillors in council meetings by:
 - Ensuring council is provided with information needed to make good decisions
 - Advising of any legal or administrative implications of decisions
 - Helping clarify any resolution that has unclear application
 - Ensuring support for procedural and administrative matters.
- Describing the role of Councillors

- Clarifying procedures for conflicts of interest
- Inclusion of the Election Period Policy in the Governance Rules.

The resulting draft Governance Rules will be provided prior to the July Council meeting. They were still under development at the time of writing this report.

In order to adopt new Governance Rules before 1 September 2020, they will need to be presented to the August Council meeting for final adoption.

Prior to adoption, section 60(4) requires that a process of community engagement is followed. This report recommends that Council resolve to advertise the draft Governance Rules for a comment period of two weeks to address the requirement for community engagement.

COST/BENEFITS

Development of the new Governance Rules within the required timeframe has necessitated the engagement of a consultant, which is a cost to Council. However, the approach to amending the existing Local Law 1 was considered to be a more streamlined process than replacing it with a completely new document, providing efficiencies for its adoption within the time allowed.

RISK ANALYSIS

By adopting the Governance Rules, Council is addressing the risk of non-compliance with the new Local Government Act 2020.

CONSULTATION AND ENGAGEMENT

The Governance Rules have been developed in consultation with relevant staff within the organisation, and Councillors were provided an outline of the process and timelines at the July Council Forum.

LODDON SHIRE COUNCIL

GOVERNANCE RULES



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Signed by Chief Executive Officer

FILE LOCATION:

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This document is available in alternative formats (e.g. larger font) if requested.

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PART 1 – PRELIMINARY

1. Purpose

The Governance Rules specify the principal governance procedures for the Loddon Shire Council, including:

- (a) the election the Mayor;
- (b) the conduct of Council meetings;
- (c) public participation in Council meetings;
- (d) disclosing conflicts of interest;
- (e) records of Council meetings;
- (f) use of the Council's common seal; and
- (g) the Council's election period policy.

2. Authority and operation

- (1) Governance Rules are adopted by the Council in accordance with section 60 of the Local Government Act 2020.
- (2) These Governance Rules:
 - (a) come into operation on the day after they are adopted by resolution of Council;
 - (b) may be amended from time to time by resolution of Council following community engagement; and
 - (c) cease to operate the day after they are repealed or replaced by resolution of Council.

3. Definitions

In these Governance Rules unless inconsistent with the context:

Absolute majority	means the number of Councillors which is greater than half the total number of the Councillors of a Council.
Act	means the <i>Local Government Act 2020</i> .
Advisory committee	means a committee that provides advice to the Council and is not a delegated committee or a community asset committee.
Broadcast	means the visual or aural transmission of proceedings on any medium, including radio, television or the internet.
Carried	means that the relevant motion or amendment is determined in the affirmative.
Chief Executive Officer	means the Chief Executive Officer or any person acting in the position of Chief Executive Officer.
Community asset committee	means a committee established by the Council under section 65 of the Act for the purpose of managing a community asset in the

	municipal district.
Council	means the Loddon Shire Council.
Councillor	means a Councillor of the Council.
Council Meeting	means a meeting of the Council as defined in section 61 of the Act. It is a meeting at which all the Councillors are entitled to attend and vote and where decisions of the Council are made by formal resolution.
Delegated committee	means a committee established by the Council under section 63 of the Act and to which the Council delegates powers.
Electoral material	has the meaning described in section 3(4) and (5) of the Act. It includes any advertisement, handbill, pamphlet or notice that contains information that is intended or likely to affect voting in an election, including matter that refers to the election, a candidate or an election issue, excluding material produced by or on behalf of the election manager for conducting an election, or a newspaper advertisement only announcing the holding of a meeting.
Minister	means the Minister responsible for administering the Act.
Lapsed	means the relevant motion or amendment was not put to the meeting either because it was not moved or it was not seconded.
Lost	means the relevant motion or amendment is not carried and is determined in the negative.
Quorum	means the number of Councillors who must be in attendance at a Council meeting for the meeting to proceed or pass a resolution. See clause 45.
Recording	means a recording of proceedings made using any device that is capable of recording speech or actions, including a tape recorder, video camera or mobile device.

PART 2 – ELECTION OF MAYOR

4. Meeting to conduct an election

- (1) An election to fill a vacancy in the office of Mayor must be conducted under this Part:
 - (a) no later than one month after the date of a general election; and
 - (b) when required under section 26 of the Act.
- (2) At any meeting to elect the Mayor the Chief Executive Officer must be the temporary chairperson.
- (3) At the conclusion of an election under this Part, the Councillor elected to be Mayor must take the chair.

5. Nominations

- (1) The chairperson must call for nominations to fill the vacancy.
- (2) The following provisions apply to nominations:
 - (a) any Councillor may propose a nomination;
 - (b) a Councillor may decline to be nominated; and
 - (c) nominations do not require a seconder and are not motions.

6. Election if only one candidate

If only one candidate is nominated the chairperson must declare that candidate elected.

7. Election if two or more candidates

- (1) If there are two or more candidates, the chairperson must call for a vote. All voting under this Part must be by a show of hands and each Councillor is entitled to a single vote.
- (2) Unless clause 6 applies, a candidate must obtain the votes of an absolute majority of all the Councillors in order to be elected Mayor.
- (4) A candidate must be declared elected at any time that the candidate receives an absolute majority of votes.
- (5) At any time when there are more than two candidates remaining and no candidate has received an absolute majority of votes, the candidate with the fewest votes must be eliminated and a new vote must be taken. If two or more candidates have the equal fewest votes, the candidate to be eliminated must be determined by drawing lots in a manner determined by the Chief Executive Officer.

8. Failed election

- (1) If an election is conducted under clause 7 and no candidate obtains the votes of an absolute majority of the Councillors, the election fails.
- (2) If the election fails, the Chief Executive Officer must adjourn the meeting to another time when a new election must be conducted under this Part.

9. Electing a Deputy Mayor

- (1) The Council may resolve to elect a Deputy Mayor.
- (2) A Deputy Mayor is elected in the same way as the Mayor to the extent that is reasonably applicable.
- (3) The Mayor must chair a meeting to elect a Deputy Mayor but must not cast a second vote if there is a tie.

PART 3 – MEETING PREPARATION

Division 1 – Calling Council meetings

10. Types of Council meetings

A Council meeting must be:

- (a) a “scheduled meeting” where the normal business of Council is conducted;
- (b) a “special meeting” called for a particular purpose or purposes; or
- (c) an “urgent meeting” called to address a single urgent matter.

11. Calling meetings

- (1) The dates, times and places of scheduled meetings will be fixed by the Council from time to time.
- (2) Subject to public notice requirements, a special meeting may be called:
 - (a) by resolution of the Council; or
 - (b) by the Chief Executive Officer in consultation with the Mayor and Councillors.
- (3) Subject to public notice requirements, the date, time, or place of a scheduled meeting or a special meeting may be altered by the Chief Executive Officer in consultation with the Mayor and Councillors.
- (4) An urgent meeting may be called with less than seven (7) days’ notice by the Chief Executive Officer in consultation with the Mayor and Councillors.

12. Public notice

- (1) Public notice will be given at least seven (7) days before:
 - (a) a scheduled meeting; or
 - (b) a special meeting.
- (2) If an extraordinary circumstance prevents the giving of seven (7) days’ notice for a scheduled or special meeting, the Chief Executive Officer will provide as much notice as is practicable and the nature of the extraordinary circumstance will be specified in the minutes.
- (3) Before an urgent meeting, the Chief Executive Officer will provide as much notice as is practicable and the reasons for calling an urgent meeting will be specified in the minutes.

13. Agenda notice

- (1) At least five (5) days before a meeting is to occur, an agenda notice must be:
 - (a) delivered to each Councillor’s residence or usual place of business; and
 - (b) published on the Council’s web site.
- (2) An agenda notice must include:
 - (a) a description of the date, time and place of the meeting;
 - (b) a description of the matter or matters to be considered at the meeting;

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- (c) any validly lodged notices of motion, amendment or rescission; and
 - (d) reports prepared for consideration at the meeting.
- (3) If it is not possible to comply with subclause (1) for any reason, the Chief Executive Officer must ensure delivery and publication as soon as is reasonably possible.
- (4) Subject to the direction of Council, the delivery of an agenda notice may be undertaken by electronic means.
- (5) If a Councillor is on leave or absent from the municipality, a notice of meeting does not have to be delivered to the Councillor unless the Councillor requests delivery.

14. Adjourned meeting notices

If a Council meeting is adjourned to another day for any reason, this Division applies to the adjourned meeting to the extent that is reasonably practicable.

Division 2 – Notices of motion

15. Giving a notice of motion

- (1) A Councillor may give a notice of motion if the Councillor wishes to move a motion on a matter at a forthcoming Council meeting.
- (2) A notice of motion:
- (a) must include the text of the proposed motion; and
 - (b) may include a brief written explanation for the proposed motion
- (3) A notice of motion must be given:
- (a) during a meeting preceding the meeting at which it is to be proposed; or
 - (b) in writing to the Chief Executive Officer no later than seven (7) days before the meeting at which it is to be proposed.

16. Notice may be rejected

- (1) The Chief Executive Officer must reject a notice of motion if:
- (a) it appears to be contrary to the Act or any other law;
 - (b) it appears contrary to the Council's election period policy;
 - (c) it is vague or unclear in its intention; or
 - (d) it is not lodged in accordance with this Division.
- (2) If the Chief Executive Officer rejects a notice of motion, the Chief Executive Officer must:
- (a) notify the Councillor of the reason for the rejection; and
 - (b) if reasonably possible before the agenda notice is issued, give the Councillor an opportunity to amend the notice.

17. Notice must be listed on the agenda

- (1) A notice of motion must be included on the agenda for the next scheduled meeting, unless:

- (a) it has been rejected under clause 16, or
 - (b) the Councillor lodging the notice of motion has requested it be listed for a different Council meeting.
- (2) If a brief written explanation of the notice of motion has been provided, it must be included in the agenda notice.

Division 3 – Notice of rescission

18. Giving a notice of rescission

- (1) A Councillor may give notice of a motion to rescind a decision of the Council provided that the decision has not been substantially commenced or implemented.
- (2) A notice of rescission:
- (a) must specify the decision that it proposes to rescind;
 - (b) must be clear in its intent;
 - (c) must be in writing; and
 - (d) must be given to the Chief Executive Officer no later than seven (7) days before the meeting at which the relevant motion will be put.
- (3) The Chief Executive Officer must reject a notice of rescission that does not comply with this clause.

19. Affected persons to be notified

Unless a notice of rescission is rejected under clause 18, the Chief Executive Officer must ensure that:

- (a) no further action is taken to implement the decision; and
- (b) any person directly affected by the proposed rescission is notified without delay.

20. Notice must be listed on the agenda

- (1) Unless a notice of rescission has been rejected under clause 18 it must be included on the agenda for the next scheduled or special meeting of the Council.
- (2) If more than one notice of rescission is received in regard to a particular matter, the notices must be listed on the agenda in the order they were received.

PART 4 – ROLES AND CONDUCT

Division 1 – Roles of Mayor, Councillors and CEO

21. Role of the Mayor

The principle roles of the Mayor in Council meetings are to:

- (a) chair the meeting; and

- (b) promote good decision making by the Council.

22. Absence of the Mayor

- (1) If the Mayor is absent or otherwise unable to chair a Council meeting and the Council has elected a Deputy Mayor, the Deputy Mayor must chair the meeting.
- (2) If neither the Mayor nor the Deputy Mayor is in attendance and able to chair the meeting, the Council must appoint an Acting Mayor for the purpose of chairing the meeting.

23. Good decision making principles

Good decision making is decision making done in accordance with the following principles:

- (a) Decisions will be made in a transparent and accountable manner.
- (b) Councillors will have sufficient information to make good decisions.
- (c) Councillors will be enabled to contribute to decisions.
- (d) People whose rights are affected will be entitled to a fair hearing.
- (e) Decisions will be made fairly and on the merits of the matter.
- (f) Debate and discussion will be focussed on the issue at hand.
- (g) Meetings will be conducted in an orderly manner.

24. Role of a Councillor

The role of a Councillor in Council meetings includes:

- (a) participating in decision making;
- (b) abiding by the good decision making principles;
- (c) acknowledging and respecting the role of the Mayor;
- (d) respecting the rights and responsibilities of other Councillors; and
- (e) being courteous and behaving in an orderly manner.

25. Role of the Chief Executive Officer

The Chief Executive Officer's role in Council meetings is to support good decision making by the Mayor and Councillors by:

- (a) ensuring information is provided to enable good decisions;
- (b) advising of any legal or administrative impediments to decisions;
- (c) assisting with any proposed resolution that has unclear application; and
- (d) ensuring general support for procedural and administrative matters.

Division 2 – Standards of conduct

26. Good conduct

Councillors, participants and observers at a Council meeting must:

- (a) treat all persons at the meeting with due courtesy;
- (b) respect the roles of the Mayor, the Councillors and the Council staff; and
- (c) avoid behaviour that is disorderly or that prevents the Council from performing its functions.

27. Addressing the meeting

- (1) Any person addressing the Mayor should refer to the Mayor as:
 - (a) Madam Mayor; or
 - (b) Mr Mayor.
- (2) All Councillors, other than the Mayor, should be addressed as Cr (name).
- (3) All officers should be addressed as Mrs, Ms, Miss or Mr (name).

28. Mayor may call a Councillor to order

- (1) The Mayor may call to order any Councillor:
 - (a) who is disruptive or acting unruly during a meeting; or
 - (b) who makes a statement that is offensive, insulting or defamatory.
- (2) Without detracting from subclause (1), the Mayor may call to order any Councillor who is acting contrary to the Councillor Code of Conduct in a meeting.
- (3) If the Mayor calls a Councillor to order, the Mayor may direct the Councillor:
 - (a) to cease the actions for which they have been called to order; or
 - (b) to retract or apologise for a statement or action.
- (4) If a Councillor fails to comply with a direction under subclause (3), the Mayor may direct the Councillor to leave the meeting for a specified time.
- (5) The direction by the Mayor under subclause (4) may be overruled by a resolution of the meeting to dissent from the Mayor's ruling.

29. Mayor may remove a member of the public

- (1) The Mayor may direct a member of the public to leave a meeting if, in the opinion of the Mayor, the person is disrupting the orderly conduct of the meeting.
- (2) A person directed to leave a meeting under subclause (1) must not return to the meeting unless authorised by the Mayor.

30. Mayor may call a temporary adjournment

- (1) The Mayor may call a temporary adjournment at any time if a disruption is preventing the Council from conducting its business in an orderly manner.
- (2) Unless otherwise specified by the Mayor, a temporary adjournment under subclause (1) will be for a period of 15 minutes.
- (3) The meeting must not dissent from a ruling to call a temporary adjournment.

PART 5 – CONFLICTS OF INTEREST

Division 1 – Conflict of interest generally

31. Conflict of interest definitions

- (1) Division 2 of Part 6 of the Act requires relevant persons to disclose conflicts of interest.
- (2) “Relevant persons” for whom the provisions of the Act apply are:
 - (a) Councillors;
 - (b) members of Council staff; and
 - (c) members of delegated committees (if any).
- (3) Conflict of interest is defined in Division 2 of Part 6 of the Act to include:
 - (a) material conflicts of interest; and
 - (b) general conflicts of interest.
- (4) A “Material conflict of interest” exists when a relevant person or an “affected person” with whom they are connected, as defined in the Act, would gain a benefit or suffer a loss depending on the outcome of the matter.
- (5) A “General conflict of interest” exists where an impartial, fair-minded person would consider that a relevant person's private interests could result in them acting in a manner that is contrary to their public duty.

Division 2 – Councillor conflict of interest disclosures

32. General duty of disclosure by a Councillor

- (1) A conflict of interest must be disclosed by a Councillor in any Council meeting or any other meeting conducted under the auspices of the Council.
- (2) Meetings conducted under the auspices of the Council mean any meeting:
 - (a) organised by the Council;
 - (b) organised on behalf of the Council; or
 - (c) wholly or partly resourced by the Council.

33. Disclosure in Council meeting

- (1) If a Councillor has a conflict of interest in a matter considered in a Council meeting, the Councillor must:
 - (a) disclose the conflict of interest in accordance with subclause (2); and
 - (b) exclude themselves from the decision making process in accordance with subclause (3).
- (2) A Councillor disclosing a conflict of interest must:
 - (a) address the meeting immediately before the matter is considered and state that they have a conflict of interest in the matter; and

- (b) describe the nature of the conflict sufficiently that an independent observer would realise that the conflict of interest is a genuine concern.
- (3) A Councillor excluding themselves from the decision making process:
- (a) must leave the room where the meeting is being held and wait in a place where they cannot see or hear the meeting; and
 - (b) may return to the meeting before the next matter is considered.
- (4) The Mayor must ensure the meeting does not proceed to the next matter until a reasonable attempt has been made to notify any Councillor affected by this clause.

34. Disclosure in a delegated committee

If the Council has appointed a delegated committee, Councillors who are members of the committee must comply with clause 33 as if they are in a Council meeting.

35. Disclosure in advisory meetings

- (1) This clause applies to any Council auspiced meeting attended by a Councillor that considers a matter for decision or action by the Council or by a delegated committee or by a member of Council staff under delegation, including but not limited to:
- (a) Councillor briefings;
 - (b) Councillor forums;
 - (c) advisory committees; and
 - (d) meetings called to consider specific proposals.
- (2) If a Councillor has a conflict of interest in a matter considered in an advisory meeting under this clause, the Councillor must:
- (a) immediately disclose that they have a conflict of interest; and
 - (b) leave the room or place where the meeting is held until the matter is concluded.

36. Disclosure in community asset committee

A Councillor who is a member of a community asset committee must comply with clause 35 as if the committee was an advisory committee.

37. Disclosure in general gatherings

- (1) This clause applies to meetings or gatherings that are not directly connected with Council decisions on specific matters. This includes:
- (a) forums for general community engagement; and
 - (b) social and ceremonial functions.
- (2) If a Councillor has a conflict of interest in a matter that arises in a meeting or gathering under this clause, the Councillor must:
- (a) disclose that they have a conflict of interest in an appropriate manner; and
 - (b) exercise their own discretion to act in a responsible manner.

38. Disclosure in other Council auspiced meetings

If a Councillor attends a Council auspiced meeting that is not otherwise described in this Division, clause 35 applies as if the meeting was an advisory meeting.

Division 3 – Staff conflict of interest disclosures

39. Staff disclosure for Council meeting

- (1) If a member of Council staff has a conflict of interest in a matter to be considered in a Council meeting and is likely to be involved in providing advice on the matter:
 - (a) the staff member must notify their immediate supervisor and the Chief Executive Officer; and
 - (b) the staff member must not provide advice to Council unless authorised by the Chief Executive Officer.
- (2) If a member of Council staff has a conflict of interest in a matter in which they are providing advice to Council:
 - (a) if the advice is included in a report, the report must disclose the conflict of interest; and
 - (b) if the officer is speaking in the Council meeting, the officer must disclose the conflict of interest before speaking on the matter.

40. Disclosure in delegated committee

A member of Council staff who is a member of a delegated committee must comply with clause 33 as if they are a Councillor in a Council meeting.

41. Disclosure in community asset committee

A member of Council staff who is a member of a community asset committee must:

- (a) disclose any conflict of interest in a matter before the committee;
- (b) leave the meeting while the matter is considered; and
- (c) comply with any relevant procedure specified by the Chief Executive Officer for that committee.

42. Disclosure when exercising a delegation or statutory power

- (1) This clause applies to a member of Council staff who exercises a power of delegation or a statutory function under any Act.
- (2) If the member of Council staff has a conflict of interest in the exercise of the delegation or the statutory function the staff member must:
 - (a) immediately notify their line manager;
 - (b) not exercise the delegated power or statutory function; and
 - (c) comply with any relevant procedures in the staff code of conduct.
- (3) A line manager who has been notified of a conflict of interest under this clause must:
 - (a) make a record of the disclosure;

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- (b) provide for the power or function to be exercised by another person; and
- (c) notify the Chief Executive Officer of the disclosure and the action taken.

Division 4 – Disclosures by other committee members

43. Disclosure in delegated committee

A member of a delegated committee who is not a Councillor or a member of Council staff must comply with clause 33 as if they are a Councillor in a Council meeting.

44. Disclosure in community asset committee

A member of a community asset committee who is not a Councillor or a member of Council staff must:

- (a) disclose any conflict of interest in a matter being considered by the committee; and
- (b) comply with any terms and conditions specified by the Chief Executive Officer for that committee under section 47 of the Act.

PART 6 – GENERAL CONDUCT OF MEETINGS

Division 1 – General lack of a quorum

45. What is a quorum?

A quorum for a Council meeting is an absolute majority of the Councillors.

46. Lack of a quorum

- (1) If a quorum cannot be obtained within thirty (30) minutes of the scheduled starting time of any meeting or adjournment, the meeting may be adjourned for a period not exceeding seven (7) days by:
 - (a) those Councillors present; or
 - (b) if there are no Councillors present, the Chief Executive Officer.
- (2) If a quorum cannot be maintained in a meeting for any reason other than a result of conflicts of interest, the meeting may be adjourned for a period not exceeding seven (7) days by:
 - (a) those Councillors present; or
 - (b) if there are no Councillors present, the Chief Executive Officer.

Division 2 – Loss of quorum due to conflicts of interest

47. Application of this Division

- (1) This division applies in a Council meeting where the Council is unable to maintain a quorum because of the number of Councillors with conflicts of interest.
- (2) This division does not apply to any other Council auspiced committee or meeting.

48. Mayor to take action

- (1) If the Council will be unable to maintain a quorum because of the number of Councillors with conflicts of interest in a matter, the Mayor must invite all Councillors to remain in the meeting until the quorum matter is addressed.
- (2) Actions to be taken under this clause by the Mayor where feasible, in order of priority, are:
 - (a) if there are Councillors absent from the meeting who may not have conflicts of interest, defer the matter to a later time;
 - (b) propose that the motion be dealt with in an alternative manner under clause 49; or
 - (c) propose that the Council appoint a delegated committee under clause 50.
- (3) The Mayor may seek advice from the Chief Executive Officer when determining the feasibility of alternative actions under this clause.

49. Alternative manners to resolve quorum

- (1) Section 67 of the Act specifies two alternative manners in which a matter may be considered by Council to avoid the loss of a quorum:
 - (a) splitting the resolution; or
 - (b) making prior decisions on component parts.
- (2) Where a resolution can be split into parts that can be separately resolved to avoid the loss of a quorum:
 - (a) the Mayor may put the parts to the Council as separate motions; and
 - (b) a Councillor who has a conflict of interest in any separate motion must disclose a conflict of interest in that motion under clause 33.
- (3) Where the final motion cannot be reasonably split, but component parts may be considered prior to the final motion, such as may apply to the Council Plan or the budget:
 - (a) each affected component part may be put to a vote for inclusion in the final motion;
 - (b) a Councillor who has a conflict of interest in a component part must disclose the conflict of interest under clause 33 when that part is considered;
 - (c) a resolution to adopt the final motion may then be put to the meeting, subject to any amendments arising from the votes on component parts; and
 - (d) a Councillor may vote on the final motion if they have previously disclosed a conflict of interest in any component in which they have a conflict of interest.

50. Delegated committee to decide matter

- (1) Under section 67 of the Act, the Council must establish a delegated committee to determine a matter that cannot be resolved by an alternative manner after the loss of a quorum because of conflicts of interest.
- (2) A delegated committee under this clause:
 - (a) must include all Councillors who do not have a conflict of interest in the matter;
 - (b) may include any other person the Council considers suitable; and
 - (c) must be chaired by a Councillor unless there are no Councillor members.

Division 3 – Business of meetings

51. Business of scheduled meetings

- (1) The Business of a scheduled Council meeting must include the following where applicable:
 - (a) confirmation of the minutes of the previous Council meeting or meetings;
 - (b) confirmation of records of Councillor briefings, Councillor forums and advisory committees;
 - (c) reports received from advisory committees;
 - (d) reports provided by the Audit and Risk Committee;
 - (e) reports provided by the Chief Executive Officer;
 - (f) notices of motion given under clause 15; and
 - (g) notices of rescission received under clause 18.
- (2) A record of a Councillor briefing, Councillor forum or advisory committee meeting must include:
 - (a) a record of which Councillors attended the meeting;
 - (b) a summary of the matters considered in the meeting; and
 - (c) a record of any conflicts of interest disclosed by Councillors.

52. Order of business

- (1) Subject to clause 51 and these Governance Rules, the order of business of a Council meeting will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of government.
- (2) Subject to these Governance Rules, the Chief Executive Officer may include any matter on an agenda of a scheduled meeting for consideration by the meeting.
- (3) Once an agenda notice has been issued, the order of business for the meeting may only be altered by the Mayor in the meeting or by resolution of the Councillors at the meeting.

53. Urgent business

- (1) At a scheduled or special meeting of Council, business that is not included in the agenda notice must only be considered if no more than one Councillor is absent and the Council resolves that the matter is urgent.

- (2) At an urgent meeting of Council, business that is not included in the agenda notice must only be considered if all Councillors are present and unanimously resolve that the matter is urgent.
- (3) Despite subclauses (1) and (2), a matter that is not included in the agenda notice must not be considered at a Council meeting if it will:
 - (a) directly and significantly affect the exercise of a person's rights;
 - (b) alter the Council Plan or the budget; or
 - (c) commit the Council to expenditure exceeding \$20,000.

Division 4 – Procedural meeting determinations

54. Matters not provided for

Where a situation has not been provided for under the Act or in these Governance Rules, the matter must be determined as a procedural matter under this Division.

55. Determination of procedural matters

- (1) Unless otherwise specified in these Governance Rules, procedural matters relating to the conduct of a Council meeting shall be determined:
 - (a) by a ruling of the Mayor; or
 - (b) by a resolution of the Council.
- (2) Procedural matters that may be determined under this clause include:
 - (a) a change to the order of business;
 - (b) suspending standing orders;
 - (c) resuming standing orders;
 - (d) an extension of speaking time for a member of the public;
 - (e) closing the meeting to members of the public;
 - (f) reopening the meeting to members of the public;
 - (g) adjourning the meeting to another time and place; and
 - (h) closing the meeting.
- (3) Part 7 applies to a Council resolution under this clause except that the motion does not require a seconder.

56. Dissent from a Mayor's ruling

- (1) A ruling of the Mayor under this Part may be negated by a resolution of the Council to dissent from the Mayor's ruling.
- (2) A motion of dissent in the ruling is not a motion of dissent in the Mayor. The Mayor remains in the chair and may exercise a second vote if exactly half the Councillors vote in favour of the motion of dissent.

57. Arrangements when standing orders suspended

- (1) During a period when standing orders are suspended, no decision, motion or other formal proceeding must be allowed, other than:

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- (a) the raising of a point of order; or
 - (b) a motion to resume standing orders.
- (2) The minutes of a meeting do not have to include an account of matters considered during a period when standing orders are suspended.

58. Closing a meeting to members of the public

- (1) A Council meeting must be closed to members of the public only if:
- (a) the meeting is to consider confidential information (see Appendix 1); or
 - (b) it is necessary to close the meeting for security reasons or to enable the meeting to proceed in an orderly manner.
- (2) The Council must only close the meeting for the purpose listed in subclause (1)(b) if arrangements have been put in place to allow remote public viewing of the meeting as specified in section 66 of the Act.

59. Adjourning a meeting

A motion to adjourn the meeting may specify when the meeting will resume, which may be:

- (a) at a specific time, date and place;
- (b) at the conclusion of another scheduled meeting; or
- (c) at a time to be determined by the Chief Executive Officer.

Division 5 – Point of order

60. Points of order

- (1) A Councillor may raise a point of order at any time if the Councillor considers that the Act or these Governance Rules are not being complied with.
- (2) A Councillor raising a point of order must:
- (a) state the point of order; and
 - (b) state the relevant clause or provision constituting the point of order.
- (3) A Councillor raising a point of order is not deemed to be speaking to a motion or amendment before the meeting.
- (4) All other matters before the Council are suspended until the point of order is decided.
- (5) The Mayor may call a temporary adjournment to consider a point of order or otherwise rule on it as soon as it is raised.
- (6) The Mayor must rule on all points of order without entering into discussion or debate and the Mayor's ruling is final unless the meeting dissents from that ruling under clause 56.

Division 6 – Public participation

61. Addressing meetings

- (1) At a Council meeting, standing orders may be suspended to enable a member of the public to address the meeting.
- (2) A member of the public addressing the Council must extend due courtesy and respect to the members and the Council and must take direction from the Mayor.
- (3) Unless this procedure is varied under clause 55 the maximum speaking time for a member of the public addressing the Council is three (3) minutes.

62. Public question time

- (1) Any member of the public may put a question to an ordinary Council meeting. Questions from a member of the public:
 - (a) must be in writing;
 - (b) must relate to a matter of business on the meeting agenda;
 - (c) must not be offensive or defamatory, and
 - (d) must be given to the Chief Executive Officer or the delegated officer no later than ten (10) minutes before the scheduled commencement of the meeting.
- (2) If the Council has received a question from the public under subclause (1), the Council must suspend standing orders at an appropriate time for the question to be put.
- (3) The Mayor must reject a question:
 - (a) that does not comply with subclause (1); or
 - (b) where answering, the question would require the disclosure of confidential information.
- (4) If a question cannot be dealt with adequately or appropriately during public question time, the Mayor may request the Chief Executive Officer to provide a written answer to the person.

63. Petitions and joint letters

- (1) A member of the public may give a petition or a joint letter to a Councillor, the Chief Executive Officer or the delegated officer.
- (2) A petition or joint letter must:
 - (a) state the name of the person forwarding the petition and an address to which notice of Council's response may be forwarded;
 - (b) contain the name, address and signature of each person signing the petition or letter;
 - (c) clearly state the request or describe the action that the Council is asked to do on each page of the petition or in the joint letter (whichever is applicable);
 - (d) not include any statement that is offensive, defamatory or disrespectful to Council;
 - (e) be legible;
 - (f) not contain alterations; and
 - (g) not have any letters or other documents attached to it.

- (4) A petition or joint letter that complies with subclause (2) must be tabled at an ordinary Council meeting at the first reasonable opportunity.
- (5) A petition or joint letter may be tabled by any Councillor or by the Chief Executive Officer. It does not have to be tabled by the person to whom it was given.
- (6) A petition or joint letter tabled at a Council meeting must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson unless the Council resolves to deal with it earlier.

Division 7 – Minutes and recordings

64. Keeping of minutes

- (1) The Chief Executive Officer must ensure that minutes of Council meetings are kept.
- (2) The minutes must be an accurate record of the meeting, including:
 - (a) the date, place, and nature of the meeting;
 - (b) the time the meeting opened;
 - (c) the name of each Councillor in attendance;
 - (d) any Councillor apology or leave of absence;
 - (e) every conflict of interest disclosure;
 - (f) arrivals and departures during the meeting by Councillors;
 - (g) the name and title of each staff member attending and not in the gallery;
 - (h) all matters considered for decision;
 - (i) the name of any member of the public who spoke on a matter;
 - (j) all motions put to the meeting and the outcome of each motion;
 - (k) the result of any division; and
 - (l) the time the meeting closed.
- (3) The following must be published on the Council's website as soon as practicable after the conclusion of a Council meeting:
 - (a) the draft (unconfirmed) minutes of the Council meeting;
 - (b) any reports considered at the Council meeting; and
 - (c) any resolutions carried in a part of a meeting closed to consider confidential information.
- (4) The detailed records of any part of a meeting that was closed to the public to consider confidential information must not be published on the internet.

65. Confirmation of minutes

- (1) The Chief Executive Officer must ensure the draft minutes are submitted to the next applicable meeting of the Council for confirmation.
- (2) No discussion or debate on the confirmation of minutes will be permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.
- (3) If a Councillor is dissatisfied with the accuracy of the minutes, then the Councillor must propose a motion specifying the alternative wording to amend the minutes.

- (4) The confirmed minutes, excluding the detailed records of any part of a meeting that was closed to the public to consider confidential information, must be published on the Council's website in place of the draft minutes as soon as practicable.

66. Council may record meetings

- (1) The Council may resolve to:
- (a) broadcast a Council meeting in any form;
 - (b) make a recording of a Council meeting; or
 - (c) specify how and in what form a recording of a Council meeting will be made available to the public.
- (2) Despite subclause (1), any part of a meeting that is closed to the public to consider a confidential matter must not be broadcast or a recording made available to the public in any form.

PART 7 – CONDUCT OF DEBATE

Division 1 – General debate matters

67. Preparation for debate

Before any motion is put on a matter:

- (a) the Mayor may invite the Chief Executive Officer or a member of staff to speak on the matter or answer questions; or
- (b) standing orders may be suspended to allow one or more members of the public to speak on the matter or answer questions.

68. Speaking times

Unless this procedure is varied under clause 82, the maximum speaking time for a Councillor will be three (3) minutes when:

- (a) speaking to a motion or amendment; or
- (b) exercising a right of reply on a motion.

Division 2 – Motions and amendments

69. Order of motions and amendments

During the consideration of a matter in a Council meeting:

- (a) only one motion may be considered by a meeting at a particular time;
- (b) only one amendment may be considered by a meeting at a particular time; and
- (c) a motion must not be voted upon until a decision has been made on any amendment to that motion which has been moved and seconded.

70. Rejecting a motion or amendment

- (1) The Mayor must reject any motion or amendment which is:
 - (a) offensive or defamatory;
 - (b) outside the powers of the Council or otherwise contrary to the Council's legal obligations;
 - (c) contrary the Council's election period policy;
 - (d) not relevant to the item of business on the agenda and has not been admitted as urgent business; or
 - (e) purports to be an amendment but would have the effect of negating the principle intent of the motion it seeks to amend.
- (2) If it appears to the Chief Executive Officer that a proposed motion or amendment is contrary to the Council's legal obligations, the Chief Executive Officer must advise the Mayor in a timely manner.

71. Moving a motion

- (1) When moving a motion:
 - (a) the Councillor moving the motion must state the motion without speaking to it;
 - (b) unless the motion is a procedural motion, it must be seconded by another Councillor; and
 - (c) if a motion is not seconded and is not a procedural motion, it lapses.
- (2) The Mayor may require any motion to be submitted in writing where it is lengthy, unclear or for any other reason. The Mayor may temporarily suspend the meeting while a motion is being written or request that the matter be deferred until later in the meeting.
- (3) If a motion is moved and seconded, the Mayor must ask if the motion is opposed by any Councillor, and:
 - (a) if the motion is not opposed the mayor must declare the motion carried; or
 - (b) if the motion is opposed the Mayor must invite the Councillors to debate the motion.

72. Debating the motion

- (1) When debating a motion:
 - (a) the Councillor who moved of the motion is invited to speak first;
 - (b) the Councillor who seconded the motion is invited to speak second, however the Councillor may reserve the right to speak later in the debate;
 - (c) the Councillor who opposed the motion is invited to speak third; and
 - (d) any other Councillor may speak for or against the motion.
- (2) When inviting other Councillors to speak to the motion the Mayor must ask for speakers for and against the motion in turn, however no Councillor may be refused the right to speak because there is no contrary speaker.
- (3) No Councillor may speak more than once in debating a motion, except where the mover of the motion has a right of reply.
- (4) Debate must always be relevant to the motion and the Mayor may:
 - (a) request a Councillor to confine debate to the subject motion; or

- (b) direct a Councillor to cease speaking if the Councillor continues to debate irrelevant matters.
- (5) Once the debate has been exhausted, the mover of the motion is entitled to exercise a right of reply but may not raise any new matter.
- (6) Immediately after the mover's right of reply, the Mayor must put the motion to a vote without further discussion or debate.

73. Amendments

- (1) Any Councillor debating the motion, except the mover of the motion, may move an amendment to the motion.
- (2) There is no limit on the number of amendments that may be proposed to a motion. However, no amendment may be proposed while another amendment is being proposed or debated.
- (3) An amendment:
 - (a) must be relevant to the motion; and
 - (b) must not have the effect of negating the principal intent of the motion.
- (4) If the mover and the seconder of the motion accept the amendment, the motion must be altered to include the amendment.
- (5) If subclause (4) does not apply, the amendment must be seconded by another Councillor. If the amendment is not seconded, it lapses.
- (6) If an amendment is seconded under subclause (5), the Mayor must invite the Councillors to debate the amendment in the same order and manner as a motion under clause 72, except that mover of an amendment does not have a right of reply.
- (7) A Councillor speaking to an amendment is not deemed to be speaking to the motion, so speaking to an amendment does alter a Councillor's right to speak to the principal motion.
- (8) If an amendment is carried then the motion is altered accordingly and becomes the matter before the meeting.
- (9) If an amendment is not carried then debate continues on the motion.

74. Lapsed motion or amendment

- (1) If a motion or amendment lapses under these Governance Rules:
 - (a) the motion or amendment is no longer debated or voted upon at that meeting;
 - (b) if it is an amendment, debate on the principle motion resumes; and
 - (c) if it is a motion, the meeting proceeds to the next matter on the agenda.
- (2) Nothing in these Governance Rules prohibits a lapsed motion from being considered at a later Council meeting.

75. Foreshadowing motions or amendments

- (1) At any time during debate, a Councillor may foreshadow his or her intention to move a motion or amendment at a later stage in the meeting. This does not extend any special right to the foreshadowed motion.
- (2) A foreshadowed motion is not required to be recorded in the minutes until or unless it is proposed.

76. Withdrawal of motion or amendment

Before any motion or amendment is put to the vote it may be withdrawn by the mover with leave from the Council.

77. Separation of motions

Where a motion contains more than one part the Mayor may decide to put the motion to the vote in separate parts.

Division 3 – Voting

78. Voting process

- (1) When putting a motion or amendment to a vote, the Mayor will first call for those in favour to vote and then those opposed to vote.
- (2) Voting:
 - (a) must not be in secret; and
 - (b) must be by show of hands unless the meeting resolves otherwise.
- (3) All Councillors are entitled to a single vote on each motion and each amendment.
- (4) If exactly half the Councillors in the meeting vote in favour of a motion or amendment, the Mayor may cast a second vote.
- (5) The Mayor must declare a motion or amendment carried if:
 - (a) a majority of the Councillors in the meeting vote in favour of the motion or amendment; or
 - (b) exactly half the Councillors in the meeting vote in favour of the motion or amendment and the Mayor casts a second vote in favour of the motion or amendment.
- (6) If neither subclause (5)(a) or (5)(b) apply, the Mayor must declare the motion or amendment lost.
- (7) Any Councillor may request that the way they voted on a motion or amendment be recorded in the minutes.
- (8) A Councillor is not required to divulge the way they voted on a matter considered in a meeting that was closed to the public to consider confidential information.

79. Division

- (1) Any Councillor may request a division:
 - (a) immediately before a vote is taken; or
 - (b) immediately after a vote is taken.
- (2) A division must not be requested after the next item of business has commenced.
- (3) If a division is requested, the Mayor must conduct a vote and the names of Councillors voting for or against the motion or amendment must be recorded in the minutes.
- (4) If a prior vote has been taken on the motion or amendment, a Councillor is not prevented from changing his or her original vote at the division.
- (5) Once a vote has been taken under a division, no further vote may be taken on the relevant motion or amendment in that meeting.

Division 4 – Rescission

80. Motion to rescind

- (1) If a notice of rescission has been given under clause 18:
 - (a) the motion must not be amended; and
 - (b) any Councillor in attendance at the meeting may move the motion.
- (2) If a motion of rescission is not put at the meeting it lapses.
- (3) If a motion to rescind is lost, that motion or any similar motion must not be put before the Council for at least three months unless the Councillors resolve to relist the motion for a future meeting.

81. Deciding a rescission

A motion to rescind a prior decision of the Council is not carried unless:

- (a) an absolute majority of Councillors vote in favour of the motion; or
- (b) exactly half the total number of all Councillors cast votes in favour of the motion at a Council meeting and the Mayor casts a second vote in favour of the motion.

Division 5 – Procedural debate motions

82. Procedural motions relating to debate

- (1) Any Councillor may move a procedural motion under this Division that proposes to:
 - (a) alter the time that a Councillor may speak;
 - (b) adjourn a debate on a matter;
 - (c) set aside a question; or
 - (d) put the question.
- (2) A procedural motion must not be moved:

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- (a) during the election of the Mayor; or
 - (b) while any Councillor is speaking unless it proposes to extend the Councillor's speaking time.
- (3) A procedural motion is not required to be seconded.
- (4) A procedural motion under this Clause must be dealt with immediately by the Mayor.
- (5) The Mayor may allow debate on a procedural motion if the Mayor considers it necessary to clarify the reason for the motion.

83. Altering a Councillor's speaking time

- (1) A motion to extend a Councillor's speaking time:
- (a) must not be permitted after another Councillor has commenced speaking; and
 - (b) must not increase a Councillor's speaking time by more than three (3) minutes.
- (2) A motion to reduce a Councillor's speaking time:
- (a) must not be permitted after the Councillor has commenced speaking; and
 - (b) must not reduce a Councillor's speaking time to less than one (1) minute.

84. Adjourning debate on a matter

- (1) If a motion to adjourn a matter under this clause is carried the motion under consideration and any amendments proposed to that motion are adjourned.
- (2) A motion to adjourn the matter may specify that the matter be adjourned until a specific meeting or until a specific time or place.

85. Setting aside a question

- (1) If a motion to set aside the question relates to a motion and is carried:
- (a) the motion must not be dealt with further; and
 - (b) the meeting proceeds to the next matter.
- (2) If a motion to set aside the question relates to an amendment and is carried:
- (a) the amendment must not be dealt with further; and
 - (b) the meeting continues to debate the motion to which the amendment related.

86. Putting the question

- (1) A Councillor may propose that the motion or amendment under consideration be voted on immediately by moving that the question be put.
- (2) The Mayor may reject a motion to put the question if the Mayor considers that the matter is contentious and has not been adequately debated.
- (3) If a motion to put the question is carried, the motion or amendment to which it refers must be voted upon with no further debate.
- (4) If a motion to put the question is lost, the meeting continues to debate the relevant motion or amendment.

PART 8 – DELEGATED COMMITTEES

87. Council may appoint delegated committees

- (1) The Council may appoint one or more delegated committees to which it delegates specific powers.
- (2) Unless clause 50 applies, a delegated committee:
 - (a) must include at least two Councillors; and
 - (b) must be chaired by a Councillor.

88. Application of Governance Rules

Unless otherwise specified in the Act or in these Governance Rules, a delegated committee is subject to the Governance Rules to the extent reasonably applicable as if the committee were the Council and the members of the committee were the Councillors.

PART 9 – ELECTION PERIOD POLICY

Division 1 – General election period matters

89. Election period

- (1) The Council's Election Period Policy is described in this Part.
- (2) The Election Period Policy applies during the "election period", which is defined in section 3 of the Act to be:
 - (a) from the time that nominations close on the last day when nominations for a Council election are received;
 - (b) until 6pm on election day.
- (3) The Chief Executive Officer will notify Councillors and staff of their obligations under this Policy prior to the commencement of the election period for an election.

Division 2 – Council decisions in election period

90. Prohibited decisions

- (1) The Council must not make any Council decision during the election period for any general election or any by-election that would enable Council's resources to be used in a way that is intended or likely to influence voting at the election.
- (2) The Council must not make decisions on the following matters during the election period for a general election:
 - (a) the appointment or remuneration of the Chief Executive Officer; or

- (b) committing the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year.
- (3) The Council will not make decisions during an election period that the Council reasonably considers:
 - (a) could be deferred until the next Council is in place; or
 - (b) should not be made during an election period.

91. Chief Executive Officer scrutiny

- (1) The Chief Executive Officer must scrutinise the content of Council agendas during the election period to exclude matters described in clause 90.
- (2) The Chief Executive Officer must reject any notice of motion if it appears contrary to clause 90.
- (3) If a motion is moved in a Council meeting that appears to be conflict with clause 90, the Chief Executive Officer must advise the Mayor of the conflict.

Division 3 – Use of Council resources

92. Council resources

- (1) As specified in section 304 of the Act, a Councillor or a member of Council staff must not use Council resources in a way that is intended or likely to affect the result of a Council election.
- (2) A Councillor may use the following resources during an election period if and when required to perform their duties as a Councillor:
 - (a) mobile phones provided for Councillor use;
 - (b) computers provided for Councillor use; and
 - (c) the Mayoral vehicle.

93. Council staff

- (1) A Councillor must not request or use a member of Council staff to support their election campaign.
- (2) This clause does not prohibit a member of staff from providing support for an election campaign if the staff member:
 - (a) only provides support voluntarily and in their own private time;
 - (b) does not use Council resources in providing support;
 - (c) does not take any action that implies Council support for the campaign; and
 - (d) gives the Chief Executive Officer prior written notice of their intention to support the campaign.

94. Expenses claims

- (1) A Councillor must not lodge a claim for reimbursement of expenses incurred in relation to an election campaign.

- (2) The Chief Executive Officer must reject any claim that is contrary to this clause.

Division 4 – Communication and events

95. Publication of electoral material

- (1) As specified in section 304 of the Act, a Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required under an Act or regulation.
- (2) During an election period, the Chief Executive Officer must establish procedures to support compliance with this clause, including procedures applying to:
 - (a) media comments and media releases;
 - (b) use of social media; and
 - (c) Council newsletters and publications.

96. Access to Council information

- (1) Councillors will continue to access Council held documents during an election period, but only to the extent necessary for them to perform their duties as Councillors.
- (2) The Chief Executive Officer must ensure that information provided to candidates during an election period is made equally available to all candidates.
- (3) Subclause (2) does not apply to confidential information provided to Councillors under subclause (1).

97. Public consultation

The Council must not conduct any public consultation process during the election period unless the consultation is:

- (a) required under an Act or regulation; or
- (b) essential for the Council to perform its functions.

PART 10 – COMMON SEAL

98. The Council's common seal

- (1) The Chief Executive Officer must always ensure the security of the Council's common seal.
- (2) The Council's common seal may only be used in accordance with a specific resolution of the Council or under the Council's delegated authority and every document to which the seal is affixed must be signed by the Chief Executive Officer or a senior officer authorised in writing by the Chief Executive Officer.

- (3) The Chief Executive Officer must notify the Council, no later than the next scheduled Council meeting, after the Council's common seal is affixed to a document under the Council's delegated authority.

APPENDIX 1 – CONFIDENTIAL INFORMATION

Under section 3 of the Act, certain information is defined to be confidential information because its premature or improper release may cause harm to the Council or to other persons.

Confidential Information remains confidential unless it can lawfully be released, and the Council has determined that it should be publicly available

The following table described the types of confidential information defined in the Act.

Type	Description
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released.
Security Information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released.
Confidential meeting information	Records of a Council and delegated committee meetings that are closed to the public to consider confidential information.
Internal arbitration information	Confidential information relating internal arbitration about an alleged breach of the Councillor Code of Conduct.
Councillor Conduct Panel confidential information	Confidential information relating to a Councillor Conduct Panel matter.
Confidential information under the 1989 Act	Information that was previously made confidential under the <i>Local Government Act 1989</i> .

10.5 LODDON SHIRE COMMUNITY GRANTS PROGRAM 2020/2021

File Number: 16/02/01
Author: Wendy Gladman, Director Community Wellbeing
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: 1. 2020/2021 Community Grants Assessment Summary

RECOMMENDATION

That Council endorse the allocation of \$123,286 in grants to Group 1 applications under the 2020/21 Loddon Shire Community Grants Scheme as outlined in the attachment provided with this report.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Information on the Community Grant applications received for the 2020/21 allocation was provided to Council at the 14 July 2020 Council forum.

BACKGROUND

The Loddon Shire Community Grants Scheme commenced in 2000/2001.

Council initiated the scheme to assist recreation, sporting and service organisations to deliver projects that improve the quality of life for residents. Since the scheme was initiated, Council has invested approximately \$2,500,000, supporting over seven hundred community-based projects worth over \$5,300,000.

Council's 2020/21 budget includes an allocation of \$200,000 for the Community Grants Scheme.

In addition to this amount, \$10,513 has been carried over from the 2019/20 community grants program. This means that an amount of \$210,513 is available in the 2020/2021 financial year for allocation through the community grants program.

Applications for the 2020/21 Community Grants Scheme opened on 1 March 2020 and closed on 1 June 2020 (an extension of one month).

Applications have been assessed against the following criteria:

- demonstrated community need
- improved existing facilities
- increased participation
- multi-use and broad community benefit
- self-help i.e. in-kind and/or cash commitment

Where applicable, projects have also been assessed in consideration of:

- the efficient use of resources, for example energy efficiency components of the project or sharing of resources with the wider community
- ability to provide access for all, for example does the project consider the needs of people with a disability or the elderly
- projects that pose inherent risk in terms of public safety have been assessed in terms of the severity of the risk prior to being considered for funding.

As per the guidelines, the following types of projects are ineligible for funding:

- applicants who have outstanding acquittals from previous funding rounds
- retrospective projects or projects which have already been commenced
- projects which are not ready and which will not be completed within a 12 month period from the date of receiving the funding
- projects that are considered the sole responsibility of another authority (for example water authorities and health and welfare agencies)
- open space projects on public owned or managed land
- activities such as administrative costs (such as wages, rent or insurance), utility charges (such as a power bill) or projects of an ongoing maintenance nature (such as mowing lawns)
- projects designed to promote political or religious ideals
- projects which do not meet the funding ratio.

With the transition to online applications, there is no ability for applicants to submit projects after the closing date, so there is no information on late projects included in this report.

ISSUES/DISCUSSION

In total 40 applications requesting financial assistance to the approximate value of \$210,000 were received. Of these 40 applications, 29 applications have full and complete application documentation and have been assessed, and presented to Council as Group 1 for review (in two reports). Two applications for the Pyramid Hill Memorial Hall, submitted to access unspent 2019/2020 grant funds, have been included in this assessment process due to timing of the applications.

The remaining 11 applications require further information before they can be assessed by Council officers against the guidelines. It is anticipated that these 11 applications will be brought before Council, as Group 2, at the August Forum and Meeting.

Of the 28 Group 1 compliant applications included in this report, 23 have been recommended for funding totalling \$123,286.

Five applications did not align with the funding guidelines and have not been recommended for funding. These include:

- Life Saving Victoria: Virtual 'Sink or Swim' youth aquatic safety program is the responsibility of other organisations including Life Saving Victoria and/or the Department Education and Training (DET).
- Arnold Hall Committee: Replacing termite damaged wall. Seeking Community Planning allocation and have submitted an application under this program. Community Grant application didn't include painting.
- North Central Hockey Association: Purchase of face masks for players, now compulsory for all involved in short corners. Face masks are considered consumable sports equipment like balls, dart board etc and are not fundable under program guidelines.
- Wedderburn Community House: Funding for new printer to support community printing and newsletter. It is expected that printing for other groups/community members is conducted on a fee for service basis which should include a component for replacement costs. Neighbourhood house printing undertaken would be considered to be the responsibility of another agency. Funding is provided for Scoop and Scuttlebutt printing through the community grants program. A similar application was submitted and refused under 2019/2020 program.
- Pyramid Hill Memorial hall: Power upgrade – Powercor line upgrade. This project involves the upgrade of power cable from the power pole to a pit on the hall property boundary. This project has been completed and is a retrospective request for funding.

Applications proposed to be transferred from community planning program applications to the community grants program

It is proposed that the following community planning application is transferred to the community grants program for consideration:

- Wedderburn Historic Engine and Machinery Society: Restoration of 1913 Day-Elder Truck

Contact has been made to confirm that the applicant can meet the one third in-kind/cash contribution required. The applicant confirmed that this application should have been submitted as a Community Grant application.

There are sufficient funds available in the budget to accommodate this project and this funding request has been included in the overall tally of this report of \$123,286.

COST/BENEFITS

The Community Grants Scheme offers significant benefit to the local community through provision of funding for specific projects which may otherwise struggle to secure funding through other infrastructure programs or initiatives. As demonstrated in the value of projects delivered since the inception of the scheme, Council's investment towards these grants yields far greater community benefit both in terms of financial investment and social wellbeing.

As per Council's previous commitment; administration of the scheme has continued on the basis of \$200,000 being available annually to contribute towards proposed community projects and programs, with an additional \$10,513 of unspent funds carried forward from the 2019/20 funding round.

The funding for recommended Group 1 applications included in this report totals \$123,286.

RISK ANALYSIS

Primary risks associated with the Community Grants Scheme are believed to be as follows:

Adherence to Program Guidelines: Detailed program guidelines identify which projects and programs are considered eligible for Community Grants. All applications are assessed against these guidelines for eligibility so as to ensure that funding made available through this program is distributed equitably and provides greatest benefit to the overall Loddon community.

Failure to adhere to these guidelines could comprise the integrity of the grant program and the ability for Council to adequately fund appropriate community projects.

Failure to deliver projects: All successful applicants are required to adhere to a formal funding agreement which clearly identifies the purpose of the grant, delivery timeframes and reporting requirements. This is to ensure that expenditure of public money is conducted in a transparent and efficient manner.

CONSULTATION AND ENGAGEMENT

The Loddon Shire Community Grants program is advertised annually with applications for the 2020/21 round closing on 1 June 2020. During this period, community groups or individuals interested in applying for grants are able to contact relevant staff to discuss their proposals.

Funding guidelines are also made available to prospective applicants via Council's website.

All unsuccessful applicants will be provided feedback in regard to their applications after recommendations are finalised and endorsed by Council.

Community Grants Summary: 2020-2021						
Applicant	Project Title	Project description	Total project cost	Amount requested	Community contribution	Recommended allocation
Boort Tennis Club Inc.	Boort Tennis Club Clubhouse Refurbishment	To update and maintain the existing Clubhouse. Painting the entire interior of the building, including the office, bar, toilets and main area. Replacing blinds with block-out roller blinds.	\$10,890	\$7,260	\$3,630	\$7,260
Boort Yando Cricket Club	Keeping the Development Moving - Installing 2 Cricket Practice Nets	Requirement for seed funding, to use the \$10,000 to assist with an external grant application for an infrastructure grant in the next 12 months. Relocation and installation of new cricket practice nets.	\$66,215	\$10,000	\$56,215	\$10,000
Boort Football Club Inc.	Boort Park Goal Post Netting Project	Erection of four poles with netting, outside the trotting track, behind the southern goals at Boort Park to catch balls leaving the field of play.	\$14,210	\$9,201	\$5,009	\$9,201
Boort Lakeside Croquet Club Inc.	Replace Boundary Fence Stage 2	Stage 2 of perimeter fence replacement to completion. Replace the fence on the Club's western perimeter, parallel to the Fire Brigade's running track and replace the current southern brushwood screen fencing with a colourbond fence.	\$16,800	\$10,000	\$6,800	\$10,000
Mysia Recreation Reserve	Mysia War Memorial School History	Researching, writing and publishing a book to mark the centenary of the school, to be launched on October 10, 2021.	\$5,692	\$2,092	\$3,600	\$2,092
Bridgewater Bowling Club Inc.	Install Ceiling Insulation	Installation of insulation batts to the main building ceiling.	\$1,450	\$925	\$525	\$925

Bridgewater Recreation Reserve	Potable Water to Kitchen	Potable water connection to kitchen. Installation of instantaneous gas hot-water system for kitchen and upgrading of the LPG gas line into the building.	\$4,500	\$3,000	\$1,500	\$3,000
Inglewood & Bridgewater (Vic) Men's Shed Inc.	Grey Bones at Work project	The completion of the final extension for the Men's Shed, delivering valuable space to allow the shed sections to work more efficiently and safely.	\$16,363	\$10,000	\$6,363	\$10,000
Eddington Community Centre	Green our footprint	Replace and install additional solar panels located at the Eddington Community Centre. The power grid at the community centre services the hall, golf and tennis club rooms, toilets, pumps, Loddon miniature steam locomotive society and BBQ area.	\$9,271	\$6,181	\$3,090	\$6,181
East Loddon Historical Society Inc.	Rainwater tank and pump	Replacement of the rainwater tank with a new larger poly tank and pump.	\$5,148	\$3,104	\$2,044	\$3,104
Pyramid Hill Golf Club	Purchase of mower	Upgrade the current domestic ride on mower to a larger commercial mower appropriate for golf course management.	\$16,469	\$10,000	\$6,469	\$10,000
Calivil Recreation Reserve Committee of Management	Calivil Recreation Reserve Feasibility Analysis	Preparation of a masterplan and feasibility analysis to evaluate the vision for the Calivil Recreation Reserve.	\$10,800	\$7,200	\$3,600	\$7,200

Mitiamo Municipal Recreation Reserve	Electrical Switch Board upgrades	<p>Replacement of switchboard and fuses for the Recreation Reserve and Football & Netball Clubs. The entire Switch Board will be replaced with a modern Circuit Breakers and Safety Switches at a higher rated capacity for safety and compliance reasons.</p> <p>The difference in amount requested and recommended is due to the budget expenditure including their cash contribution. As this was the second attempt at the budget and the intention was clear, with their verbal confirmation we revised the budget to remove this contribution form expenditure.</p>	\$5,623	\$4,217	\$1,406	\$3,082
Pyramid Hill and District Historical Society Inc.	Museum Solar Energy System	The project involves the installation of a small solar energy system at the Pyramid Hill Historical Society museum.	\$3,401	\$2,267	\$1,134	\$2,267
Pyramid Hill Football and Netball Club Inc.	PHFNC Electronic Scoreboard	Purchase and install an electronic scoreboard to replace an existing, outdated manually operated structure.	\$45,939	\$10,000	\$35,939	\$10,000
Pyramid Hill Memorial Hall	Power upgrade – pit to switchboard	<p>This portion of the project involves the completion of the upgrade by connecting the switchboard to the power supply from the pit on the boundary.</p> <p>The difference in amount requested is due to underspent Community Planning allocation of \$2,273 supporting the completion of this project.</p>	\$7,723	\$7,723	\$1,816	\$3,634

Pyramid Hill Neighbourhood House	Pyramid Hill Press	Pyramid Hill Press – community newsletter, 250 copies produced weekly, during school terms. The difference in amount requested and recommended allocation was due to an error in completing the form. The amount requested did not reflect the budget. Additionally the printer lease was included in the budget expenditure. This is not in accordance with the guidelines and the recommended allocation and community contribution subsequently revised.	\$6,581	\$4,387	\$1,193	\$2,385
East Loddon Community News Incorporated	East Loddon Community News 2020 2021	East Loddon Community News – fortnightly community newsletter.	\$18,474	\$2,000	\$16,474	\$2,000
Wedderburn Cemetery Trust	End of the Road	Completion of road works around the cemetery connecting up to the recently re-sealed circular road.	\$11,012	\$7,341	\$3,671	\$7,341
Wedderburn Tourism Committee of Management	Hard Hill Tourist Reserve Improvements	The project at Hard Hill Tourist Reserve consists of: levelling and maintenance to the walking tracks that visitors and locals use to walk around the reserve up to the entrance of the historic gold mine and over the hill, fixing the water wash outs along the walking tracks.	\$1,218	\$1,218	\$405	\$814
Wedderburn Community House Inc.	Scoop & Scuttlebutt 2020	Scoop & Scuttlebutt Community Newsletter – 800 copies produced monthly.	\$7,150	\$3,500	\$3,650	\$3,500
Korong (Wedderburn) Historical Society	Production of a book titled Remembering Wedderburn and Neighbouring	Production of book with 13 chapters, including over 800 photographs of significant sites in towns and locations near to Wedderburn (Wedderburn, Inglewood, Bridgewater, Charlton, Boort, Korong Vale, Serpentine and in smaller locations in Bears	\$10,500	\$2,500	\$8,000	\$2,500

	Towns	Lagoon, Borung, Buckrabungle, Mysia, Durham Ox, Fentons Creek, Kurting, Logan, Nine Mile, Wedderburn junction, Woosong, Wychitella and Yeungroon).				
Wedderburn Historic Engine & Machinery Society	Restoration of Heritage Truck	Restoration of a rare 1916 Day-Elder truck. Financial assistance is required to provide materials to build the body (ie: wooden cab, tray and mudguards).	\$10,200	\$6,800	\$3,400	\$6,800
			TOTAL	305,629	\$130,916	\$175,933
						Total recommended funding – Group 1
						\$123,286

Applications assessed as ineligible for funding						
Applicant	Project Title	Project description	Total project cost	Amount requested	Community contribution	Recommended allocation
Life Saving Victoria	Virtual 'Sink or Swim' Youth Aquatic Safety Program	<p>Through engaging classroom activities, delivered virtually, our education programs aim to empower children to keep themselves and others safe in a range of aquatic environments, in particular; beaches, rivers, lakes, dams, creeks, pools and at home.</p> <p>Facilitated by qualified instructors, LSV will deliver interactive 1-hour 'Sink or Swim' lessons using video conferencing technology to approximately 600 participants at approximately 5 primary schools within the Loddon Shire. An alternative program option is utilising virtual reality headsets within the classroom.</p> <p>The below video link provides further information: https://lsv.com.au/vr/</p> <p>The cost to schools to deliver programs of this nature still presents a significant barrier to participation. To reduce drowning and injury statistics, LSV needs to remove these barriers by providing the programs free of charge, which in turn increases our reach of the programs to at risk children.</p>	\$9,160	\$5,848		\$0
Arnold Hall Committee	Termite damage repairs.	Repairs to one wall of the hall which has suffered from Termite Damage.	\$1,296	\$864		\$0

<p>North Central Hockey Association</p>	<p>Safety First</p>	<p>The COVID-19 pandemic has changed the face of local sporting groups. With health and safety being the main priority, sharing of facemasks in a game of hockey is a thing of the past. In junior competitions it is mandatory for all four defenders and the goalie to wear a facemask when a short corner is played out. In each team approximately six players would rotate in defending positions and require the use of a facemask. Boort Hockey Club and Wedderburn Redbacks both field an Under 12 and Under 15 hockey team and would purchase 12 facemasks and 2 goalie masks each to enable all players to have their own (labelled) mask to meet the safety guidelines set out by Hockey Victoria and alleviate the burden of an extra cost to families. These facemasks can be cleaned at the end of the season and used again in the following season.</p>	<p>\$2,163</p>	<p>\$1,442</p>		<p>\$0</p>
<p>Wedderburn Community House Inc.</p>	<p>Print preview</p>	<p>Wedderburn Community House is the main provider of printing facilities for the Wedderburn and surrounding areas. We cater to all community, sporting and business groups printing requirements from business brochures to the Redbacks Goods & services auction flyers. We assist people with their paper applications for anything from passports to holiday bookings. We have reproduced much loved family photos and necessary legal documents. Our largest and most regular printing job is the 800 copies of our local newsletter Scoop & Scuttlebutt that is printed and delivered into each household free of charge. Our printing service is an essential service to the town, but due to age our present printer is no longer suitable. It's time to upgrade to a faster, higher quality and more dependable printer.</p>	<p>\$22,879</p>	<p>\$10,000</p>		<p>\$0</p>

Pyramid Hill Memorial Hall	Power upgrade – Powercor line upgrade	This project involves the upgrade of power cable from the power pole to a pit on the hall property boundary. This project has been completed and is a retrospective request for funding.	\$7,999	\$7,999		\$0
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10.6	LODDON SHIRE COMMUNITY GRANTS PROGRAM 2020/21 - SERPENTINE INDIVIDUAL ASSESSMENT
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File Number: 16/02/01
Author: Sarah Perry, Project Liaison Officer
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council endorse the allocation of \$957 under the 2020/21 Loddon Shire Community Grants Scheme as outlined in this report.

CONFLICT OF INTEREST

Director Community Wellbeing, Wendy Gladman has declared a conflict of interest as a member of the Serpentine Bowling Club.

The following actions were undertaken to mitigate the conflict:

- exclusion of conflicted party during initial assessment of this application
- exclusion of conflicted party during discussion with Council involving funding recommendation related to this application.

PREVIOUS COUNCIL DISCUSSION

Information on the Community Grant applications received for the 2020/21 allocation was provided to Council at the 14 July 2020 Council forum.

BACKGROUND

This report has been prepared separate to the main Community Grants report due to the identified conflict of interest.

ISSUES/DISCUSSION

The Serpentine Bowling Club has submitted an application to replace the pump in their chemical spray unit. The application also contained routine playing surface maintenance and mower maintenance components that are ineligible under the Community Grants Program guidelines. These components have been removed from the recommended allocation.

Table 1: Application summary

Applicant	Project Title	Total project cost	Amount requested	Community contribution	Recommended allocation
Serpentine Bowling Club	Serpentine bowling green renovation and machinery maintenance	\$3,214	\$2,414	\$478	\$957

COST/BENEFITS

As per Council's previous commitment; administration of the scheme has continued on the basis of \$200,000 being available annually to contribute towards proposed community projects and programs, with an additional \$10,513 of unspent funds carried forward from the 2019/20 funding round.

The funding recommended for the Group 1 application included in this report totals \$957 and is in addition to the funding recommendation for the \$123,286 contained in the Loddon Shire Community Grants Program 2020/2021 report for the balance of the Group 1 applications.

RISK ANALYSIS

Primary risks associated with the Community Grants Scheme are believed to be as follows:

Adherence to Program Guidelines: Detailed program guidelines identify which projects and programs are considered eligible for Community Grants. All applications are assessed against these guidelines for eligibility so as to ensure that funding made available through this program is distributed equitably and provides greatest benefit to the overall Loddon community.

Failure to adhere to these guidelines could comprise the integrity of the grant program and the ability for Council to adequately fund appropriate community projects.

Failure to deliver projects: All successful applicants are required to adhere to a formal funding agreement which clearly identifies the purpose of the grant, delivery timeframes and reporting requirements. This is to ensure that expenditure of public money is conducted in a transparent and efficient manner.

CONSULTATION AND ENGAGEMENT

The Loddon Shire Community Grants program is advertised annually with applications for the 2020/21 round closing on 1 June 2020. During this period, community groups or individuals interested in applying for grants are able to contact relevant staff to discuss their proposals.

Funding guidelines are also made available to prospective applicants via Council's website.

All unsuccessful applicants will be provided feedback in regard to their applications after recommendations are finalised and endorsed by Council.

10.7 PROPOSED PUBLIC TRANSPARENCY POLICY VERSION 1

File Number: 18/01/001
Author: Sharon Morrison, Director Corporate Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: 1. Proposed Public Transparency Policy version 1

RECOMMENDATION

That Council adopts the Public Transparency Policy v1

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

The draft Public Transparency Policy was discussed at the Council Forum on 14 July 2020.

BACKGROUND

Section 57 of the Local Government Act 2020 (the Act) states that Council must adopt and maintain a public transparency policy. The policy must be adopted on or before 1 September 2020.

ISSUES/DISCUSSION

This Public Transparency Policy has been developed using a draft policy prepared by Local Government Victoria. The draft was circulated to staff for comment before being presented to Councillors for discussion at the July Council Forum.

COST/BENEFITS

There are minimal costs associated with the adoption of this policy. However, the benefit of adopting the policy is compliance with the Act and good governance in relation to transparency.

RISK ANALYSIS

There is a risk that Council appears to lack transparency in its decision making. The development and application of this policy will help to mitigate this risk.

CONSULTATION AND ENGAGEMENT

The policy does not require deliberative engagement under the Act. Staff and councillors have been consulted during the development of the policy.



PUBLIC TRANSPARENCY POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Director Corporate Services
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Choose an item.
DATE ADOPTED:	Click here to enter date of approval
VERSION NUMBER:	1
REVIEW DATE:	Click here to enter a date.
DATE RESCINDED:	Click here to enter a date.
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Governance Rules Community Engagement Policy Privacy Policy Media and Social Media Policy
RELATED LEGISLATION:	Charter of Human Rights and Responsibilities Act 2006 Freedom of Information Act 1982 Local Government Act 1989 Local Government Act 2020 Privacy and Data Protection Act 2014 Equal Opportunity Act 2010.
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: Document21

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.



PUBLIC TRANSPARENCY POLICY

1 PURPOSE

This policy supports Council in its ongoing drive for good governance and the importance of open and accountable conduct and how council information is to be made publicly available. Council must adopt and maintain a public transparency policy under section 57 of the *Local Government Act 2020* (the Act). This policy gives effect to the *Public Transparency Principles* outlined in section 58 of the Act.

2 SCOPE

This policy applies to Councillors and Council staff of the Council.

3 POLICY

The objective of Council's Public Transparency Policy is to formalise its support for transparency in its decision-making processes and the public awareness of the availability of Council information. As a result, this policy seeks to promote:

- a) greater clarity in Council's decision-making processes
- b) increased confidence and trust in the community through greater understanding and awareness
- c) enhanced decision making by the community
- d) improvement in Council's performance
- e) access to information that is current, easily accessible and disseminated in a timely manner
- f) reassurance to the community that Council is spending public monies wisely.

A transparency policy needs to cover documentary information, process information and how information will be made available to the public and is an integral part of Council's governance framework.

4 WHAT WILL COUNCIL BE TRANSPARENT WITH?

4.1 Decision making at Council meetings

Decision making at Council Meetings will be:

- undertaken in accordance with the Act and the Governance Rules
- conducted in an open and transparent forum, unless in accordance with the provisions in the Act and Governance Rules
- informed through community engagement in accordance with the Community Engagement Principles and the Community Engagement Policy
- made fairly and on the merits, and where any person whose rights will be directly affected by a decision of the Council, that person will be entitled to communicate their views and have their interests considered.

4.2 Council information

This information includes but is not limited to:

Documents such as:



PUBLIC TRANSPARENCY POLICY

- Plans and Reports adopted by Council
- Policies
- Project and service plans
- Grant application, tenders and tender evaluation material
- Service agreements, contracts, leases and licences
- Council leases, permits and notices of building and occupancy
- Relevant technical reports and / or research that informs decision making.

Process information such as:

- Practice notes and operating procedures
- Application processes for approvals, permits, grants, access to Council services
- Decision making processes
- Guidelines and manuals
- Community engagement processes
- Complaints handling processes.

Council records which will, at a minimum, be available on Council's website:

- Council meeting agendas
- Reports to Council
- Minutes of Council meetings
- Reporting from Advisory Committees to Council through reporting to Council
- Audit and Risk Committee Performance Reporting
- Terms of reference or charters for Advisory Committees
- Registers of travel undertaken by Councillors or Council Staff
- Registers of Conflicts of Interest disclosed by Councillors or Council Staff
- Register of Election campaign donations
- Any other Registers or Records required by legislation or determined to be in the public interest.



PUBLIC TRANSPARENCY POLICY

Consistent with the Freedom of Information Act Part II statement, Council will make available the following records for inspection. Examples include but are not limited to:

- Registers of gifts, benefits and hospitality offered to Councillors or Council Staff
- Submissions made by Council
- Registers of donations and grants made by Council
- Registers of leases entered into by Council, as lessor and lessee
- Register of Delegations
- Register of Authorised officers
- Summary of Personal Interests ('Register of interests' until 24 October 2020)
- Submissions received under section 223 of the *Local Government Act 1989* until its repeal or received through a community engagement process undertaken by Council.

Publications

- Council publishes a range of newsletters, reports and handbooks for residents, businesses and visitors to council. You can download them from the website or call Council for a copy. Some of these publications are available at Council's Library Agencies.

5 ACCESS TO INFORMATION

Information will be made available on the Council website, at Council offices, or by request.

Consideration will be given to accessibility and cultural requirements in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Consideration will be given to confidentiality in accordance with the Act and public interest test where appropriate.

Council will respond to requests for information in alignment with the Act including the Public Transparency Principles, and this policy.

6 INFORMATION NOT AVAILABLE

Some Council information may not be made publicly available. This will only occur if the information is confidential information or if its release would be contrary to the public interest or not in compliance with the *Privacy and Data Protection Act 2014*.

"Confidential information" is defined in section 3 of the *Local Government Act 2020*. It includes the types of information listed in the following table.

Type	Description
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.



PUBLIC TRANSPARENCY POLICY

Type	Description
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released.
Confidential meeting information	Records of a Council and delegated committee meetings that are closed to the public to consider confidential information
Internal arbitration information	Confidential information relating internal arbitration about an alleged breach of the councillor code of conduct.
Councillor Conduct Panel confidential information	Confidential information relating to a Councillor Conduct Panel matter
Confidential information under the 1989 Act	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i>

The Council may decide, in the interests of transparency, to release information to the public even though it is confidential under the Act. However, this will not happen if release is contrary to law in breach of contractual requirements or if releasing the information is likely to cause harm to any person or is not in the public interest to do so.

Where information is not confidential, and not already available, Council will apply the principles of a public interest test with consideration also of the resources required to respond to the request.

7 RESPONSIBILITIES

It is everyone's role to promote and facilitate access to council information in accordance with the public transparency policy.

Party/parties	Roles and responsibilities	Timelines
Council	Champion the commitment and principles for public transparency through leadership, modelling practice and decision-making.	Ongoing
MEG	Champion behaviours that foster transparency and drive the principles through policy, process and leadership. Monitor implementation of this policy.	Ongoing
Loddon Leaders	Manage areas of responsibility to ensure public transparency, good governance and community engagement is consistent with this policy.	Ongoing
All Staff	Public transparency is the responsibility of all employees as appropriate to their role and function. All staff respond to requests for information and facilitate provision of information in consultation with their manager and in alignment with the Policy.	Ongoing
Director	To monitor implementation of this policy and conduct periodic	Ongoing



PUBLIC TRANSPARENCY POLICY

Corporate
Services

reviews to drive continuous improvement.



PUBLIC TRANSPARENCY POLICY

8 NON COMPLIANCE WITH THIS POLICY

If a member of the community wishes to question a decision about the release of information, this should be raised directly with the officer handling the matter in the first instance. If still not satisfied and would like to contest the decision, this can be reported to the (Designate an officer such as the officer responsible for FOI in council).

If not satisfied with Council's response, the concerns can be raised directly with the Victorian Ombudsman's office on (03) 9613 6222 or via the website – www.ombudsman.vic.gov.au.

9 OTHER WAYS TO ACCESS INFORMATION

The *Freedom of Information Act 1982* gives you right of access to documents that Council hold. Council is committed to, where possible, proactive and informal release of information in accordance with the Freedom of Information Professional Standards issued by the Victorian Information Commissioner. Read more at www.ovic.vic.gov.au.

A list of available information is provided in the Part II Statement (Statement) published on Council's website in accordance the *Freedom of Information Act 1982*. This Statement requires government agencies and local councils to publish a number of statements designed to assist members of the public in accessing the information it holds.

If you can't find the information you require, call Council directly so we may assist you.

10 MONITORING, EVALUATION AND REVIEW

Council commits to monitoring processes, information sharing and decision making to understand the overall level of success in the Policy's implementation.

A periodic review of this policy will be undertaken to ensure any changes required to strengthen or update the policy are made in a timely manner.

11 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
Community	<p>Community is a flexible term used to define groups of connected people. We use it to describe people of a municipality generally, including individuals or groups who live, work, play, study, visit, invest in or pass through the municipality.</p> <p>More specifically, it can refer to everyone affiliated with the municipality, or smaller groups defined by interest, identity or location, and not necessarily homogenous in composition or views. Different types of communities often overlap and extend beyond municipal boundaries. Communities may be structured, as in clubs or associations or unstructured, such as teens. Communities are flexible and temporary, subject individual identity and location</p>
Consultation	The process of seeking input on a matter.



PUBLIC TRANSPARENCY POLICY

Term	Definition
Public Participation	Public participation encompasses a range of public involvement, from simply informing people about what government is doing, delegating decisions to the public and community activity addressing the common good. For further detail refer to Council's Community Engagement Policy.
Stakeholder	An individual or group with a strong interest in the decisions of Council and are directly impacted by their outcomes.
Closed Meetings	A meeting when Council resolves to close the meeting to the general public, in order to consider a confidential matter regarding issues of a legal, contractual or personnel nature and other issues deemed not in the public interest.
Transparency	A lack of hidden agendas or conditions, and the availability of all information needed in order to collaborate, cooperate and make decisions effectively. Importantly, "transparency" is also human rights issue: the right to have the opportunity, without discrimination, to participate in public affairs (s.58 of The Act).
Public Interest Test	Council may refuse to release information if it determines that the harm likely to be created by releasing the information will exceed the public benefit in being transparent. When considering possible harm from releasing information, the Council will only concern itself with harm to the community or members of the community. Potential harm to the Council will only be a factor if it would also damage the community, such as where it involves a loss of public funds or prevents the council from performing its functions.

12 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

13 REVIEW

The Director Corporate Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.

10.8 PROPOSED COMMUNITY ASSET COMMITTEE POLICY V1

File Number: 18/01/001
Author: Sharon Morrison, Director Corporate Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: 1. Proposed Community Asset Committee Policy version 1

RECOMMENDATION

That Council:

1. rescinds the Section 86 Committee Policy version 2 effective 1 September 2020
2. adopts the Community Asset Committee Policy version 1 effective 1 September 2020.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Version 2 of the Section 86 Committee Policy was adopted on 26 March 2019 with a four year review date. The Community Asset Committee Policy version 1 (replacing the Section 86 Committee Policy) was discussed at the July 2020 Council Forum.

BACKGROUND

The Local Government Act 1989 made provision for Council to delegate any of its functions, duties or powers to a special committee (often known as a section 86 committee).

Section 65 of the Local Government Act 2020 (the Act) states that a council may establish a Community Asset Committee and appoint as many members to the Community Asset Committee as the Council considers necessary to enable the Community Asset Committee to achieve the purpose of managing a community asset in the municipal district.

ISSUES/DISCUSSION

In developing the Community Asset Committee Policy, Council's existing Section 86 Committee Policy version 2 was used as a base. This base was then compared to the draft guidelines issued by Local Government Victoria dated 1 June 2020.

This merged document was circulated to staff and section 86 committees for feedback before being presented to Councillors for discussion at the July 2020 forum.

The merged document is presented to Council for adoption, showing tracked changes to clearly identify changes from the former Section 86 Committee Policy version 2.

COST/BENEFITS

There are minimal costs associated with the adoption of this policy. However, the benefit of adopting the policy is compliance with the Act and good governance in relation to community asset committees.

RISK ANALYSIS

There is a risk that the policy does not adequately respond to the needs of Council, the community and committees. The policy can be reviewed at any time to address issues as they are identified.

CONSULTATION AND ENGAGEMENT

The policy does not require deliberative engagement under the Act. Staff, section 86 committees and councillors have been consulted during the development of the policy.



SECTION 86 COMMUNITY ASSET COMMITTEE OF MANAGEMENT POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Approved <u>Draft</u>
POLICY OWNER POSITION:	Director Corporate Services
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Council
DATE ADOPTED:	26/03/2019 <u>tba</u>
VERSION NUMBER:	2 <u>1</u>
REVIEW DATE:	26/03/2023 <u>tba</u>
DATE RESCINDED:	
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Building Asset Management Plan Community Support Policy
RELATED LEGISLATION:	Local Government Act 2020 <u>1989</u>
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: ~~K:\EXECUTIVE\Strategies policies and procedures\Policies – adopted PDF and Word\POL Section 86 Committee of management policy v2.docx~~

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire Internet (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

ACKNOWLEDGEMENT OF COUNTRY

Loddon Shire Council acknowledges the Traditional Custodians of the land comprising the Loddon Shire Council area. Council would like to pay respect to their Elders both past and present.



SECTION 86 COMMUNITY ASSET COMMITTEE OF MANAGEMENT POLICY

1 PURPOSE

The purpose of this policy is to:

- guide Council in the establishment of community asset committees and the appointment of members to the Community Asset Committee
- guide Council officers in the creation, support, amalgamation, dissolution and disbandment of committees of management in accordance with Section 86 of the Local Government Act 1989 (Section 86 Committees)
- set clear expectations with members of the community interested or involved in Section 86 Committees. development of instruments of delegation for community asset committees

2 SCOPE

The policy applies to:

- Council in its decision making around the creation, support, amalgamation, dissolution and disbandment of Section 86 Committees of management and pursuant to section 65 of the Local Government Act 2020 (the Act)
- officers in supporting Section 86 Committees of management the development of instruments of delegation for community asset committees.

3 POLICY

3.1 Establishment of community asset committee

3.1—Creation of Section 86 Committees

A community asset committee is established by resolution of Council (section 65(1)).

A Section 86 Community Asset Committee's legal status is derived from Council through formal delegation resolution pursuant to section 65 of the Act.

Under section 86 of the Local Government Act 1989 (the Act), Council is able to delegate certain functions, duties and powers to an authorised body or persons to manage and control assets, resources and /or property owned, leased or controlled by Council by executing an Instrument of Delegation.

Section 86 Community Asset Committees will only be formed by resolution at an Ordinary Meeting of Council meeting, and where:

- Council deems that it would be beneficial to the community for a local community asset committee to undertake the role for and on behalf of Council
- it is considered that Council will be able to manage any risks associated with the activity being undertaken by a local committee
- there is evidence of support for creation the establishment of the committee at a local level
- there is no incorporated body that undertakes the same role
- there is no opportunity to implement another legal structure, such as a lease or management agreement with an incorporated body.

Where a Section 86 Community Asset Committee manages an asset, Appendix 1 to this policy will be attached to reflect requirements under the Building Asset Management Plan (BAMP) and other legislation and documents. A copy of the BAMP can be accessed at



SECTION 86 COMMUNITY ASSET COMMITTEE OF MANAGEMENT POLICY

<http://www.loddon.vic.gov.au/Our-documents/Plans-and-strategies>
<https://www.loddon.vic.gov.au/Our-Council/Plans-strategies-and-policies/Plans-and-strategies>.

3.2 Appointment of members to community asset committee

Council may appoint as many members to a Community Asset Committee as Council considers necessary to enable the Community Asset Committee to achieve the purpose of managing a community asset in the municipal district (section 65).

Council may, with valid reason, refuse to appoint any proposed member or members.

3.23.3 Delegation of power, duty or function of the Council

Following the ~~creation~~ establishment of a committee and appointment of members by Council resolution, an Instrument of Delegation that sets out exactly which powers, duties or ~~and~~ functions are being delegated will be executed by ~~Council~~ the CEO.

The CEO may, by instrument of delegation, delegate powers, duties or functions of the Council that have been delegated to the CEO to the members of a Community Asset Committee (section 47(1)).

A delegation to the members of a Community Asset Committee is to be exercised subject to the terms and conditions specified by the CEO, which must include the following (section 47(4)):

- the specified limit on any financial delegation and the specified purpose for which the financial delegation may be used
- compliance with specified governance requirements to ensure appropriate standards of probity are met
- specified monitoring and reporting of the activities and performance of the Community Asset Committee.

A member of a Community Asset Committee to whom a delegation is given under this section can only exercise the delegation while acting as a member of the Community Asset Committee at a meeting of the Community Asset Committee (section 47(5)).

The CEO must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee (section 47(6)).

The CEO must keep a register of delegations made under section 47 of the Act.

When ~~appointing and delegating~~ preparing an Instrument of Delegation for ~~to~~ a committee, the Council will clearly state:

- ~~clearly define~~ the name of the committee
- clearly describe the facility managed by the committee
- ~~state the~~ type of membership for the committee,
- ~~and~~ the quorum required for a meeting
- ~~state the meeting frequency and the annual cycle for the committee~~
- ~~establish/acknowledge~~ the purpose of the committee
- ~~determine~~ what the committee should do to meet its purposes (objectives, functions, duties and powers)
- ~~clearly define the roles~~ and responsibilities of the committee and Council

The Instrument of Delegation will:



SECTION 86 COMMUNITY ASSET COMMITTEE OF MANAGEMENT POLICY

- be consistent in requirements for similar committees
- be sufficiently broad to allow the committee to operate without undue restrictions or constant reference to Council
- clearly describe the facility managed by the committee
- clearly state the accounting and reporting requirements of the committee including:

Source	Action	Due date
The Act	Provide a copy of all minutes of meetings	Within 14 days of the meeting
Delegation	Arrange for audit of Financial Statements	Must be available for Annual General Meeting
Delegation	Hold Annual General Meeting	Within 690 days of end of financial year
Delegation	Provide copy of minutes of Annual General Meeting	Within 14 days following the meeting
Delegation	Provide certified copy of audited Financial Statements (if completed externally)	Within 30 days of receipt
Delegation	Provide paperwork to enable auditing of financials by Council	Within 30 days of end of financial year
Delegation	Provide an estimate of the number of hiring's and types of each event for insurance purposes.	By 1 May each year
Delegation	Recommend proposed hire fees to Council	By end of November annually
Delegation	Submit "Usage of Public Hall's/Facilities" form	Every January and July
Delegation	Submit casual hirer agreement payments and forms	Every January and July
The Act	Provide a listing of all members of the Committee to be appointed by Council	Within 14 days after the Annual General Meeting
Delegation	Provide an annual report to the CEO in a format approved by the CEO with appropriate supporting documents	31 August annually

Appendix 1 [of this Policy](#) contains a generic list of responsibilities that may be included in an Instrument of Delegation. Some or all of these responsibilities will apply to each committee. The Instrument of Delegation will be prepared by the Director Corporate Services in consultation with the relevant Council officers.

3.33.4 Support of Committees

Council will provide the necessary information, resources and support to allow each committee to function effectively.

Council will support [Section 86 Community Asset](#) Committees [of management](#) by providing:

- dedicated staff resources to provide advice and assistance in governance and operational matters
- up to date and relevant information for operating as a [Section 86 Community Asset](#) Committee [of management](#) in a governance manual [for committees](#)



SECTION 86 COMMUNITY ASSET COMMITTEE OF MANAGEMENT POLICY

- training in the requirements of Section 86 Community Asset Committees of management upon request
- short term hire and user agreements for the committee to use
- information and support in relation to compiling compliance with Essential Safety Measures
- advice on insurance coverage.

Council will monitor all Section 86 Community Asset Committees of management to ensure compliance with requirements of the Act and the Instrument of Delegation that guides their activities by:

checking the return of minutes after meetings

ensuring that committee memberships are updated annually following the Annual General Meeting

ensuring that financial reports are audited in accordance with the Instrument of Delegation.

- conducting building assessments from time to time
- reviewing the annual report of the committee and presenting it to Council
- conducting audits of financials contained in the annual report.

3.3.4.3.4.1 Governance manual

Each Section 86 Community Asset Committee will have access to a governance manual that provides key information and copies of relevant documents, sets out roles and responsibilities and provides points key of Council contacts for each committee that administers, manages and controls a facility.

3.3.4.3.4.2 Insurance

Part of the support provided by Council includes insurance. Section 86 Community Asset Committees are covered by the following insurance:

- Building and content insurance
- Public liability insurance
- Liability and personal accident insurance
- Volunteer insurance

Council provides suitable insurance to cover all its **buildings and contents**. It is important to that committees have an inventory of items submitted to Council to be supported, able to make any insurance claims.

Council provides suitable insurance to cover **public liability claims** in the following circumstances:

- Council is to be notified regarding special events for insurance purposes and an event management plan prepared and actioned. Some details of the event should be minuted in the organisations meeting minutes for further clarification and a record for future reference.
- Hirers of any facility managed, maintained and controlled by a committee of management Community Asset Committee must have their own Public Liability insurance in accordance with any hire or lease agreements, and must submit a copy of their certificate of currency to the committee together with any required forms. This information is recorded and forwarded to Council.
- Casual hirers who don't have their own public liability insurance are able to purchase public liability insurance from Council for a small fee prior to using an asset (e.g. hall) by completing relevant forms and making relevant payments.
- Certain activities may need to be covered by separate insurance. Section 86 Committees should check this with the Organisation Development team at Council.

Section 86 Committee members appointed under Section 86-65 of the Act are covered by the Council's **L**iability and **p**ersonal **a**ccident policies when carrying out activities for and on behalf of the committee whilst acting within their delegated powers.



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Volunteers ~~appointed or~~ authorised by the committee are also covered by the Council's Liability and Personal Accident policies whilst carrying out activities for and on behalf of the Community Asset Section 86 Committee. All volunteers must be registered with the Organisational Development department.

Claims should be raised with the Manager Organisational Development.

3.3.33.4.3 Monitoring performance

The performance of all committees, in respect of their management of Council owned or controlled property will be monitored to ensure that safe operation and effective governance and financial controls are in place.

3.3.43.4.4 Dispute and resolution

Disputes and grievances shall in the first instance, wherever possible, be dealt with informally between the parties involved. Generally grievances with Council should be raised with the Council officer and grievances with the committee should be raised with the Chairperson. If a satisfactory resolution cannot be reached the matter can be progressed to Director Corporate Services.

All formal grievances and their outcomes will be recorded in Council's record management system.

3.43.5 Amalgamation

Should a Section 86 Community Asset Committee wish to amalgamate with another Community Asset Section 86 Committee, each committee must:

- express this intention in ~~the~~ minutes of ~~their a~~ meeting and indicate the proposed new name for the committee and who is proposed as officer bearers for the amalgamated committee.
- advise Council by letter of those intentions and proposed membership
- ~~work with Council officers to prepare a proposed instrument of delegation for the amalgamated committee (the delegation will need to go through the formal process of being approved, signed and sealed by Council before the new members can act on behalf of Council)~~
- await the establishment of the new Community Asset Committee and the appointment of its members by Council resolution before acting as members of the new Community Asset Committee
- arrange for all assets and funds held by the committees to be transferred back to Council ~~whiche~~ will then arrange for auditing, archiving and/or transfer to the amalgamated new Community Asset Ccommittee.

3.53.6 Dissolution of committee at committee's request

Any Section 86 Community Asset Committee may seek to be dissolved by Council at any time.

A Section 86 Community Asset Committee shall seek to be dissolved in the event ~~that~~ membership drops ~~ping~~ to less than four (4) persons, unless Council specifically resolves otherwise.

Where a Community Asset Committee is dissolved, the Community Asset Committee should record where important assets such as honour boards and memorabilia have been stored. All documents such as minutes and financial records must be forwarded to Council for registration and archiving.



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3.63.7 Disbandment of committee on Council's initiative

~~Section 86 Community Asset~~ Committees ~~of management~~ will only be disbanded by resolution ~~of Council at an Ordinary Meeting of Council meeting~~. Reasons for disbandment could include:

- Council deems that it would be more beneficial to the community to have the role previously undertaken by a committee ~~directly managed/undertaken~~ by Council staff
- Council is unable to manage the risks associated with the activity being undertaken by the committee
- there is evidence of support for disbandment of the committee at a local level
- an incorporated body approaches Council about undertaking the role of the committee
- the function previously undertaken by the committee is no longer required
- the same function can be performed by amalgamating with other committees or organisations with similar objectives
- the committee is not complying with the roles and responsibilities of the committee.

Where a ~~Section 86 Community Asset~~ Committee seeks to be disbanded, meeting minutes should record where important assets such as honour boards and memorabilia have been stored. Where Council initiates the disbandment of a committee, a record will be created and kept by Council about where important assets are stored. All documents such as minutes and financial records must be forwarded to Council for registration and archiving.

3.73.8 Responsibilities

The ~~Section 86 Community Asset~~ Committee ~~shall~~ will be responsible for:

- fulfilling any roles, responsibilities and functions as required by Council and as set out in the Instrument of Delegation and the Governance Manual
- managing these roles, responsibilities and functions, subject to Council's policy and direction and in accordance with the Act ~~1989~~, the Instrument of Delegation and the Governance Manual
- ~~when the committee is a facility management committee:~~
- carrying out the management, general operations and regulating the usage of the facility
- facilitating patronage, accepting bookings for the facility subject to Council's policy and direction
- managing risks associated with the operation of the facility in accordance with Council's policy and developing and reviewing ~~existing the~~ facilities where required
- raising funds, where required, to provide for the ongoing management, operation and purpose of the committee function including if applicable, maintenance of the facility in accordance with the Building Asset Management Plan, as appropriate
- providing an Annual Report to the CEO in a format approved by the CEO
- advising Council immediately of fraud or suspected fraud
- reviewing and minuting the ~~review receipt~~ of the ~~Section 86 Committee of Management Policy/Council policies annually~~ at a committee meeting.

The Director Corporate Services with the assistance of the Administration Officer Corporate Services is responsible for:

- providing advice and assistance in governance and operational matters
- providing up to date and relevant information for operating as a ~~Section 86 Community Asset~~ Committee ~~of management~~ in a governance manual for committees
- arranging training in the requirements of ~~Section 86 Community Asset~~ Committees ~~of management~~
- liaising with the committee to provide advice and assistance in relation to the operations of ~~Community Asset the Section 86 Committees~~
- ~~checking return of minutes after meetings~~



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- ~~• ensuring that committee memberships are updated annually following the annual meeting~~
- ensuring that financial reports are audited in accordance with the Instrument of Delegation
- ~~• requesting an estimate of the number of hiring's and types of each event in May each year for the purpose of providing information to Council's insurers so insurance premiums can be set~~
- ~~• requesting from the committee half-yearly usage of the facility on the 'Usage of Public Halls/Facilities' form for the purpose of reimbursing Council for insurance provided when the hall/facility is used by an uninsured user.~~
- collating Community Asset Committee Annual Reports and preparing a report to Council on the activities and performance of the Community Asset Committees.

The Building Maintenance Officer-Coordinator is responsible for:

- liaising with the committee to provide advice and assistance in relation to the operations of the facility, and for monitoring to ensure that systems and processes are in place to enable the safe and efficient operation of Council facilities
- carrying out inspections from time to time.

~~The Director Corporate Services shall ensure that Section 86 Committees provide evidence of compliance with the requirements set out in the committee's Instrument of Delegation and Governance manual, and that all Instruments of Delegations and Governance Manuals are in accordance with the requirements of the Act.~~

4 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
Section 86 Community Asset Committee of management	<p>A committee created <u>established by Council</u> under Section 86 65 <u>65</u> of the Local Government Act 1989 <u>2020</u>, which states: In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following-</p> <ul style="list-style-type: none"> Councillors; Council staff; other persons; any combination of persons referred to in paragraphs (a), (b) and (c). <p>A Council may appoint members to a special committee and may at any time remove a member from a special committee. Except as provided in subsection (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee. A Council cannot delegate to a committee the following powers-</p> <ul style="list-style-type: none"> this power of delegation; to declare a rate or charge; to borrow money; to enter into contracts for an amount exceeding an amount previously determined by the Council; to incur any expenditure exceeding an amount previously determined by the Council; any prescribed power. <p>A Council may require a special Committee to report to the Council at intervals determined by the Council. The Council must review any delegations to a special</p>



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	committee in force under this section within the period of 12 months after a general election.
Instrument of delegation	The document that outlines the committee's activities, functions, and responsibilities to Council. <u>powers, duties or functions of a Community Asset Committee</u>
The Act	Local Government Act 2020 <u>1989</u>
Ordinary Meeting of Council meeting	<u>a Council meeting that complies with section 61(1); Meetings at which general business of the Council may be transacted.</u>

5 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

6 REVIEW

The Director Corporate Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.



SECTION 86 COMMUNITY ASSET COMMITTEE OF MANAGEMENT POLICY

APPENDIX 1: COMMITTEE OF MANAGEMENT COMMUNITY ASSET COMMITTEE RESPONSIBILITY

MAINTENANCE GUIDELINES FOR COMMITTEES OF MANAGEMENT COMMUNITY ASSET COMMITTEES MANAGING COUNCIL FACILITIES:

This document provides guidelines to your Committee of Management Community Asset Committee for the maintenance of Loddon Shire's (Council) owned / managed facilities. This document must be read in conjunction with Loddon Shire's Building Asset Management Plan (BAMP).

Where an item is not applicable, parties may strikethrough the item. Both parties must initial the strikethrough for the item to be considered not applicable.

Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
UTILITIES			
Power (electricity) Gas (bottled and mains) Water (building) Telecommunications		✓	Payment for all supply costs, service charges and associated expenses.
BUILDINGS			
Includes: Main buildings, grandstands, scoreboards, timekeepers hut, player and public shelters, ticket entrances, shedding, carpports, verandas, toilets, fences etc. Note: does not apply to public toilets which Council is responsible for as defined in Council's Building Asset Management Plan.			
Rates	✓		Council will be responsible for any rates and charges, including land tax if applicable. Contact Council's Revenue Coordinator
Building insurance	✓		Council insures building. Contact Council's Manager Organisational Development



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Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
Structural integrity of the building	✓		<p>Council will be responsible for all structural integrity issues (including foundations, footings, load bearing wall frames, roof trusses and roof coverings) subject to Council funding approval.</p> <p>Contact Council's Manager <u>Assets and Infrastructure Technical Services</u> <u>Committee of Management Community Asset Committee</u> are responsible for reporting issues immediately as they arise</p>
Building maintenance and repairs.		✓	<p>All building maintenance and repairs including electrical, plumbing, fit outs, cladding, spouting, guttering, storm water and sewer/septic blockages etc.</p> <p>Cleaning internally and externally and supply of cleaning products and consumables.</p> <p>Repairs due to vandalism including the removal of graffiti.</p> <p>Report any structural damage to Council's Building Maintenance <u>Coordinator Officer</u></p>
Gutter cleaning		✓	<p><u>Committee of Management Community Asset Committee</u> is responsible for organising the cleaning of guttering</p>
External painting		✓	<p><u>Committee of Management Community Asset Committee</u> is responsible for external painting.</p> <p>Colour changes are to be confirmed with Council's Building Maintenance <u>Officer Coordinator</u>.</p>



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Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
Internal painting		✓	<p><u>Committee of Management Community Asset Committee</u> is responsible for internal painting.</p> <p>Colour changes are to be confirmed with Council's Building Maintenance <u>OfficerCoordinator</u>.</p>
Kitchen – food safety/hygiene		✓	<p><u>Committee of Management Community Asset Committee</u> must comply with requirements of the Food Act.</p> <p>Contact Council's Public Health Officer for further information.</p>
Cleaning of sports use toilets		✓	<p>Day to day cleaning and supply of all consumables such as toilet paper and hand towels (excluding public toilets recognised within Council's Building Asset Management Plan.)</p>
Asbestos Audits and Asbestos Register			<p>Council will be responsible for engaging suitably qualified contractors to undertake Asbestos Audits on Council buildings over a 5 year period.</p>
Asbestos containment and/or removal	✓		<p>Council will maintain the Asbestos Register.</p> <p>Council will manage identified asbestos in buildings through regular inspection checks or removal.</p> <p>Contact Council's Building Maintenance <u>OfficerCoordinator</u>.</p>
Asbestos Control Methods		✓	<p><u>Committee of Management Community Asset Committee</u> is responsible for ensuring site hazard control methods are adhered to and breaches are immediately reported to Council.</p>



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Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
Seasonal inspections		✓	Where facilities involve the running of seasonal sports, the <u>Committee of Management Community Asset Committee</u> is responsible for arranging for Council to inspect all sporting facilities prior to the season
BUILDING CONTENTS			
Contents insurance		✓	<u>Committee of Management Community Asset Committee</u> is responsible for insuring contents that are not owned by the Council.
Electrical testing and tagging of appliances		✓	The <u>Committee of Management Community Asset Committee</u> is responsible for engaging competent person(s) to undertake testing and tagging of electrical equipment to Australian Standards.
Floor coverings		✓	The <u>Committee of Management Community Asset Committee</u> is responsible for cleaning/maintenance and replacement of floor coverings.
Window furniture		✓	The <u>Committee of Management Community Asset Committee</u> is responsible for cleaning/maintenance and replacement of curtains, blinds and other window furnishings.
ESSENTIAL SAFETY MEASURES			
Records of service must be kept in the installed Essential Safety Measures Cabinet and also be provided to Council on request.			



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Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
Fire extinguishers Fire blankets Hose reels Fire hydrants		✓	The <u>Committee of Management Community Asset Committee</u> is responsible for engaging competent person(s) to undertake servicing of fire-fighting equipment to Australian Standards.
Air-conditioning and Mechanical Ventilation Systems		✓	Servicing of Air Conditioning Systems (Heating and Cooling) and Mechanical Ventilation Systems to Australian Standards. Service requirements and frequencies may vary from site to site
Fire mains		✓	Servicing and testing of Fire Mains (Ring Mains) to Australian Standards. Currently required every 5 years. Council's Building Maintenance <u>Officer-Coordinator</u> will provide a reminder before due date
Lifts		✓	Serviced to Australian Standards by suitably qualified person(s) Minimum service requirement is annually unless Council deem a more frequent service is required.
Emergency lighting and exit lights		✓	Serviced to Australian Standards by suitably qualified person(s) at 6 monthly intervals
Material Safety Data Sheets (MSDS)		✓	<u>Committee of Management Community Asset Committee</u> is responsible for holding and maintaining applicable MSDS.



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Item	Responsibility		Comments
	Council	Committee of Management Community Asset Committee	
Access and egress Paths of travel to exits		✓	Internal audits to be conducted by a suitably responsible person at quarterly intervals. Written records must be completed and filed in the supplied Essential Safety Measures cabinet from 1 July 2018)
Emergency Evacuation Policy		✓	Committee of Management Community Asset Committee is responsible for implementation and ongoing reviews. Council's Manager Organisational Development may assist the Committee of Management Community Asset Committee with the development and/or review of Emergency Evacuation policies and procedures.
BUILDING SERVICES			
Rubbish and recycle Kerbside collection			Council Policy currently under review.
Septic tank and lines	✓		Council will be responsible for major maintenance or replacement subject to Council funding approval. Contact Council's Building Maintenance Officer <u>Coordinator</u> .
Septic tank and lines servicing		✓	General annual/tri-annual servicing and repairs is the Committee of Management Community Asset Committee 's responsibility.



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Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
Grease traps / triple interceptor pits	✓		Council will be responsible for major maintenance or replacement subject to Council funding approval. Contact Council's Building Maintenance <u>Officer/Coordinator</u> .
Grease traps / triple interceptor pits servicing		✓	General annual/tri-annual servicing and repairs is the responsibility of the <u>Committee of Management Community Asset Committee</u> .
Thermostatic Mixing Valves / Tempering valves		✓	Serviced to Australian Standards by suitably qualified person(s) at 12 monthly intervals
Backflow Prevention Devices		✓	Annual serving and repairs of Backflow Prevention Devices annually or as directed by Coliban Water
Automatic doors		✓	Serviced to Australian Standards by suitably qualified person(s). <u>Committee of Management Community Asset Committee</u> is responsible for all service and maintenance costs.
GROUNDS Including nature strips			
Fencing maintenance and renewal		✓	<u>Committee of Management Community Asset Committee</u> responsible for all maintenance and renewal of boundary and internal fencing
Playground equipment		✓	<u>Committee of Management Community Asset Committee</u> is responsible for regular safety checks and general upkeep.



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Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
Seat and bench maintenance		✓	<u>Committee of Management Community Asset Committee</u> is responsible for maintenance and up-keep.
Ovals and surrounds maintenance		✓	<u>Committee of Management Community Asset Committee</u> responsible for all maintenance and upkeep of ovals and surrounds.
Light tower maintenance		✓	<u>Committee of Management Community Asset Committee</u> is responsible for all maintenance and upkeep of light towers.
Water (sporting grounds)		✓	Irrigation systems are managed and maintained by <u>Committee of Management Community Asset Committee</u> .
Garden beds maintenance and watering around halls, clubrooms or pavilions		✓	Includes maintenance of all garden beds, ornamental lawns, mowing and their respective watering systems. New garden beds situated in close proximity of buildings must be approved by Council prior to installation.
Netball and tennis courts maintenance		✓	<u>Committee of Management Community Asset Committee</u> is responsible for all maintenance and upkeep of netball and tennis courts.
Pest plants (weeds) and animals		✓	Includes insects, rodents, rabbits, feral animals and weeds
Road and path maintenance		✓	<u>Committee of Management Community Asset Committee</u> is responsible for: inspection, maintenance and renewal of all internal driveways, roadways, footpaths and parking areas.



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Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
Hard surfaces - (paving, asphalt, concrete etc.)		✓	<u>Committee of Management Community Asset Committee</u> is responsible for all maintenance and upkeep of all hard surfaces.
Advertising sign maintenance		✓	The erection and maintenance of advertising signs is subject to Council approval and must meet all regulations and planning requirements. A Planning Permit may be required.
No smoking signs		✓	Council is able to supply replacement signs to the committee. The committee is responsible for maintaining/installing the signs.
Barbecue maintenance		✓	<u>Committee of Management Community Asset Committee</u> is responsible for all maintenance and works associated with the BBQ facilities at reserves
Rubbish maintenance		✓	Rubbish generated from activities that use the facility must be disposed of in bins on site kerbside collection service. If no bins available, the <u>Committee of Management Community Asset Committee</u> must remove rubbish off site. Hard rubbish that is generated from works must be carted away from the property at the completion of the works.
MISCELLANEOUS			
Smoking		✓	No smoking is permitted in any Council building. Committees are responsible to ensure no cigarette butts litter the ground and surrounding areas.



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Item	Responsibility		Comments
	Council	<u>Committee of Management Community Asset Committee</u>	
Special events		✓	Any special events costs and damage is the responsibility of the <u>Committee of Management Community Asset Committee</u>
Alcohol		✓	No alcohol is permitted to be sold unless a liquor licence is held– see Department of Justice for more information (www.justice.vic.gov.au/alcohol) The Food Act also applies to alcohol sales. A permit is required from Council.
Gambling		✓	No gambling is permitted in any Council property without appropriate approvals
Politicians		✓	<u>Committee of Management Community Asset Committee</u> must seek authorisation from Council prior to contacting a politician.

Committees may apply for funding assistance for any maintenance requirement via Council’s Community Grants Program or Recreation Grants. If successful for grant funding, all works are subject to written approval from the Technical Services department.

Committees may also apply for funding assistance from sources other than Council. Committees should contact Community Support for assistance with their application.

11 INFORMATION REPORTS

Nil

12 COMPLIANCE REPORTS

Nil

13 GENERAL BUSINESS

14 CONFIDENTIAL ITEMS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(1) and 66(2)(a) of the Local Government Act 2020:

14.1 REVIEW OF CONFIDENTIAL ACTIONS

This matter is considered to be confidential under Section 3(1)(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may disclose confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

14.2 CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW

This matter is considered to be confidential under Section 3(1)(f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Pursuant to section 66(5)(b) of the Local Government Act 2020, the information contained within this report is confidential due to personnel matters.

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

NEXT MEETING

The next Ordinary Meeting of Council will be held on 25 August 2020 commencing at at 3pm.

There being no further business the meeting was closed at [enter time](#).

Confirmed this.....day of..... 2020